



HOUSE OF COMMONS  
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CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Thursday, February 28, 2019**  
**(Part A)**

—

**Speaker: The Honourable Geoff Regan**

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# HOUSE OF COMMONS

Thursday, February 28, 2019

The House met at 10 a.m.

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*Prayer*

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## ROUTINE PROCEEDINGS

• (1005)

[*Translation*]

### PARLIAMENTARY BUDGET OFFICER

**The Speaker:** Pursuant to subsection 79.2(2) of the Parliament of Canada Act, it is my duty to present to the House a report from the Parliamentary Budget Officer entitled “Fiscal Analysis of the Interim F-18 Aircraft”.

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[*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 present, in both official languages, the government's response to two petitions.

\* \* \*

### AN ACT RESPECTING FIRST NATIONS, INUIT AND MÉTIS CHILDREN, YOUTH AND FAMILIES

**Hon. Seamus O'Regan (Minister of Indigenous Services, Lib.)** moved for leave to introduce Bill C-92, an act respecting first nations, Inuit and Métis children, youth and families.

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

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### INTERPARLIAMENTARY DELEGATIONS

**Mr. Robert Oliphant (Don Valley West, 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 Canada-Africa Parliamentary Association respecting its participation at the bilateral mission to the People's Democratic Republic of Algeria, in Algiers and Tipasa, Algeria, from October 7 to October 13, 2018.

I would like to take the opportunity to thank the secretary of the association, Mr. Grant McLaughlin; the analyst, Mr. André Léonard;

and Mr. Brian Herman for their assistance with this mission and with the production of this report.

\* \* \*

## COMMITTEES OF THE HOUSE

### FISHERIES AND OCEANS

**Mr. Ken McDonald (Avalon, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the 19th report of the Standing Committee on Fisheries and Oceans, entitled “Ensuring the Sustainability of the Small Craft Harbours Program”.

I want to thank all members for their input into this particular report, as well as the table staff, clerk and analysts for all their help in preparing this report.

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Mr. Speaker, I am pleased to rise to speak briefly about our dissenting report.

Throughout the committee's study of Canada's small craft harbours, we received testimony raising strong concerns regarding the government's inventory of small craft harbours, and particularly the absence of up-to-date data in the inventory reflecting current conditions of the inventoried harbours and associated infrastructure.

We do great work at that committee. However, it would seem that although our government colleagues across the way put forth this study, when it came time to put the final touches on the report, for whatever reason, they chose to walk back on some of the strong testimony we heard throughout the study.

It is our request to all Canadians that they take the opportunity to read this report carefully and review our additional recommendations.

### JUSTICE AND HUMAN RIGHTS

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the 26th report of the Standing Committee on Justice and Human Rights in relation to my private member's bill, Bill C-417, an act to amend the Criminal Code with regard to disclosure of information by jurors, which would carve out a narrow exception to the jury secrecy rule so that jurors suffering from mental health issues could get the help they need.

The committee has studied the bill and has decided to report the bill back to the House with amendments.

*Routine Proceedings*

## HEALTH

**Mr. Bill Casey (Cumberland—Colchester, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the 22nd report of the Standing Committee on Health, entitled "Canadians Affected by Rare Diseases and Disorders: Improving Access to Treatment".

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

The committee heard from many witnesses who described the barriers they face as victims of rare diseases as a result of slow approvals for new drugs and the extremely high costs of drugs. I want to thank all the members from all parties who participated in this study and I hope it makes a difference.

As well, I want to thank the staff who helped us prepare this report. It is most appropriate to be tabling this report today, because it is Rare Disease Day.

\* \* \*

● (1010)

**CRIMINAL CODE**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-434, An Act to amend the Criminal Code (assault against a health care sector worker).

He said: Mr. Speaker, I am honoured to rise today to introduce an important bill to Parliament. I would like to thank the hon. member for Port Moody—Coquitlam for seconding this motion.

This legislation would amend the Criminal Code to require a court to consider that if the victim of an assault is a health care sector worker, this fact would be an aggravating circumstance for the purposes of sentencing.

Violence against health care workers has become a pervasive and growing problem within the Canadian health care system. Over the last decade, violence-related lost-time claims for front-line health care workers has increased by 66%, three times the rate for police and correctional officers combined. National data also show that 61% of nurses experienced a serious problem with some form of violence over a recent 12-month period.

This bill sends a strong message that those who provide such critical services must be treated with respect and security. They take care of our health and safety, and we must take care of theirs. I call on all parliamentarians to support this vital legislation.

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

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**RARE DISEASE DAY ACT**

**Mr. Tom Kmiec (Calgary Shepard, CPC)** moved for leave to introduce Bill C-435, An Act to establish Rare Disease Day.

He said: Mr. Speaker, as members know, Rare Disease Day is today. It is held every single year on the last day of February, which means that every four years it will come on a leap day, the rarest day of all.

As many members know, three of my living kids—my three young children—and my wife suffer from a rare disease. My youngest daughter, who passed away last year, suffered from a different rare disease, so this private member's bill has special meaning for me. It would proclaim in Canada a rare disease day.

There are 7,000 rare diseases and over one million Canadians who suffer from them. Two-thirds of children who suffer from a rare disease will not live past their fifth year. It is high time for Canada to recognize the international Rare Disease Day.

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

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**ACROMEGALY AWARENESS DAY ACT**

**Mr. Mark Strahl (Chilliwack—Hope, CPC)** moved for leave to introduce Bill C-436, An Act to establish Acromegaly Awareness Day.

He said: Mr. Speaker, it is an honour to rise in the House today to introduce my private member's bill, an act to establish acromegaly awareness day.

Today is Rare Disease Day, and acromegaly is one of those rare disorders. Acromegaly is most commonly caused by a benign pituitary tumour, leading to abnormal growth. It can result in the enlargement of the hands, feet and facial features, increased spacing of teeth, and headaches and problems with vision. Acromegaly patients may suffer from complications, including arthritis, diabetes, sleep apnea, hypertension, colonic polyps, carpal tunnel syndrome and enlargement of internal organs, such as the heart.

Due to the lack of understanding of this disease, it often takes between 10 and 15 years to receive a proper diagnosis. Those left undiagnosed are susceptible to a premature death.

This bill seeks to bring greater awareness to the disease, and therefore better treatment, by declaring November 1 of each year acromegaly awareness day.

I want to thank a constituent, Deanna Badiuk, for bringing this matter to my attention and for her tireless efforts to raise awareness of this issue.

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

\* \* \*

● (1015)

**PETITIONS**

## NATURAL RESOURCES

**Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC):** Mr. Speaker, it is my privilege to stand today to present a petition with the signatures of nearly 1,500 of my constituents.

They are calling for Bill C-69, the no new pipelines bill, which will have significant ramifications for the economic future of Grande Prairie, the Peace country, Alberta and the country as a whole, to be withdrawn.

They not only call on the government to abolish this bill but also to implement policies that encourage investment in the energy sector and provide a clear and reasonable process for the approval of pipelines, as well as to cancel the west coast shipping ban.

I am very proud of my constituents. Over the last number of months, there have been significant job losses throughout the province of Alberta. This is a very meaningful petition, and we are hopeful the government will respond.

**The Speaker:** While I thank the member for Grande Prairie—Mackenzie, I remind members that they are not to comment on petitions or provide personal views on them.

The hon. member for Cariboo—Prince George.

PENSIONS

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Mr. Speaker, I rise today to table a number of petitions.

First, I am honoured today to table a petition on behalf of my constituents from the great communities of Williams Lake, 150 Mile House, Quesnel and Prince George in the incredible riding of Cariboo—Prince George. They call on the Government of Canada to withdraw Bill C-27, an act to amend the Pension Benefits Standards Act, 1985. In doing so, my constituents add that this is yet another broken promise by the Prime Minister.

FISHERIES

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Mr. Speaker, I also rise to table petitions from Canadians from coast to coast to coast who call upon Parliament to restore funding to the salmon enhancement program to support the promotion and conservation of the Pacific salmon fisheries.

The government repeatedly cut funding to the salmon enhancement program in the 2016 and 2017 federal budgets. Since 1977, over 40,000 students in British Columbia have gone through the salmon enhancement program. The program provides funding essential to education and conservation activities benefiting from Pacific salmon fisheries. Funding cuts to the salmon enhancement program will eliminate education and conservation activities supporting Pacific salmon fishers.

SEARCH AND RESCUE

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Mr. Speaker, I rise to present petitions from Canadians from coast to coast to coast to recognize the service of the over 60,000 search and rescue volunteers right across the country.

There are over 60,000 volunteers for the search and rescue service, and they are the only volunteer service in our nation without any form of recognition medal. The petitioners are calling on the government to recognize the extreme service that search and rescue volunteers put forth. It is an honour equivalent to what other major first responder organizations are awarded. We are asking that the government follow through with its promise to implement a service recognition medal for search and rescue volunteers.

S. O. 52

[Translation]

TRANS FATS

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, I am pleased to present a petition signed by hundreds of people. The petition is about industrially produced trans fats, which are a leading cause of death. We know that cardiovascular health is crucial.

Partially hydrogenated oils, the main source of industrial trans fats, have been prohibited since September 2018. However, the industry was given a very long grace period and can continue to use trans fats in foods until 2020.

The petitioners are concerned about this and are demanding immediate prohibition.

[English]

PUBLIC SAFETY

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, I have two petitions to present today.

The first is an electronic petition with 10,350 signatures, which is incredible. It is about Terri-Lynne McClintic, convicted of first degree murder, being moved from a secure facility to a healing lodge without fences when not being eligible for parole until 2031. They are calling on the Government of Canada to exercise its moral, legal and political authority to ensure this decision is reversed and cannot ever be allowed to happen again in other cases.

• (1020)

HUMAN ORGAN TRAFFICKING

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, the second petition draws the attention of the House to the issue of the trafficking of human organs. It points out that there are two bills on this issue in Parliament, Bill C-350 and Bill S-240, and they are urging that the Parliament of Canada move quickly on the proposed legislation so that we can begin to put controls on the issue of organ harvesting.

\* \* \*

QUESTIONS ON THE ORDER PAPER

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

REQUEST FOR EMERGENCY DEBATE

ALLEGED INTERFERENCE IN JUSTICE SYSTEM

**The Speaker:** I have notice of a request for an emergency debate from the hon. opposition House leader.

*Government Orders*

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, I am rising today to seek leave for the adjournment of the House for the purpose of discussing an important matter requiring urgent consideration pursuant to Standing Order 52.

Yesterday, we heard compelling, convincing and very credible testimony from the former attorney general at the justice committee. She told of unwanted, sustained and coordinated pressure that came to bear on her from the highest offices of this country, from the office of the Minister of Finance, from the Prime Minister's Office, from the Prime Minister himself, and from the Clerk of the Privy Council. She told of pressure that came to bear on her to interfere in a criminal trial.

This has caused a crisis of confidence in the Prime Minister and in his cabinet, certainly in the Clerk of the Privy Council, in the Minister of Finance and in the current Attorney General. Her testimony was meticulous. It was detailed. It was believable.

We have over the last three weeks been asking the Prime Minister about this. His response, from three weeks to yesterday, has not given us any confidence that he is being transparent. He in fact said yesterday that the former attorney general, whom he appointed and whom all of us have been trusting, he has been trusting for the last three years, his caucus has been trusting and the country has been trusting, was lying.

Somebody is lying, and I would say that it is not the former attorney general. We need to find out what has happened, and we need to get to the bottom of this.

We heard testimony that the Clerk of the Privy Council, in putting pressure on her, referred to board meetings of SNC-Lavalin. We heard that the Prime Minister, in putting pressure on her, referred to his own re-election. There were hours of very credible testimony given yesterday that begs that this chamber discuss this issue.

We are certainly at a crisis. As opposition, we will not have a day to bring anything forward for 19 more days. As you know, Mr. Speaker, we will be rising for a two-week constituency break, and we will not have an opportunity to address this.

This is a crisis, and that is why I am asking that we be given the opportunity to discuss this during an emergency debate.

• (1025)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I am rising on the same matter raised by my colleague, to speak to the importance of this emergency debate because of the unprecedented testimony we heard yesterday about a sustained and coordinated campaign to interfere with an independent prosecution. It puts in question the entire credibility of Canada's justice system and the role of the attorney general.

This warrants that Parliament be seized of this matter immediately. What is really concerning is the testimony that the former justice minister gave. She said she had copious notes, and she was very believable, but what she laid out were allegations that are very serious. They include the Clerk of the Privy Council, whose role it is to be the non-partisan voice for the civil service. For him to have sent clear threats to the Attorney General to stop a prosecution raises

the whole question of the independence of the Privy Council, so Mr. Wernick is certainly questionable.

Ms. Telford said she was not interested in legalities, but she has an obligation to uphold the law if she is in the Prime Minister's Office. Mr. Butts, according to her testimony, said that he did not like the law, and that it was Harper's law. The former attorney general, to her credit, said it was the law of Canada. The government does not get to pick which laws it likes and which ones it does not like. Then Mr. Butts said there was no way this was going to get done without interference.

That is a clear statement of the attempt to undermine for partisan purposes, and the partisan purposes go right to the Prime Minister himself. He said he was worried as the MP for Papineau and that this was not going to happen on his watch. He was not speaking in the interests of all Canadians or in the interests of all the workers, who are very seized of this matter. He was looking at it from the point of view of his own particular re-election. That is not acceptable.

We do not get the opportunity to get to the bottom of this at the justice committee, because the Liberals have not allowed the former justice minister to speak about what happened in the period between January 14 and her resignation. She has made it clear that something happened in that period, and she quit cabinet. We will not be allowed to hear that.

The Prime Minister has refused the independent inquiry we have requested to take this out of Parliament and put it in the hands of a retired justice or a justice official, who could look at this and return. It therefore falls upon Parliament to address this, to look at this and to be seized of this matter, particularly since we will be going back to our constituencies for two weeks. We have to reassure constituents that the rule of law in Canada will not be monkeywrenched for partisan purposes. This is why this emergency debate is needed now.

## SPEAKER'S RULING

**The Speaker:** I thank the opposition House leader and the hon. member for Timmins—James Bay for their comments, and I am prepared to grant their request.

**GOVERNMENT ORDERS**

[English]

**NATIONAL DEFENCE ACT**

The House resumed from February 22 consideration of the motion that Bill C-77, An Act to amend the National Defence Act and to make related and consequential amendments to other Acts, be read the third time and passed.

**The Speaker:** The hon. member for Brandon—Souris has sixteen and a half minutes remaining in his speech.

**Mr. Larry Maguire (Brandon—Souris, CPC):** Mr. Speaker, thank you for the opportunity to continue where I left off last Friday.

*Government Orders*

Just to recap, Bill C-77, which is before us today, aims to protect victims of military offences by providing needed updates to the current military justice system. Updating the judicial system of the Canadian Armed Forces can be a daunting task, but those in the service commit their lives to defending Canadian values and beliefs, and it is very worthwhile.

Whether on foreign soil or right here at home, they must regularly deal with the high-tension situations they are faced with. Therefore, their decisions and reactions can often be the difference between life and death, or war and peace. The importance of their work cannot be overstated. As such, they hold themselves to a higher standard. The armed forces judicial system is in place to maintain discipline and structure.

I am very proud to say that I represent Canadian Forces Base Shilo, our military base in Brandon—Souris, which is a very important part of our community. Many of us have family, friends and neighbours who serve on the base. They house the First Regiment Royal Canadian Horse Artillery and the Second Battalion Princess Patricia's Canadian Light Infantry. It is worth repeating that the base is the home station of the Royal Canadian Artillery, as well as to a component of the Western Area Training Centre, 742 Signals Squadron Detachment Shilo and 11 Canadian Forces Health Services Centre. Other supported units include 26 Field Regiment and RCA Brandon's reserve unit.

Westman is awfully proud to be the home of our brave men and women in uniform. They are an essential and prominent part of our community, and have been for many years. Many develop strong ties and settle here when they complete their service and return to civilian life and retirement.

Bill C-77 seeks to align the military's justice system with the Criminal Code of Canada. I am pleased to see that it has built upon Bill C-71, which was presented by our former Conservative government, and seeks to enshrine the rights of victims in the National Defence Act.

The main premise here is common sense, which is that victims of any alleged crime should have the right to feel safe when navigating the judicial system. Therefore, I believe it is our obligation to treat them with compassion and respect, and to provide a secure environment so that they may tell their story. Their testimony is essential in better understanding what has occurred, and it is paramount they be able to provide it without fear of consequences and reprisals.

Victims are often overlooked in criminal proceedings, with most of the emphasis being on the offender. It is important they be given their opportunity to be heard. The system is there to provide justice, not only for the accused but also for the victim.

In this regard, a key feature of the bill is that it strives to provide better protection for both victims and witnesses in military trials. Military communities are often smaller and more tightly knit. This serves to foster a strong sense of solidarity among those in the service. While they can be an exceptional advantage in the field, those strong ties sometimes make it very difficult for victims to speak out against their wrongdoer. Ensuring that due consideration is given to the safety and security of victims would help give them the

courage to stand up and speak out against the injustice they have faced. They should be given every opportunity to be involved in the proceedings. At the conclusion of the proceedings, they should emerge fully satisfied that justice has been properly served.

An important part outlined in this bill is that victims have the right to rely on the assistance of others when dealing with the justice system. If victims are incapable of acting on their own behalf, they may depend on their relatives to exercise their rights. Victims can now look to their spouses, parents or dependents to be their representatives during these proceedings, to help them through the difficult times.

• (1030)

The justice system can be intimidating. It encompasses many procedures, rules and regulations. Victims may not always be fully aware of their rights and can easily feel overwhelmed. Giving individuals the opportunity to request a liaison officer to help them navigate the workings of the case should encourage more people to come forward.

We should ensure that these liaison officers are properly trained in order to guarantee that they can provide the most assistance possible. A lack of awareness of their rights or of standard procedure should not prevent people from seeking justice. It is important not only to provide safety to those who have suffered at the hands of others, but we must be able to reinforce their belief in the justice system in order to offer them better peace of mind.

This would be best accomplished by making the process as transparent as possible. I firmly believe that all victims have the right to request information about the military justice system. They have been directly affected by a crime. They deserve to be assured of the fair proceedings of the case. These are people who have been wronged, hurt and betrayed. They need reassurance and evidence that their belief in the justice system is not misplaced. They need to see justice served.

I understand that under certain circumstances there is a need for discretion. The military conducts many sensitive operations, and often information will be classified to ensure the safety of our troops and our civilians. Those cases notwithstanding, I believe, whenever possible, victims should be provided with information concerning their cases. They should feel completely included in those proceedings and not have to plead for the most basic facts. Victims should not have to rely on outside media or gossip to scrounge incomplete information on a case that may have deeply affected them.

The bill would achieve a good balance between aligning with the current military justice system and still supporting victims within that system. The bill is very conscious of the importance of the chain of command within the military, and it makes sure not to impact the system in a manner that would hinder it.

*Government Orders*

The declaration of victims rights contained in this piece of legislation is careful to describe the specific rights afforded to victims in this situation without creating any barriers that might impede the system. I am aware that circumstances in the military may differ widely from those encountered in civilian life, as I have said before. The bill would ensure that the victim's rights are properly represented within the important confines of the current system. It does not interfere with the more unique aspects of the justice system, such as the court martial process or the code of discipline.

With the bill, we are taking a step in the right direction when it comes to defending the rights of victims of military offences. However, there is one area of concern with the current legislation that I would like to speak to. It involves the long-term consequences that minor military offences may have on individuals when they retire from service.

Presently, there are uniquely military offences that do not have a counterpart in the civilian code. Among them are the five minor offences of insubordinate behaviour, quarrels and disturbances, absence without leave, drunkenness and conduct prejudicial to good order and discipline. These are infractions that can only be committed by members of the military, yet they can result in a criminal record in the civilian world.

● (1035)

People found guilty of insubordinate behaviour could retire from the military only to have this offence follow them into civilian life. As Lieutenant-Colonel Jean-Guy Perron said in his testimony to the Standing Committee on National Defence on this topic:

The consequences of having a criminal record are significant. Applying for employment or attempting to cross the Canadian border are but two of the everyday consequences that can have an important impact on a veteran's life. Do we truly wish to burden a veteran with a criminal record, when he or she has committed a service offence, which may have no equivalent in our criminal justice system or in Canadian society?

Imagine trying to look for work after leaving the military, only to be flagged with a criminal record due to being absent without leave. A large portion of veterans seek employment in the security sector, which requires security checks. When it is seen there is a criminal record, getting a job is all but impossible.

It is important to remember that we have a separate justice system in the military for a reason. There are unique circumstances that apply to our forces that require a separate process to properly address it. It would not be fair to our Canadian Forces members that minor offences that occurred in a very unique setting, a setting known to be high stress at times, remain with them and affect their lives long into the future.

Lieutenant-Colonel Jean-Guy Perron went on to provide a recommendation to the committee that stated, "The Criminal Records Act and the [National Defence Act] should be amended to only include service offences that truly warrant the creation of a criminal record."

Based on his testimony, there was an amendment to Bill C-77 proposed by my fellow Conservative members who sit on the defence committee to address this issue. The amendment put forth would have ensured that those five minor offences I listed would not

be given a civil criminal record, no matter the severity of the sentence received. The amendment was flagged to be potentially outside of the scope of the current bill. As such, the committee on national defence did get the opportunity to briefly study the matter, but I would like a more in-depth analysis on the topic.

I mention this because I firmly believe that it is an important issue that should be addressed, and that it would greatly benefit the present members of the House to examine. I wholly encourage members to study this subject, because it is a topic that should be reviewed in the near future so that we can do right by those who dedicate themselves to protecting us.

There is still much that can be done when it comes to providing proper justice to our brave men and women in uniform. The bill before us today would do much to help protect victims of military offences, but we must always strive to do more to help those in our armed forces.

Justice may be blind, but it should not be deaf. By better defining victims rights, we give a voice to those who seek justice. We give them a better platform to stand on and tell their story.

I will be voting in favour of the legislation, as I believe this is a non-partisan issue, and we should all unite to support victims of crimes. It is important we review Bill C-77 and we move it forward, as there are many good things in it, but there are still some things that need to be reviewed.

● (1040)

I hope that there has not been any undue pressure put forward on any of the persons involved in the formation of Bill C-77, considering that the former attorney general was there. We have already seen that undue pressure was put on her in many other areas. This is one situation where I believe that it is not appropriate either.

We need to make sure that we look at the Gladue decision. We are reminded that when sentencing is coming forward in those areas, the Supreme Court requires continuing to look at the situations facing our indigenous persons. We also must remember that there was a resignation that took place by the former attorney general when she was the veterans affairs minister, and also we are reminded that she was the associate minister of national defence at that time.

With that I look forward to questions.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague, who covered a lot of ground. However, I would like to go back to the beginning of his speech where he referenced the Princess Patricia's Canadian Light Infantry. I am not sure if my hon. colleague is aware of this, but the very first soldier who stepped foot in France from Canada came from the Princess Patricia's because they were the first to go over, at the end of 1914.

The first person to step off with the Canadians in France then was Jack Munroe, who had fought Jack Johnson and Jim Jeffries, heavyweight champions of the world and who was famous in Butte, Montana. Mr. Speaker is probably aware of Jack Munroe because he was very famous in Cobalt, where I come from, with the silver rush. He was well known around the world and represented Canada.



*Government Orders*

Given the storied past of the Princess Patricia's and how the feelings in my region are very strong towards them because of this connection to Jack Munroe and the soldiers who went over, I would like to ask my hon. colleague this. Does he have anything else to add that is really important about the role of that storied regiment in Canada's life?

**Mr. Larry Maguire:** Mr. Speaker, I certainly want to thank my hon. colleague for enlightening us on that whole situation. I was not aware personally that Mr. Munroe was the first person to set foot on soil in those times. However, I appreciate my hon. colleague for bringing that forward.

Second, the battalion of the Princess Patricia's Canadian Light Infantry has been an integral part of our Canadian military throughout its existence. We are extremely proud to have it as part of our Canadian Armed Forces base in Shilo, which, as mentioned, is extremely integral to residents' lives and the community in Brandon and Shilo, which is about 20 miles east of Brandon, as well as the whole rural area around that community.

•(1045)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I appreciate a number of the comments that my colleague made across the way. One of the things that I would not mind getting his thoughts on is the importance of ultimately passing the legislation through.

The former prime minister did do the legislation in good part, so I am expecting that we will get fairly good support coming from all members of the House. Given the significance of trying to have this put into place, I wonder if my hon. colleague could provide his thoughts on how the principles of this legislation will be for the betterment of our Canadian Forces and, in fact, of society. This is legislation that should, as much as possible, be allowed to continue through so that we can ultimately see it pass.

**Mr. Larry Maguire:** Mr. Speaker, my hon. colleague for Winnipeg North's question is allowing me to comment on the bill again. As he heard in my speech, I will be voting for Bill C-77. I believe it is a bill that is following the former Conservative Bill C-71. We will be moving it forward and I certainly will be supporting it.

However, there are still situations that need to be looked at, as I outlined. We need to make sure that we are looking at exactly which areas of military law are carried forward into civilian law, as I pointed out earlier. I will be looking forward to seeing some of those changes, if possible, as well.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, toward the end of my hon. colleague's speech he mentioned that the recently resigned minister of veterans affairs and former attorney general would have had some knowledge of different cases.

Given that there is another trial related to military justice going on at the same time and considering what we heard last night in that the former attorney general was being pressured to have a deferred prosecution agreement with a Liberal-connected company, do you think she was also pressured to ensure that Vice- Admiral Norman was prosecuted?

**The Assistant Deputy Speaker (Mr. Anthony Rota):** I want to remind hon. members to place their questions through the Speaker and not directly to each other when asking questions or answering questions for that matter.

The hon. member for Brandon—Souris.

**Mr. Larry Maguire:** Mr. Speaker, that is a very important question. I do believe there was interference, according to the testimony of the former attorney general and former veterans affairs minister last evening with respect to the prosecutorial area of the SNC-Lavalin situation.

However, what I am referring to is what the member was talking about with those other cases before us. The former attorney general was not allowed to speak to those areas, so that is still something we need to have answers to as well. We need her to come and testify in regards to some of those areas. Perhaps the government could answer those questions, but the Liberals were trying to withhold information in that case as well. Even though the government released some information, there may be other parts to it that we do not know about yet and the former attorney general has been told she is not allowed to speak to those areas either.

**The Assistant Deputy Speaker (Mr. Anthony Rota):** I want to remind hon. members that we are discussing Bill C-77, so the questions should be relevant to that. I have flashbacks to the debate on Bill S-6 the other day when Madagascar was mentioned occasionally, and it was not pertinent in the questions.

•(1050)

**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 rise in the House to provide some of my thoughts and comments.

Over the last few years, I have witnessed a different approach to Canada's military, a positive approach. I want to take a more holistic approach in my address on this legislation. This is an important bill and opposition members have recognized that fact. They too feel this is good legislation.

The bill has gone through first and second reading, through committee stage and report stage. We are now into the third and final aspect of its passage, and that is a good thing.

Bill C-77 is long overdue. It proposes to make our military justice system a bit more in sync with our civil system. There is fairly universal support for the government in advancing the legislation in order to accomplish that.

I had the good fortune to serve in the Canadian Forces for a few years. Even though I never experienced it directly, indirectly I got a sense of military justice and the justice regime. I can recall first-hand during my boot camp days the supervisor, or the master corporal in this situation, telling us what our obligations were.

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In the military justice world one has an obligation to show up when asked to show up. When members of the forces are scheduled to do something, they best be there unless they have some sort of medical condition or have a very good reason for not showing up. If a member is scheduled to be on duty, he or she is expected to be there. That does not necessarily apply with the same sort of weight in civilian life.

The previous speaker made reference to the idea of being absent without leave. An important part of the training that was instilled in me and thousands of others as we went through boot camp was that there was a difference between military life and civilian life. One of the issues highlighted with respect to that was the idea of the military's ability to provide discipline to ensure its members would be where they were supposed to be. When I reflect on that today, I understand the importance of that.

Serving in the military is very unique. It is an absolute honour and privilege. As a member of Parliament, as well as in my days as a member of a legislative assembly, I have always, without exception, acknowledged the fine work the women and men in our forces do, whether it is the air force, the special units, the navy or military. I appreciate and value their contributions to our society in both current and past military actions protecting Canadians. Whether in peace missions or fighting the mighty Red River when it has overflowed, our military plays a critical and vital role with respect to our country. We will always be there for our military.

Even though we have only been in government for a little over three years, we have not only talked about taking action, but has also delivered on a number of different fronts.

•(1055)

What we are debating today is just one aspect of that. It is about military justice.

Let me go back to the training I received. When we were told that we had to show up, that we had to be somewhere, the consequence of not being there could lead to a court-martial and a criminal record. Even though there might be a reason, a relatively weak reason at times, for an individual not being where he or she was supposed to be, it would potentially lead to a criminal record.

I believe, as I would have believed back then, that this is not necessarily a fair consequence in all situations. That is why it is a good that the legislation brings the consequences more into line with what happens in civilian life. For example, now much more discretion will be allowed if someone is found to have been AWOL or has not shown up where he or she needs to be at a specific time. This does not mean the individual will receive a court martial. The same threat level is no longer there.

Members of the forces are incredible individuals, with a very strong sense of commitment to duty and country. Ultimately this will have a minor impact with respect to service to country, yet can have a very positive impact on what happens when someone from the military retires.

As we have heard from other speakers, when members of the Canadian Forces decide to retire or have the opportunity to retire, whatever the circumstances might be, we want those members to have the opportunity to continue with successful employment into

the future. Having a criminal record has a negative impact on the ability of service members or former service members to get employment for which they are eligible. It is not fair that members of the forces would receive a criminal record for a charge that someone in the civilian sector would not receive. In part, I believe that is why we see good support for the legislation from members of the opposition. We recognize that we can do more to reform our laws that would allow that kind of an issue to be resolved positively.

Insubordination is another example. In civilian life insubordination is treated quite differently than it is in the military. The legislation would also deal with that. This is an opportunity to look at good legislation that advances our Canadian Forces in a positive direction and to get behind it.

One encouraging issue in Bill C-77 is that we would ensure indigenous sentencing provisions would be taken into consideration. This has been taking place within our civilian population. This is different from what the previous government proposed. We need to understand and appreciate that the indigenous factor needs to be taken into consideration. We see that in our civil court system and it has proven to be successful. Therefore, I am glad to see that in this legislation.

•(1100)

There is something we often talk about in the House in regard to legislation on criminal matters. We often hear about the importance of victims and protecting or enhancing the rights of victims. It pleases me that we would establish something new with this legislation within the law on military justice, and that is a declaration of victims rights. That is long overdue. I am glad that we have a government that has incorporated into the legislation respect for victims rights.

What does that mean? It would allow, for example, the right to have information. It would also allow a right to protection. Equally important is participation in the process. Where it is possible, restitution would be of critical importance.

I had the opportunity to serve as chair of a youth justice committee. One of the more progressive changes we started to see at the tail end, before I actually had to leave the committee a number of years back, was the idea of restitution, or restorative justice. As much as possible, that is a wonderful tool that needs to at least be considered. When we think of victims and the idea of restorative justice, we need to incorporate victims whenever we can. It really makes a difference for victims.

I would like to give an example of what that sort of justice means to victims. A victim subjected to an offence is afforded the opportunity to participate by sitting down with the perpetrator and assisting in developing the consequence for that behaviour. At the level of a youth justice committee, dealing with young offenders under the age of 18, I had the opportunity to witness that on a couple of occasions. I was very encouraged by it. The victim was better able to get an appreciation of what had taken place and at the same time feel that the impact on the victim was taken into consideration.

With respect to other aspects of the legislation, it says the following:

It amends Part III of the National Defence Act to, among other things,

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(a) specify the purpose of the Code of Service Discipline and the fundamental purpose of imposing sanctions at summary hearings.

• (1105)

This legislation would ensure that there is a quicker processing of justice. It would also “protect the privacy and security of victims and witnesses in proceedings involving certain sexual offences”.

Many Canadians who follow debates in the House might not be familiar with the fact that there is a civilian system of justice and a military justice system. Something I discovered in the discussions on this legislation was that in certain situations, a military person who commits an offence will go through the civilian justice system as opposed to the military justice system. An example is in regard to sexual assault. In certain situations, there is discretion in our system to enable civilian courts to deal with military personnel who are convicted of committing an offence.

I mentioned that I served in the military. I served in Edmonton, in air traffic control, as an assistant at the time, working out of Lancaster Park. Just south of Lancaster Park, in Griesbach, there was a military detention centre on the base. It was somewhat new to me, but people being held in custody for a sentence of more than two years would go to a federal facility for civilians. For any sentence under two years, offenders would be detained, in part, in military facilities.

The legislation would include the following:

- (d) make testimonial aids more accessible to vulnerable witnesses;
- (e) allow witnesses to testify using a pseudonym in appropriate cases;
- (f) on application, make publication bans for victims under the age of 18 mandatory;
- (g) In certain circumstances, require a military judge to inquire of the prosecutor if reasonable steps have been taken to inform the victims of any plea agreement entered into by the accused and the prosecutor.

The legislation again highlights the importance of victims rights:

- (i) provide for different ways of presenting victim impact statements;
- (j) allow for military impact statements and community impact statements to be considered in all service offences;
- (k) provide...that particular attention should be given to the circumstances of Aboriginal offenders;

As I indicated earlier, that is completely new to the legislation, and I believe it has fairly good support on both sides of the House.

The legislation would also,

- (m) provide for a scale of sanctions in respect of service infractions and for the principles applicable to those sanctions;
- (n) provide for a six-month limitation period in respect of summary hearings;

• (1110)

As I said, this legislation has some new aspects that would further enhance what was introduced in the House a number of years ago. Members across the way appear to recognize the value of the legislation, and I hope they will allow it to go to the next step, which is the Senate.

The modernization of our military law is a positive thing, and it is part of a holistic approach this government is taking in being there for the Canadian men and women who serve in our forces. I am thankful for the opportunity to share some thoughts on the matter.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague, and I thank him for his service to our country.

I am concerned and interested in the role we have regarding justice within the military for victims, particularly victims of violence.

There is a code in the military of sticking together. A former veteran told me that he was the victim of a horrific assault 25 years ago by some of his fellow soldiers in his platoon. He was deeply ashamed. He also felt that he had failed his regiment and failed Canada because he was the victim of violence. He did not know how to even respond to this, yet he was the victim and had done nothing wrong.

There needs to be a process so that victims feel that if they are subject to that kind of intimidation and violence, they can come forward in a credible manner and have those cases adjudicated fairly. If people are using violence against fellow soldiers, it needs to be dealt with in an appropriate manner.

What in this bill would start to address those issues so that we can have a fair system of justice and people can come forward and testify?

**Mr. Kevin Lamoureux:** Mr. Speaker, Bill C-77, along with the minister of labour's legislation, Bill C-65, would build on the government's commitment to creating workplaces free from harassment and discrimination within the federal sphere. Let there be no doubt that inappropriate behaviour of that nature is inexcusable, and we encourage members of the Canadian Forces to raise it with their supervisors or through the mechanisms that have been put in place.

When we talk about the military, and I reference boot camps, team building is really important. When we would go out and do an exercise, it would not be complete until the last person had completed that particular exercise. For example, if we were going for a jog, it might be the person at the front who would go to the back to encourage the person at the back to continue. That person would help motivate that particular individual.

When people first start in the military, there is a great deal of discussion about being there for their teammates. Having said that, there is unacceptable behaviour. When people are witnessing unacceptable behaviour, there is an obligation to report it, because we want all work environments to be harassment free.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, further to the comment and question that just transpired, I am wondering what the hon. member across the way would say to the current state of Operation HONOUR, given that the Prime Minister himself has not acted appropriately and in the way our soldiers are expected to act. The Prime Minister of Canada was accused of groping and then said that the person experienced it differently than he did. How are our soldiers to react and know to behave in the manner we have outlined, when the very head of the government is guilty of the same thing?

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• (1115)

**Mr. Kevin Lamoureux:** Mr. Speaker, virtually from day one when the Conservatives assumed the opposition benches, they have been solely focused on the character assassination of the Prime Minister and ministers of this government. I do not want to participate in that. We have a positive piece of legislation today. As I have indicated, we have a holistic approach to deal with the Canadian Forces and it was not that long ago we had the Canada defence policy, which talked about strong, secure engagement.

This is a government that truly cares about our members who are serving in our Canadian Forces. We are ensuring that they have equipment. We are there to support them in real, tangible ways and once they retire, they know we will be there for them. Examples of that are many. One that comes to my mind is the reopening of the veterans offices, and also the hundreds of millions going into the billions of dollars that we have committed to our members in the Canadian Forces, either directly or indirectly through investments.

Today, we are modernizing the military justice system so that members who are serving can get a better sense that the consequences for things such as not showing up are not going to be unduly unfair, which I believe will be well received among our Canadian Forces.

If there were a message that I could send to members of our forces, in fact all Canadians, it is that we have a Prime Minister and a government that is absolutely committed to continuing to focus on what Canadians want us to do. In this situation, it is about building a healthier and stronger Canadian Forces.

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Mr. Speaker, the bill is very similar to a bill that the former Conservative government introduced in the dying days of the last session of Parliament, literally within days. The member would know perhaps better than most, given his extensive experience, how long it takes to get a piece of legislation through the House, going through the various processes, then over to the Senate and then back for final royal assent.

If he had to speculate as to why the former Conservative government would bring this in literally just before the session of Parliament was to end, what would his speculation on that be?

**Mr. Kevin Lamoureux:** Mr. Speaker, it is a good question. At times, governments will bring in legislation toward the tail-end of a mandate, but generally speaking, that legislation is somewhat known about and the government has the intention and hope of getting support from opposition parties and getting the legislation through. In this case, it was literally the dying days of the Conservative government when it brought in the legislation.

It is important to recognize that the legislation we are talking about that we introduced months and months ago, has some modifications that have really enhanced the legislation. The one that comes to my mind offhand is the indigenous factor, a very important enhancement, something that we think was overlooked. It might have been overlooked because the previous government was in such a hurry to get something together in order to introduce it at the last moment to try to make it look as if it wanted to be able to make a change.

Whatever it might have been, the bottom line is that today we have the opportunity to ultimately see the bill have its final reading here and ultimately go to the Senate. For members of the Canadian Forces and those who are following the debate, that is a good thing.

**Mr. Mark Warawa (Langley—Aldergrove, CPC):** Mr. Speaker, I support Bill C-77 and look forward to it going to the Senate, but I am shocked at the comments the member just made, saying that if it is last minute in the dying hours of a Parliament, then it really was not important. We have seen that with the seniors file, where in the dying days the Liberals have appointed a Minister of Seniors and now consultation with seniors has begun.

Would the member apologize on behalf of the government for ignoring seniors and making a last-minute, dying days gasp to deal with seniors' issues?

• (1120)

**Mr. Kevin Lamoureux:** Mr. Speaker, I did not say that. At times there is a need for government to be able to bring in legislation in order to fulfill commitments from a previous election and so forth and there is still ample time to be able to pass legislation. I do not want to be misquoted on that.

In terms of seniors, whether it is the guaranteed income supplement that we enhanced, lifting thousands of seniors out of poverty, or whether it is the creation of the seniors ministry, this government has been very much committed to seniors in all regions of Canada.

**The Assistant Deputy Speaker (Mr. Anthony Rota):** We seem to be drifting again. I just want to remind hon. members that we are debating Bill C-77.

Resuming debate, the hon. member for Renfrew—Nipissing—Pembroke.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, as the member of Parliament for Garrison Petawawa, the training ground of the warriors, located in the beautiful riding of Renfrew—Nipissing—Pembroke, I welcome this opportunity to speak to Bill C-77.

The legislation would amend provisions of the National Defence Act governing the military justice system. As a veteran member of the Standing Committee on National Defence, I thank the women and men in uniform for placing their trust in me as a member of that committee.

Before I get to my remarks, I join my leader and observe it is time for someone to take a walk in the snow. Unlike the current federal government that has gone rogue with the criminal justice system, the Conservatives are committed to standing up for victims of crime and ensuring that victims have a more effective voice in the criminal justice system.

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I am proud to confirm that it was as a member of the previous Conservative government that I supported the enactment of the Canadian Victims Bill of Rights. Just as I supported victims rights on behalf of the women and men serving in uniform, I support enshrining a parallel victims rights regime in the military justice system. Bill C-77, to a significant degree, replicates what the Conservatives brought forward in Bill C-71 in the 41st Parliament. So far as the current government follows our example, those elements of the legislation can be supported.

Unlike the current ethically challenged government, the Conservatives believe victims of crime should not be forgotten in the criminal justice system. Our previous Conservative government focused on restoring victims to their rightful place at the heart of our justice system. That is why we introduced legislation that would mirror the Canadian Victims Bill of Rights and put it into military law. This was the result of several years of work and takes into account hundreds of submissions and consultations held with victims and groups concerned about victims and their rights for the Canadian Victims Bill of Rights.

The proposed legislation would give victims enhanced access to information through the appointment of a victim liaison officer, and enhanced protection through new safety, security and privacy provisions, and the like. In addition to being the home of 2 Canadian Mechanized Brigade Group and the 4th Canadian Division Support Group, which is made up of 2 RCHA, 1 RCR, 3 RCR, RCDs and 2 Combat Engineer Regiment, as well as 427 Special Operations Aviation Squadron, and 450 Tactical Helicopter Squadron, Garrison Petawawa is also home to the Canadian Special Operations Regiment, CSOR.

The Canadian Special Operations Regiment, CSOR, which was stood up during the Conservative watch of the defence of our nation, is the first new regiment to have been set up in over 50 years. I am proud of the role I played in supporting that decision and the subsequent decision to locate 450 Tactical Helicopter Squadron to Garrison Petawawa to train with the troops. The Chinook helicopters serve as strategic lifts, and helicopters save lives.

As Garrison Petawawa was the last home of the Canadian Airborne Regiment before it was disbanded for partisan reasons by the Chrétien government, military justice is a volatile topic at Garrison Petawawa. The words “military” and “justice” do not need to be mutually exclusive. What we need to keep in mind, as parliamentarians debate legislation such as Bill C-77, is the effect that it has on the lives of individuals and service morale.

Earlier, the parliamentary secretary to the House leader raised the issue of veterans and how they are now treated. I am going to expand on his comments.

● (1125)

I am now going to give voice to an individual who cannot speak in this chamber, by sharing the letter I received from that soldier. It states, “Good day, I am about to be released from the Forces after 28 years of service. I have sacrificed my mind and my body in the service of Canada. Having suffered physical injuries and PTSD, I have no complaints about anything that I did for the military and would do it all over again. I have received excellent medical care for all my injuries, as well as my treatment by VAC for almost

everything. They have covered me for my physical injuries and my PTSD. I expect to be on long-term disability upon my medical release.

“My issue is this. VAC went through the process to add detainee to the POW policy for compensation. I was at first happy with this change. I was detained by Serbian forces for 18 days while serving with the UN in Yugoslavia back in 1994, with 54 others, only to find out the federal government won't consider a claim until you've been a detainee for greater than 30 days.

“I feel insulted by this policy. Apparently, fearing for your life for that time period is just not enough, and we did fear for our lives. We saw the atrocities the Serbs were capable first-hand. Then, to find out that the Prime Minister paid \$10.5 million to an ISIS fighter because according to him we as Canadians did not protect his rights....

“We were ordered to submit to being detained by our chain of command. Ordered not to escape, only to find out later that the order was an unlawful order. After all that, I have sacrifices, both professional and personal, and this is the only thing that still haunts me. I believe a change in policy is in order, even just to recognize what we did for our country.”

First, let me thank this soldier for his service to our country. He is a credit to his uniform, and I understand how hard it was for him to step forward and write that letter.

I also understand that the Minister of Veterans Affairs for this government, whoever it was, as there have been so many it is hard to keep track, was made aware of the situation by the New Brunswick member for Moncton—Riverview—Dieppe, or so the soldier was told. Judging by the lack of government response, the Minister of Health could not be bothered to be concerned about the health of our soldiers. She is too busy staging photo ops with the Prime Minister, using soldiers as props, to be concerned about something as mundane as military justice. Justice in this case is for the sacrifice of 55 Canadian soldiers who were held prisoner as UN peacekeepers during the conflict in the Balkans.

I was also shocked, but not surprised, to learn that the Chrétien government refused to recognize the heroism of all but one member of the Royal Canadian Dragoons battle group who were held hostage, who participated in Operation Cavalier, CANBAT 2.

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Where is the justice in the Liberal government coming up with the arbitrary number of 30 as the cut-off for the detention benefit that was announced in the new veterans charter? It would appear this is another example, like the critical injury benefit, where the Liberal government announces a benefit that excludes soldiers and veterans who should qualify. This is another fake promise to soldiers and veterans.

I am honoured and privileged to put on the official record of the proceedings of the House of Commons during debate on military justice, the names of those soldiers who were held hostage, who their country refuses to recognize today. Many are still serving their country in uniform today. The rank mentioned reflects the rank at the time the incident occurred in 1994. While the listing includes the declared hometowns, 44 of the 55 were based out of Garrison Petawawa, which is located in my riding of Renfrew—Nipissing—Pembroke. The names of those soldiers are:

● (1130)

Major Dean Milner, 33, armor officer, Kingston, Ontario; Corporal Troy Cleveland, 24, crewman, Windsor, Nova Scotia; Corporal Robert Carter, 26, crewman, Eastern Passage, Nova Scotia; Master Corporal Chris Maher, 31, crewman, Burlington, Ontario; Corporal Steve Tasnadi, 27, crewman, Toronto, Ontario; Corporal Richard Sheppard, 23, crewman, Fortune Bay, Newfoundland; Sergeant Daniel Berrigan, 31, crewman, Ajax, Ontario; Master Corporal Martin Nickerson, 34, crewman, Pembroke, Ontario; Corporal Sean Dunstan, 25, crewman, Petawawa, Ontario; Corporal Chris Neilson, 21, crewman, St. Catharines, Ontario; Corporal Brian Lecuyer, 28, crewman, Elliot Lake, Ontario; Corporal David Calissi, 33, crewman, Kelowna, British Columbia; 2nd Lieutenant Chris Renahan, 23, armor officer, Toronto, Ontario; Master Corporal Marc Tremblay, 31, crewman, Bagotville, Quebec; Master Warrant Officer Thomas Skelding, 39, crewman, Windsor, Ontario; Corporal Gordon Vanwesten, 25, vehicle technician, Ennismore, Ontario; Corporal Alex Vizino, 27, crewman, Port Colborne, Ontario; Lieutenant Chris Henderson, 30, public affairs officer, Ottawa, Ontario; Corporal Marc Bergeron, 33, photo technician, Alma, Quebec; Lieutenant Mark Poland, 23, reserve armor officer, Sarnia, Ontario; 2nd Lieutenant Greg Nette, 23, armor officer, Edmonton, Alberta; Master Corporal Stanley Potocnik, 27, crewman, Rawdon, Quebec; Corporal Paul Turmel, 28, crewman, Windsor, Ontario; Master Corporal Richard Biddiscombe, 27, crewman, St. John's, Newfoundland; Warrant Officer Richard Ritchie, 34, crewman, Cold Lake, Alberta; Corporal James Morgan, 23, crewman, Cormack, Newfoundland; Corporal Mark Jones, 24, crewman, Belleville, Ontario; Corporal Michael Meade, 24, crewman, Huntsville, Ontario; Corporal Mario Desrochers, 26, crewman, Petawawa, Ontario; Corporal Sean Donaldson, 23, reserve crewman, Windsor, Ontario; Corporal William Byrne, 29, crewman, Conch, Newfoundland; Corporal Sean Murphy, 25, reserve crewman, Brampton, Ontario; Master Seaman Kevin Kendall, 27, medical assistant, Esterhazy, Saskatchewan; Leading Seaman Daniel Williams, 23, medical assistant, St. John's, Newfoundland; Private Kristopher Boyd, 20, medical assistant, Forest/Sarnia, Ontario; Sergeant William Richards, 32, crewman, St. Stephen, New Brunswick; Master Corporal Michael Smith, 30, crewman, Kitchener, Ontario; Corporal Dana Cruce, 30, crewman, Summerside, Prince Edward Island; Corporal David Walker, 30, crewman, Halifax, Nova Scotia;

Corporal Marc Kemp, 23, crewman, Winnipeg, Manitoba; Master Corporal Dean Smith, 24, reserve crewman, Gooderham, Ontario; Master Corporal William Thomas, 32, infantryman, Canning, Nova Scotia; Corporal James Predo, 27, infantryman, Sydney Mines, Nova Scotia; Sergeant Tom Moran, 30, crewman; Master Corporal Richard Allinson, 31, crewman, Port Hope, Ontario; Corporal Michael Bolger, 27, crewman, St. John's, Newfoundland; Corporal Sheldon Clarke, 24, crewman, Grand Falls, Newfoundland; Corporal Scott Cairns, 27, crewman, Lachine, Quebec; Corporal Davis Balser, 22, crewman, Weymouth, Digby County, Nova Scotia; Sergeant Gordon Campbell, 31, crewman, Kensington, Prince Edward Island; Corporal David Clark, 30, crewman, Toronto, Ontario; Corporal Darren Burgess, 26, crewman, Windsor, Ontario; Corporal Russell Robertson, 23, Squamish, British Columbia; Corporal Bruce Rose, 27, crewman, Yarmouth, Nova Scotia; Trooper Paul Smith, 23, crewman, Oil Springs/Petrolia, Ontario.

Military justice is about more than adding pages of rules and regulations filled with confusing words. Military justice should also be about recognizing the sacrifices soldiers and their families have made in representing their country.

Does Bill C-77 contribute to or diminish camaraderie among soldiers? Does Bill C-77 hurt operational efficiency? We need to keep on asking these questions with real life experiences in mind, such as those of the people who were detained.

That was my purpose when I put on the record the names of the 55 soldiers who were held hostage during the United Nations mission in Bosnia, Operation Cavalier, during the conflict in the Balkans. The government has forgotten these soldiers. The Prime Minister may state that veterans are asking for too much, as he did before. Veterans are only asking for what they are promised.

● (1135)

Psychological experiments and troop cohesion will end up getting soldiers killed, the same way that political expediency led to the loss of soldiers' lives in Afghanistan with the cancellation of the EH-101 helicopter contract by the Chrétien Liberal government. When Chrétien cancelled that contract, he also got rid of the Chinook helicopters in the military fleet.

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Just like the sponsorship scandal and the Lavalin scandal of today, the Liberals have not learned a thing with the decision to buy secondhand, cast-off jets from the Australians rather than equip our troops with what they really need. When Chrétien cancelled the sale of the new badly needed helicopters, he should have halted the sale of the Chinook helicopters to the Dutch government. A lot of good women and men died in Afghanistan as a consequence.

Justice in the military should also provide the right equipment to do the job we ask our soldiers to do on our behalf. It should be about recognizing our soldiers, like the 55 forgotten soldiers.

We need enhanced participation through impact statements at sentencing and enhanced restitution with the court martial required to consider making restitution for losses.

The Auditor General's fall 2018 report on inappropriate sexual behaviour in the Canadian Armed Forces shows that there is a great need for victims' rights, which Bill C-77 is introducing.

Again, I would like to offer my condolences to the family of our late auditor general, Michael Ferguson.

Operation Honour is a plan to reduce inappropriate sexual behaviour toward women serving in the Canadian Armed Forces. The Auditor General's report found that Operation Honour was severely lacking in providing proper support for the victims of inappropriate sexual behaviour, which includes crimes like sexual assault, rape and harassment. In fact, the report found that Operation Honour was not even designed with victim support in mind and that the services it did offer were poorly coordinated. Even worse, the victims were often not even told that there were support services available to them, despite the legal requirement to do so.

Disregard for legal requirements appears to be a theme with the government. Victims did not even have a say if their case was investigated, as the vast majority of reports were done via third party from a duty to report, which Operation Honour created. Investigations were undertaken inside the chain of command, whether the victim was ready or even willing to pursue justice for the crime against them. All reports were acted upon. Victims had no recourse to stop the investigation if they did not want to proceed with a complaint.

The Auditor General's report also found issues with the training and briefings given to Canadian Armed Forces members regarding the inappropriate sexual behaviour. He found that the briefings were fragmented and led to confusion, frustration, fear and less comradery among soldiers. Briefings raised awareness of inappropriate sexual behaviour, but did little to nothing to address or bring awareness to changing habits or understanding the root causes of inappropriate sexual behaviour.

The report also highlighted a lack of awareness of support services for victims, insufficient training to support the victims and a lack of availability to support those services. People providing services had a lack of subject matter expertise and there was little coordination between the Sexual Misconduct Response Centre, which handles the support services, and the Strategic Response Team, which has the actual investigative responsibilities.

Operation Honour was inspired by an investigation and report by former Supreme Court Justice Marie Deschamps. We had Justice Deschamps appear before the Standing Committee on National Defence earlier this month and she gave us her insights as to whether Operation Honour aligned with her original 10 recommendations.

It is important to remind the government that for the members of the Canadian Armed Forces, when they put on a uniform, they are soldiers first, and that is an important distinction. In an operational setting, they need to be able to rely on their fellow soldiers.

• (1140)

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Mr. Speaker, I listened to the hon. member across the way with interest. She spoke a lot about various different aspects of the military, and the operations and what was going on.

As we bring it back to Bill C-77, this legislation really goes a long way to declaring rights for victims and ensuring they have the supports they need in order to receive the fair treatment they deserve.

However, I did not hear the member specifically reference whether she was supportive of the bill. My question is very simple. Will the member be voting in favour of the legislation?

**Mrs. Cheryl Gallant:** Mr. Speaker, as members know, the Conservatives introduced the original form of this bill. It is still lacking in a number of places. In fact, the Liberals made some amendments to the original Bill C-71 and shifted the burden of proof from beyond reasonable doubt to a balance of probabilities.

What kind of precedent is this going to set? How is this changing the burden of proof from reasonable doubt to a balance of possibilities going to be applied in other areas, especially given the situation of constitutional crisis we find ourselves in this morning?

**Hon. Alice Wong (Richmond Centre, CPC):** Mr. Speaker, I really echo all the things my colleague just mentioned.

I was a proud member of the Conservative government when we brought in the Victims Bill of Rights. The then attorney general was very clear that the purpose of the law was to protect victims, not criminals, and that justice needed to be done. That is why I supported the Victims Bill of Rights, because seniors were mentally, physically or financially abused.

I want to correct the parliamentary secretary. He said that the Liberal government created the ministry of seniors. For the record, it was a Conservative government that created the ministry, had the first minister of seniors and also the longest-serving minister of seniors.

I will go back to my question. I would like my hon. friend to tell the House how important it is that we value the contribution of the soldiers and veterans who have done so much, and yet they are still suffering because they were not well treated while serving in the forces.

**Mrs. Cheryl Gallant:** Mr. Speaker, part of the treatment of our soldiers involves fairness before the courts.

*Government Orders*

Right now, certain punishments resulting from summary hearings can be penal in nature, however, there is no avenue to appeal to a higher or different authority. We put forth an amendment that would allow an appeal to a judge at the courts martial proceedings in the case of sentencing arising from a summary hearing that was penal in nature.

However, further to that, there is still a glaring hole in the legislation, in how fairness is applied across the ranks, for example, the right of a soldiers, seamen or airmen to defend themselves. As we saw in the case of Vice-Admiral Norman, there was no clarity on why the Chief of the Defence Staff denied him the funds to defend himself.

This legislation is still lacking, taking away the right of an individual, somebody who has served our military for so many years and with such honour, to be denied that, denying the individual the ability to defend him or herself based on the whim of the Chief of the Defence Staff who takes his orders from the Prime Minister.

● (1145)

**Mr. Mark Gerretsen:** Mr. Speaker, in response to the previous question I asked as to whether or not the member will be supporting this legislation, I really did not get a clear answer. She just spoke of problems that she sees with the bill. I am going to assume that she is going to support it, because other Conservative members have said that they will be supporting it.

I have heard other members talk about the previous version of this legislation that was brought before the House. The member was here at the time, so could she comment as to why, if this issue is so paramount to the Conservatives, the former Conservative government waited until literally days before the end of the parliamentary session to bring forward that particular piece of legislation? There is no way that they could reasonably have assumed that the legislation would go through the entire legislative process and receive royal assent within such a short window of a matter of days.

If the legislation was so important and is still so important to the Conservatives, why did they wait so long to bring that version forward and do it with literally just a couple of days left in the parliamentary session?

**Mrs. Cheryl Gallant:** Mr. Speaker, we had a very copious legislative agenda. We put forth many laws and we see that they are either being undone or just disregarded because the Prime Minister does not like them. We heard that in testimony from the former attorney general yesterday. We have a situation of the Prime Minister and members of his cabinet, his key advisers, just disobeying and disregarding the laws altogether.

At the end of the day we are going to have to look at all of the legislation that the current Liberal government has brought through, because if we have a situation in which the Prime Minister himself has been obstructing justice, then we have to call into question everything that he has done. The only reasonable thing for the Prime Minister to do, as our leader stated, is resign.

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Mr. Speaker, I have to take exception with the comments by the member for Kingston and the Islands that we did not introduce our bill until the dying days.

It is a fact that we brought forward two bills on military justice before Bill C-71 that passed.

It is a fact that one thing that Bill C-71 in the old Parliament did and that Bill C-77 does is enshrine the victims bill of rights into the military justice system. That did not pass until the third year we were government.

It is a fact that we moved that bill through as fast as we could at the end of the session.

It is a fact that the Liberals sat on it for three years before they brought in Bill C-77, which is a complete replica of our Bill C-71.

We did all the heavy lifting and we did all the hard work, but the Liberals sat on their hands.

I want to ask the member, who has served so well on the national defence committee for the past 20 years, if she would comment on why the previous minister of veterans affairs and associate minister of national defence would have resigned when she has such a passion for indigenous issues which are now enshrined in Bill C-77 through the incorporation of the Gladue decision. Why would she have stepped back when she was the former justice minister who believed in having a strong law in our Canadian society, especially in the Canadian Armed Forces?

● (1150)

**Mrs. Cheryl Gallant:** Mr. Speaker, like the people of Canada who need to hear more about what really went on behind the scenes with our former attorney general and associate minister of Defence, once I have heard all of the evidence—and we are still on third reading—I will make up my mind as to how I will vote. Canadians deserve a full investigation, a public judicial inquiry, so that they too can make up their minds about the legitimacy of the Liberal government to continue.

[*Translation*]

**Mr. Serge Cormier (Parliamentary Secretary to the Minister of National Defence, Lib.):** Mr. Speaker, before I begin my speech, I would like to inform you that I will be sharing my time with my colleague from Marc-Aurèle-Fortin.

I am very pleased to rise today, as the Parliamentary Secretary to the Minister of National Defence, to support Bill C-77, an act to amend the National Defence Act and to make related and consequential amendments to other acts.

I want to first acknowledge the hard work that has gone into shaping this bill and getting to this point. Obviously that includes the work of members of the Standing Committee on National Defence and their clause-by-clause consideration of the bill earlier this fall.

I would also like to recognize the work and the outstanding dedication of the members of our Canadian Armed Forces. I think we all greatly appreciate the work they do every day. We are very grateful to them and we thank them.

The study in committee made it possible to tweak the language used in the bill for clarity and to debate important ideas raised by the public, particularly with regard to mental health issues. The result is a better bill and parliamentarians who are more aware of these issues. I therefore thank the committee.



*Government Orders*

The premise of the bill is simple. Our men and women in uniform deserve a military justice system that supports them in all they do, a military justice system that reflects Canadian values, works to eliminate discrimination of any kind, and ensures that victims are given a voice throughout the legal process.

Through Bill C-77, we are proposing important changes to our current military justice framework, specifically by enshrining victims' rights before, during and after court martial proceedings. We are also strengthening the summary trial process to ensure that minor cases are disposed of in a non-penal, non-criminal process called summary hearings. In addition, we are seeking harsher punishments and sanctions for services offences and infractions motivated by bias, prejudice or hate based on gender identity or expression. Finally, we are ensuring that the specific circumstances of indigenous offenders are taken into account at the time of sentencing.

For example, the proposed summary hearings will help improve the flexibility and effectiveness of the military justice system by allowing the chain of command to address minor service infractions quickly and fairly at the unit level. Naturally, the most serious cases will be referred to the courts martial. There will be no summary process anymore, and military commanders who preside over summary hearings will only be able to impose non-criminal penalties for service infractions.

The changes we are proposing are long overdue. We recognize that we need to continually improve our military justice system so that it mirrors the civilian criminal justice system where appropriate, while acknowledging the important distinctions that exist between the two systems in order to account for the unique requirements of military life.

Our government is committed to making the Canadian Armed Forces a safe and welcoming place for all Canadians, both civilian and military. It is this same commitment that continues to motivate us as we work to finalize these amendments and enshrine them in law.

One of the most important sets of changes we are proposing is the introduction of the declaration of victims rights into the National Defence Act. This declaration mirrors the Canadian Victims Bill of Rights, applicable in the civilian criminal justice system. It enshrines rights for victims of service offences and enhances the support provided to them as they navigate the court martial process.

These changes include the right to information, which ensures that victims understand the process and the options at their disposal; the right to protection, which guarantees the victims' security and privacy; the right to participation, which allows victims to convey their views about decisions to be made by authorities in the military justice system; and the right to restitution, which entitles victims to seek restitution.

In order to ensure that victims are able to exercise these rights, they will be entitled to the support of a victim liaison officer. The victim liaison officer will help them navigate the military justice system and inform them about how this system operates. They will explain to victims how service offences are charged, dealt with and tried under the Code of Service Discipline. These are important

changes that help put victims first, and I am proud to support them in the House.

● (1155)

The second set of changes we are proposing have to do with how the military justice system handles minor breaches of military discipline. Through these proposed changes, a new category of minor breaches of military discipline, called service infractions, will be created. These service infractions will not trigger a criminal record.

This change will allow the Canadian Armed Forces to handle minor breaches of military discipline in a fairer, simpler and faster manner. They demonstrate trust and confidence in our military leaders, who can address minor breaches of discipline at the base, wing or unit level.

Through Bill C-77, we are also working to address issues of gender-based prejudice and hatred in the Canadian Armed Forces. The bill parallels provisions in the Criminal Code that propose harsher sentences and sanctions for service offences and infractions that are motivated by bias, prejudice or hate, based on gender expression or identity.

The Canadian Armed Forces has zero-tolerance for discrimination of any kind. We are committed to eradicating these types of biases in our military ranks. That is why, through this bill and other initiatives, we are working to discourage behaviour motivated by prejudice or hate. This amendment will reflect this commitment and help the Canadian Armed forces continue to make progress in promoting inclusivity. We are ensuring that the military justice system is consistent with the civilian system when it comes to the human rights of the LGBTQ2 community. This bill represents another step in that direction.

Finally, we have made a significant amendment to align with the Criminal Code provision relating to the sentencing of indigenous offenders. For Indigenous offenders convicted of military service offences, historic injustices will be considered during sentencing. This sentencing principle acknowledges the historic wrongs that still negatively affect indigenous Canadians across the country.

These changes will also reflect the government's promise to advance reconciliation and renew our relations with indigenous people. We believe that these considerations are vital to the Canadian Armed Forces' role in repairing our relationship with Canada's indigenous peoples. Concrete measures like this will help us strengthen our nation-to-nation relationship and continue on the path to healing.

I am extremely proud of the important role that indigenous Canadians play in the Canadian Armed Forces. There are nearly 2,500 indigenous CAF members serving in the regular and reserve forces.

*Government Orders*

These proposed changes to the National Defence Act are key to supporting our women and men in uniform. Our military personnel are at the heart of everything we do. They are at the heart of the new defence policy, “Strong, Secure, Engaged”, because the women and men of the CAF make extraordinary sacrifices every day in service to their country. They deserve a return to a military justice system that ensures their voices are heard. They deserve a military justice system that maintains discipline and efficiency in the CAF while respecting our Canadian values. They deserve a military justice system that provides fair and equal treatment, regardless of race, orientation, or gender.

Bill C-77 proposes the changes required to reform the military justice system so that it continues to meet the expectations of the people of Canada and the needs of the Canadian Armed Forces. It presents an approach that is more focused on the victims and protects their rights.

This bill deserves our support because it seeks to establish a better military justice system for Canadians.

• (1200)

[*English*]

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Mr. Speaker, it is an honour to be able to speak to this issue.

As a former member of the Canadian Forces, I am deeply concerned by the state of our military justice system in Canada. We are finding that military members do not have access to legal representation to the same extent that they had formerly. We are finding that operational commanders are recommending to proceed with disciplinary charges and only 50% of cases are actually going through, which undermines the good order and discipline of the military. We have also found that there is a lack of experience among the judges within the military justice system.

Bill C-77 does nothing to address any of those systemic challenges within the military justice system. I wonder if my hon. colleague could speak to that point. When will the government do something, and what, if anything, will it do to actually address the changes in the National Defence Act?

[*Translation*]

**Mr. Serge Cormier:** Mr. Speaker, I thank my colleague for her question.

I can understand my colleague's concern. As we have said many times in the House, the former government had many opportunities to introduce this bill, but it chose to do so at the last minute, just before the last election.

With this bill, we are strengthening victims' rights. We have included indigenous peoples and members of the LGBTQ community. This bill not only strengthens the rights of victims in those two communities, but it also strengthens our military justice system and makes it fairer and more just.

That is the goal of the changes we are proposing; I hope my colleague will support the bill.

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Madam Speaker, I would like to begin by thanking my colleague for his speech. The general public may not be very familiar with military

justice—as his colleague pointed out earlier—but there is no doubt these changes are desperately needed. They are tackling issues that have caused a lot of well-documented harm.

Based on his experience, would my colleague agree that this government's legislative agenda will have been rather slim?

Few substantive bills have been passed, and now that the end is in sight, they decide to move this sensitive subject forward. How long did it take them to get to this point—two years?

Last fall, when Bill C-15 came into force, the government could have made amendments that would have implemented all this right away. Victims in the military community are suffering. Why did the government take so long to introduce this?

**Mr. Serge Cormier:** Madam Speaker, I thank my colleague for his question.

As he indicated, the previous bill was quite different from our bill. We included indigenous people and LGBTQ communities in ours. We want a good bill, one that strengthens victims' rights.

In his comments on the military justice system, my colleague mentioned that it can be difficult to understand. That is exactly why we want victims to be supported throughout the legal process.

That is why we are bringing in measures to ensure that victims have a better understanding of the military justice system, and that is why we want to create a fairer, more equitable system.

• (1205)

**Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.):** Madam Speaker, I am pleased to rise today to speak to this legislation, which will affect a part of Canada's justice system that is largely unfamiliar to many Canadians, including perhaps some members of this House.

Bill C-77 makes important changes to our military justice system, bringing it more in line with our civilian criminal justice system with respect to victims' rights and sentencing for indigenous offenders. It also makes this unique system more effective in dealing with minor breaches of military discipline.

Our government and the Canadian Armed Forces are committed to maintaining a military justice system that is fair, modern and robust. Canada maintains a military justice system that is separate from, but parallel to, the civilian system.

Our department has been active on many issues, including military justice reform. We will continue making equity and modernization a priority as we go forward implementing these important initiatives.

Canada has a world-class military justice system, which goes a long way toward helping the Canadian Armed Forces to accomplish their missions in Canada and throughout the world. The system reflects Canadian values and upholds the rule of law while meeting the unique needs of the military.

*Government Orders*

Some people may wonder why we have a military justice system. The reason is clear. Simply put, we need such a system to maintain discipline, efficiency and morale among those responsible for protecting Canadians, our values and our national interests.

There are many things that ordinary citizens can get away with doing without being sanctioned, even though those things may be inappropriate or even go contrary to relatively minor federal, provincial or municipal laws or regulations. However, it can be a lot more serious if a soldier does the same thing, particularly when he or she is participating in a military operation. A simple act of insubordination can compromise the cohesion of a military unit that must operate at the highest level of efficiency and solidarity. I am not exaggerating when I say that people's lives may depend on it.

Canada's military justice system is rooted in centuries of practice around the world. Monarchs, army generals and political leaders have long recognized the importance of having a disciplined military.

Just one year after Confederation, the new Parliament of Canada adopted the Militia Acts, which integrated the British Army Act into Canadian law. The Canadian Forces Legal Branch was created in 1918, just a few months before the end of the First World War. This was no coincidence. Canada's key role in the ensuing allied victory was a source of increased self-confidence.

From that point on, our military justice system evolved gradually, more specifically with the increased involvement of our military lawyers in courts of law. However, it was always clear that the commanders controlled the martial law system, and they primarily used it as a tool to enforce discipline. The military lawyers representing the Canadian Forces Legal Branch were simply there to advise tribunal members on procedure and evidence and to look for errors in law.

The first big change came after the adoption of the National Defence Act in 1950, which brought the military justice system closer in line with the civilian criminal justice system.

• (1210)

For instance, the act authorized appeals to the Court Martial Appeal Court and brought many penalties into line with those handed down in the civilian system. Only minor amendments had been made by the time two momentous events shook up the system in the early 1980s.

The first was the enactment of the Canadian Charter of Rights and Freedoms in 1982. Another reform stemming from a charter challenge allowed the accused person to choose between trial by a military judge alone or by a judge and a panel of military members.

All of these challenges led to a radical change that caused the system to stray from its primary objective, which is to help commanders maintain discipline. This gave rise to a complex, polished system that has adopted many of the characteristics of the civilian system, which is, of course, one of the most widely admired systems in the world.

Bill C-77 is the latest step in this process of evolution. If passed, it will make the military justice system fairer and more effective, without neglecting its key role of maintaining discipline and morale.

I firmly believe that the military justice system will remain an indispensable aspect of the armed forces for many years to come.

By passing Bill C-77 to improve and modernize this system, we will be helping the Canadian Armed Forces continue to meet their many crucial objectives, both in Canada and abroad.

[*English*]

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I appreciate the good work the hon. member does on the defence committee, where I am pleased to serve with him.

When this bill was at committee stage, I proposed an amendment in committee to take advantage of this opportunity to remove the question of self-harm as a disciplinary offence from the military code of conduct. At that time, the Liberals in committee argued that it was beyond the scope of the bill and it was not the appropriate way to deal with this problem. Since that time, I have introduced a private member's bill, Bill C-426, which would do the same thing: remove self-harm from the military code of conduct as a disciplinary offence.

I wonder whether the member, at this point, having not supported that amendment at committee, is prepared to support my private member's bill to take self-harm out of the military code of conduct.

[*Translation*]

**Mr. Yves Robillard:** Madam Speaker, I would like to take this opportunity to draw your attention to our judge advocate general, of whom we are very proud. We fully support her important work.

Under the direction of the new judge advocate general, we have already started to act on some of the recommendations of the Auditor General. For example, we are implementing a case management system to track and manage cases as they progress through the system. We are extending assignments for defence attorneys and military prosecutors in order to better serve the accused and the Crown.

Under the leadership of the judge advocate general, we re-established the military justice round table, which the previous government abolished. This recreated group will bring together representatives from the entire military justice system to find solutions to military justice challenges.

[*English*]

**Mr. Randall Garrison:** Madam Speaker, I thank the hon. member for those comments on the round table and the role of the Judge Advocate General, but my question was very specifically about the amendment that was defeated through procedural manoeuvring. I will call it, in committee.

I will ask him once again. Does he support, at least in principle, the idea of taking self-harm out of the military code of conduct as a disciplinary offence? This stands as one of the major barriers, even if only at a symbolic level, to people in the Canadian Forces getting the mental health assistance they might need.

*Government Orders*

•(1215)

*[Translation]*

**Mr. Yves Robillard:** Madam Speaker, our government is committed to the care, health and well-being of our military personnel and their families. We recognize that we need to continually adapt the way we care for people with mental illness. That is why the minister has asked the Standing Committee on National Defence to examine the issue of suicide and self-harm within the Canadian Armed Forces with a view to making recommendations to the government for dealing with these challenges.

These recommendations will build on other investments we have made in mental health, including in launching the joint suicide prevention strategy with the Minister of Veterans Affairs. The strategy would promote the well-being of CAF members and veterans and provide help in times of crisis.

Budget 2017 commits \$17.5 million for a centre of excellence with a focus on the prevention, assessment and treatment of post-traumatic stress disorder and mental health issues among military personnel and veterans. Taking care of our soldiers, our veterans and their families is a priority for our government.

*[English]*

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** We have time for a brief question.

The hon. parliamentary secretary to the government House leader.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, the legislation has had significant modifications since four years ago. There would now be indigenous considerations taken into account. Even though we have seen the legislation around for a few years, it was really important for the government to take into consideration that aspect. I believe those changes to the legislation are very good and welcomed by the different stakeholders.

I would like my colleague's thoughts on how important it is to incorporate the indigenous factor in the legislation.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I asked for a brief question. Time is up.

*[Translation]*

I will let the member quickly respond to the question.

**Mr. Yves Robillard:** Madam Speaker, I would like to draw your attention to the fact that, from the outset, this new defence policy, which was unveiled in June 2017, put our people at the forefront of our priorities and of all we do within the Canadian Armed Forces for years to come.

We have a concrete vision informed by diligent consultation with fellow citizens from coast to coast to coast. The commitments we have made to our men and women in uniform will provide them with a more dynamic, more prosperous and resolutely positive work environment that guarantees respect for individuals and individual rights.

*[English]*

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I am pleased to rise today to support Bill C-77. It has a title that would not let anyone know what it is about. It is called “an act to amend the National Defence Act and to make related and consequential amendments to other acts”. What it really ought to be called is “a bill to complete the process of military justice reform”. That is the basic reason we in the New Democratic Party are in favour of the bill. We are in favour of it despite its tardiness, and we are in favour of it despite it missing a major opportunity to take an action I will talk about later.

Certain key provisions here are important, and I think we have all-party support for adding these to the military justice system. The first of those would provide greater rights and protections for victims in the military justice system. What the bill would do is align the military justice system with the civilian justice system and align it with the Canadian Victims Bill of Rights. That means that there would be rights for those involved as victims in the military justice system to be kept informed of the progress of their cases and to get key information about the process in terms of timing: when things will be heard and when they will be resolved. This is something that is not in the military justice system presently.

The second of those rights for victims is that victim impact statements would be allowed in the military justice system in the same way they are allowed in the civilian justice system. That is an important reason to support the bill.

The second reason, which was mentioned just briefly before I stood to speak, is that the bill would bring the military justice system into conformity with the Gladue decision of the Supreme Court in 1999, which allows justices to take into account the circumstances of aboriginal offenders in determining sentencing. The same principle we have been using for 20 years in the civilian justice system would be applied to the military justice system. It is a bit tardy, but it is a good thing to do.

The bill completes most of the military justice reforms that have been worked on for more than 15 years. They were mostly introduced by the previous Conservative government. In its bill, for some reason, the victims rights pieces were left behind. That was a bit surprising in that it was the Conservative government that was bringing forward the reforms, and it was the Conservative government that was the big proponent of the victims rights act. It was a bit peculiar that it was left out, but here it is again. It is a bit tardy, but it is in this bill.

The government passed most of the major military justice reforms in 2013. Here we are, six years later, still dealing with a bill to complete those reforms.

*Government Orders*

There are some oddities in the military justice system that would be cleared up here. One of those is the fact that there is no requirement to keep transcripts of all military justice proceedings. A summary hearing can be held without any record of that hearing being held. Therefore, it can become very difficult for anyone to appeal a decision from one of those tribunals when there is no written record of it. That is one of the things the Conservatives brought in in their original bill, which was quite positive, as well as better protections against self-incrimination, which did not exist in the military justice system, even though they are required by the Canadian Constitution and the bill of rights. Those were some of the things that were in the 2013 bill that were necessary. This bill would fully implement some of those changes.

What I do not understand is the great delay in getting this done. Both the Liberals and the Conservatives were slow to act on what were clearly needed reforms in military justice. I am not sure why the Conservatives did not complete the job on their watch. They only got as far as Bill C-15, and they introduced Bill C-71 in the dying days of the last Parliament, which is essentially the same as Bill C-77.

Having criticized the Conservatives for being slow, I will criticize the Liberals for being even slower, because they had the Conservative bill, Bill C-71. This bill, Bill C-77, is essentially the same bill, but it took them two years to bring it back to Parliament.

The other part of this is that neither the Conservatives nor the Liberals acted expeditiously to get the sections of the original Bill C-15 proclaimed. That bill passed in 2013, and it was not fully proclaimed. It was not fully enforced until September of 2018. We had five years before the legislation was actually put into practice. Some of that was through funding not being made available for the necessary changes, especially in terms of staffing the military justice system. Some of that is simply inexplicable to me. I do not know why it took them so long to get this done.

• (1220)

Again, as I mentioned, it took the Liberals two years to introduce a bill virtually identical to the one the Conservatives introduced in 2015. That makes no sense at all.

What we are doing in Bill C-77 is important, not just in the narrow sense of the military justice act but because of lots of other provisions for military justice and the operations of the military. One of those is Operation HONOUR, which is the military's attempt to deal with sexual harassment and sexual assault in the military. One of the key things here in Bill C-77 is that better supports would now be mandated by law for victims of sexual harassment and sexual assault in the military justice system. This is a supporting measure to Operation HONOUR, which has its big challenges. It has not been entirely successful.

We had former Supreme Court justice Marie Deschamps before the committee on February 7. It was her report on sexual harassment and sexual assault in the military that sparked some of these changes that are now taking place. What she cited was a reluctance that remains in the military to report sexual harassment and sexual assault, and what she said very clearly to us in the committee was that the solution to that is better support for victims at all stages.

Bill C-77 provides that support when we get to the formal stages for sexual harassment and sexual assault, but Madam Deschamps was very clear that there needs to be better support for victims before the formal processes begin. That is something that is not in Bill C-77. That is something that is not mandated by law. However, I do not think that is a necessity. The Canadian Forces could obviously begin to put in place those better supports for those who have been subjected to sexual harassment and sexual assault when they first make it known to their supervisors or to others in the military system. If they make those supports known and make those supports available, we will get better reporting and we will get better handling of all those cases.

There is still more work to do before the formal legal stages that are being dealt with in Bill C-77. I certainly encourage the leadership of the Canadian Forces to act quickly to get those supports for victims in place.

The other reservation I have in supporting this bill is that it has missed a huge opportunity. That is an opportunity to help deal with another serious concern in the Canadian Forces, and that is the problem of death by suicide in the military.

Over the past 15 years, we have lost 195 serving members of the Canadian Forces to death by suicide. That does not include reservists. The government has admitted that we do not do a good job of keeping track of death by suicide among reservists. The 195 is only those in the Canadian regular forces. We know the number is far larger.

We know that those who are young men between the ages of 25 and 30 are 250 times more likely to take their own lives if they are in the Canadian Forces or are veterans. Something is going on, with the difficult and dangerous work we ask people to do, that results in mental health challenges that we are not responding to in an effective manner.

In November 2017, we had the announcement of a joint DND and Veterans Affairs suicide prevention strategy. I applaud the military for having such a strategy. Again, it is a little tardy, but okay, let us get moving on this. Its focus was on providing more support for those who are facing mental health challenges and more training for all staff within the military, including chaplains and others who are assigned to support those serving members, in how to spot signs of suicide and how to deal with those suffering this mental health injury that has led to self-harm.

That strategy, as I said, was put in place in November 2017. Unfortunately, in 2018, we had 15 more serving members and two members of the reserves die by suicide. That is in one year, 2018. One of my colleagues is signalling that the government's count was two, but there were probably actually five—

**An hon. member:** Forty-five.

**Mr. Randall Garrison:** Forty-five? Again, we do not have a good count of the reservists.

We know that even though the strategy was put in place, this continues to be a serious challenge for the Canadian Forces. It is a challenge, obviously, on the humane grounds of taking care of those we ask to do difficult and dangerous work.

*Government Orders*

●(1225)

...it is disturbing that even today under paragraph 98(c), a service member could face life imprisonment for attempted suicide. It would be more appropriate to consider self-harm under such circumstances as being symptomatic of a serious and urgent mental health concern, and signalling the need for appropriate and immediate medical intervention.

She is calling on us to make sure those supports are available, to make sure those barriers are removed. She said very clearly:

There is no benefit to leaving paragraph 98(c) in the National Defence Act, nor is there a downside to removing it. In my heart, I believe it is morally responsible [to remove this section].

I do not mean to be too crass here, but it is also a challenge when we invest in people to serve Canada and the result of that service is that we lose their skills and their contribution because of mental health problems.

The Canadian military has said it is committed to removing obstacles to providing mental health assistance for those who need it in the Canadian Forces. When the bill came to committee, I moved an amendment to it that would remove the largest symbolic and practical barrier to providing mental health assistance for those who are considering self-harm. That is paragraph 98(c) of the National Defence Act, which makes self-harm a disciplinary offence.

When I talk to people outside the Canadian military, their reaction to this situation is that 30 years ago, in civilian life, we moved way beyond regarding attempted suicide as the fault of the individual and began to treat it as a mental health issue, as an illness that could be dealt with and treated.

In the National Defence Act, to which all recruits are trained, it says self-harming is a disciplinary offence. In practice, when I talk to leaders within the military, I hear that this measure is not used very often and is rarely applied, but the fact that it exists and presents self-harm as a disciplinary offence creates onus on the individual not to seek help, because what they are considering may become not just a mental health issue but a blot on their military career. It creates another obstacle to reaching out for help.

We heard moving testimony from witnesses at committee, including Sheila Fynes, whose son died by suicide while serving in the Canadian Forces and who did not get the help he needed despite repeated attempts to harm himself while serving. Instead he was subjected to discipline several times as the solution to his problems, instead of being recognized as suffering from a mental illness and receiving the treatment he needed.

Ms. Fynes is most dignified and has resisted all tendencies to become bitter about what happened with her son, instead working tirelessly with 161 other families of those who died by suicide to try to make sure this does not happen to any other families. Here is what she said at committee:

Other witnesses spoke from their experience within the Canadian military as commanders who faced these crises. One of those was retired Lieutenant-Colonel Jean-Guy Perron, who appeared before the committee last November, noting that paragraph 98(c) refers both to self-harm and also to asking someone else to do harm. He said clearly that there is no downside to removing section 98(c) as it refers to self-harm and went on to say that if the worry is about someone in the armed forces asking someone else to harm them,

that's already covered by lots of other regulations. Assault is the main one that would apply. If a serving member asks someone else to harm them so they can get out of service, that person is already guilty of offences if they carry it out. He saw no downside to removing this section.

The Judge Advocate General's office made it clear that this section is rarely taken through the formal process. In other words, it is not used very often. However, the fact that it makes it a disciplinary offence means that it is sometimes applied at the command level. I think there was only one case in the last 10 years of someone being prosecuted for self-harming through the military justice system, but the fact that it is there as a disciplinary offence allows lower-level decisions that apply discipline rather than assistance to these mental health issues.

●(1230)

It was a big missed opportunity. The Liberals, as I mentioned, argued that it was outside the scope of Bill C-77 to remove this section of the National Defence Act. That was a very technical argument and one that is very difficult for me to accept, in that Bill C-77 already amended eight other sections of the code of conduct, so it would have been very easy for the committee to decide to proceed with this amendment.

Although the Liberals have not done so and the bill is now before us without my amendment, I still support the bill. I think there are many positive things in it. However, I have introduced a private member's bill, Bill C-426, which does the same thing. It is a very simple bill. It suggests taking paragraph 98(c) out of the National Defence Act.

The Liberals argued at committee that doing it at committee was not the right way or the right place, but they were sympathetic, so my challenge to the Liberals now is this: If the committee was not the right place to amend Bill C-77 in this way, will they join the Conservatives and the New Democrats in now supporting my bill to take this section out of the National Defence Act and remove one of the major barriers preventing those who are suffering with mental illness from getting the treatment and help they need?

With that, I will conclude my remarks, and I will be happy to take questions.

I am happy the bill is moving forward. I am happy it is going to be done before we go to another election so that we do not have a further delay on victims' rights in the military justice system, but I remain disappointed that we have missed a big opportunity to do something about the crisis of death by suicide in the Canadian Forces.

●(1235)

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Madam Speaker, I want to go back to the part of the National Defence Act that the hon. member was attempting to remove at committee. I am a member of that committee and have had a great working relationship with the hon. member over the last three and a half years.

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I think it is germane to note that it was not the Liberals who attempted to remove this section; in fact, it was a ruling of the chair. As we know, the chair consults with the clerk's office in terms of what is in order as we are studying a particular piece of legislation. I really hope that support for amendments to legislation with respect to mental health challenges specifically does not have to be a politicized matter.

I would further indicate that after this issue was raised by the hon. member at committee, it did catch the attention of the Minister of National Defence. The minister then wrote to the national defence committee, encouraging it to study the issue so that recommendations for a proper amendment to the appropriate piece of legislation could be made and brought forward at that time.

Would the hon. member at least not agree with me that this is what happened?

**Mr. Randall Garrison:** Madam Speaker, I have three things to say.

First of all, the minister wrote to the members of the committee 30 minutes before we were going to vote. It was clearly an attempt by the minister to influence the committee and to not allow the committee to be independent on this issue. That is the first thing I would say.

Second, once the chair ruled that the amendment was out of order, I challenged the chair. We had a recorded vote on whether we would sustain the decision of the chair to rule it out of order. Each and every one of the Liberal members voted to sustain the chair's ruling that it was out of order. Each of those members is clearly on the record as doing so. I know that the hon. member was not present that day, so he is not on that list.

That leads me to my third point. It is that these things happen, but now we have a private member's bill before the House that would allow us to do the same thing. Therefore, I call on those members to support the private member's bill and support the Conservatives and the NDP in getting this obstacle to getting mental health services that people may need out of the National Defence Act.

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Madam Speaker, it is the Liberal way. They have to study something that is just common sense. It is unbelievable. It is not that studying further is not common sense, but just getting it done, just action, is common sense.

I thank my hon. colleague for bringing up two points that I feel are very important. Everybody in the House knows that I am passionate about doing everything in our power to provide those whom we trust to serve our country and community with the tools to both complete their mission and to come home and remain healthy.

My hon. colleague brought up two valid points. They were on the unreported sexual assault that is taking place or could be taking place within our military, as well as the point on death by suicide, self-harm and post-traumatic stress disorder.

We now know more about post-traumatic stress disorder, mental health injury and the mental illness that can be caused by the sights and sounds experienced by those who have served.

There is so much that we can do, that our forces can do, by building trust at the very beginning, by building and creating more resources so that our new recruits know what they are getting themselves into on all sides. I agree with my hon. colleague that the first step would be removing paragraph 98(c), and the other part is Bill C-211—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Unfortunately, I have to allow for other questions. I would ask members to keep their preambles short so that we can get in as many questions as possible.

The hon. member for Esquimalt—Saanich—Sooke.

**Mr. Randall Garrison:** Madam Speaker, I thank the member for Cariboo—Prince George for his tireless work on behalf of veterans and on the issue of PTSD.

What we are trying to do is change attitudes. I commend the senior leadership of the military for taking on the task for trying to change attitudes, but I do not commend the glacial pace at which we are working.

Again, when I talked to the families, they identified that in the cases of the individual family members they lost, making self-harm a disciplinary offence and treating self-harm as a disciplinary offence was a barrier to getting assistance.

I think this is one of the things we could easily do. However, when the minister says that we should study it again, it means that it would not get done in this Parliament. We are out of time. Therefore, we need to act more expeditiously, and that is why I am calling on all parties to support my private member's bill to get this done before the next election.

● (1240)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, the member spent a great deal of his time talking about PTSD and mental health issues, and I think it is important to recognize that within the proposed legislation there are some measures bearing on these issues. I do not know if they are present to the same degree that my colleague across the way wishes to see, but what I do know is that over the last while we have had a commitment and a realization, in good part, of 200 additional medical and health care personnel to deal with the situation. Back in the 2017 budget, in fact, there was \$17.5 million put aside for a centre of excellence focused on the prevention, assessment and treatment of PTSD and related mental health conditions for military members and veterans.

Would the member not agree that while the legislation is one thing, we also need to look at other things that we could be doing to address this serious illness and treat it appropriately? One of the ways of doing that would be to increase the number of health care providers, which is something we have done.

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**Mr. Randall Garrison:** Madam Speaker, of course I agree that there are other things we have to do in addition to the legislation. However, one of the things that is most important in treating mental illness as an illness is changing those attitudes. When we enshrine in law that it is a serving member's fault and that they should be disciplined if they are suffering from mental health issues that lead to self-harm and even death by suicide, it is a major thing we could change at this point, which would flow into all of the other things we are doing.

The member referred to money that was set aside for additional health professionals and a centre of excellence. However, without being too harsh, I would say that the Liberals are better at saying than doing. Those things appear in budgets, but they do not actually appear on the ground. When I go to the base in my riding, I see that there are still vacancies in existing positions and that they are having trouble hiring people to deliver those services.

Of course, one of the reasons is that DND employees have the whole shemuzzle of the Phoenix pay system, but I will not start into that issue as a part of this debate.

**Ms. Sheri Benson (Saskatoon West, NDP):** Madam Speaker, I want to thank my hon. colleague for his comments, his tireless advocacy and his support for families in bringing their stories to light. He has enabled us to hear what the impact has been on families when we have something in law that does not make any sense and could do more harm than good.

I brought this up with the minister when we were discussing the bill earlier in the week, and I want to underline it, because our hon. colleague on the opposite side brought it up. It does not matter how much investment we make in services if people do not access them because there is a stigma attached. We can all agree that there is a stigma attached to mental health; it is the biggest barrier. As my hon. colleague said, regardless of whether the military has ever used this part of the military code to prosecute people, the fact that it is there sends a message to people.

I want my hon. colleague to add further comment on this. The money and the services might be there, but if there is a barrier preventing people from accessing the help, what is the point?

**Mr. Randall Garrison:** Madam Speaker, I want to thank the hon. member for Saskatoon West for her comments. She has restated the argument much better than I did originally. She hit the nail directly on the head.

Certainly, what we hear from families is that the stigma prevents access to services. It causes people to hide their problems so as not to lose the confidence of their commanders or colleagues in the military, whereas if they break an arm, they would not hide it but would get treatment. If they have a different kind of illness that is not visible, the stigma makes them hide that illness, so it becomes worse and we eventually lose the services of that member to the Canadian Armed Forces, as well as the loved ones of those families.

• (1245)

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Madam Speaker, I would like to inform you that I will be sharing my time with the member for Davenport.

It is great to be in this chamber today and to hear the overwhelming support from all sides of this House on this very important piece of legislation. It is an honour to rise in the House today to share my thoughts on how the government is supporting victims of inappropriate conduct by members of the Canadian Armed Forces.

When victims display courage by coming forward with a complaint, we must ensure that they are fully supported. Anything less is unacceptable. Every victim, whether a Canadian Armed Forces member or a civilian, deserves to be treated with trust, dignity and respect. We are fully behind the chief of the defence staff and his leadership team as they take steps to root out harmful and inappropriate sexual behaviour in our military.

Since General Vance launched Operation Honour in 2015, we are seeing progress. As former Supreme Court Justice Marie Deschamps recommended in her report in 2015, we put in place a sexual misconduct response centre, which provides support to those affected by inappropriate sexual behaviour. We established the sexual misconduct response centre and extended its services to 24 hours a day, seven days a week, 365 days a year. It is accessible no matter where a service member is deployed around the world. Last fall, the Canadian Forces provost marshal re-examined 179 sexual assault cases previously deemed unfounded, and determined that 23 should be reopened to further investigation.

This past May, we introduced Bill C-77 to add the declaration of victims rights to the military's Code of Service Discipline. This piece of legislation before us today enshrines victims' rights in the military justice system. This is good news, because it shows that military justice in this country continues to evolve in the best interests of Canadians and the Canadian Armed Forces. It shows the government recognizes the harmful impact that service offences to victims have on the military and on society. It shows the government's commitment to strengthening victims' rights in the military justice system. It is our view that this legislation advances Canada's position as a global leader in supporting victims.

The amendments in this bill would strengthen and uphold victims' rights within the military justice system while ensuring that these rights mirror those in the Canadian Victims Bill of Rights. Simply put, the legislation creates and extends rights for victims in four specific areas: first, the right to information about how the military justice system works; second, the right to protection of their security and privacy; third, the right to participation by expanding how victim impact statements can be presented at courts martial; and fourth, the right to restitution for damages or losses. We have a responsibility to make sure victims are treated with dignity and respect. We are taking this responsibility seriously. We owe it to victims and their families.



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In his report last November, the Auditor General included a report on efforts to stop inappropriate sexual conduct in the Canadian Armed Forces. It came with a number of recommendations that will help lay the ground for the next steps of Operation Honour. Canadians can have complete confidence in both the Department of National Defence and the Canadian Armed Forces to apply these recommendations. The chief of the defence staff has made it clear that serious administrative action will be taken against Canadian Armed Forces members who are found guilty of sexual misconduct. He has zero tolerance for Canadian Armed Forces leaders who fail to act when confronted with inappropriate behaviour within the ranks.

When my colleague, the Minister of National Defence, reviewed the Auditor General's report, he had a clear message for Canadian Armed Forces members and victims. He said that this was about making sure we are doing the right thing for victims; we know we need to do better, and we will.

This is why we are moving Bill C-77 through this House as efficiently and effectively as possible. It is why we expanded the sexual misconduct response centre, so victims can access support in Canada and abroad 24 hours a day, seven days a week, 365 days a year. It is why the SMRC is looking at ways to enhance service delivery to better meet the needs of all Canadian Armed Forces members, and it is why the sexual assault review program was established to conduct reviews of all sexual assault investigations deemed unfounded by the military police.

• (1250)

Our government wants the Canadian Armed Forces recognized as a respected leader on this issue, both inside the Canadian government and by militaries around the world. At the same time, we know this is not just a military issue. The Canadian Armed Forces is not alone in dealing with sexual misconduct. It is deeply rooted in society. Sexual misconduct is wrong wherever it happens, but when it happens in the military, it threatens the welfare of all members of the Canadian Armed Forces community, military and civilian alike.

Our people are at the centre of everything we do. The way we support and treat them is directly related to the military's operational effectiveness. It is also directly related to our values as Canadians. The Canadian Armed Forces has put down a good, solid foundation on which to build. Now it is shifting toward sustained cultural change. Later this year, the Canadian Armed Forces is expected to release its fourth report to update Canadians on all progress made to date on Operation Honour, followed by a cultural change strategy.

Along with Bill C-77 and through the declaration of victims rights, we are strengthening the rights and protections of victims who come forward when they have been wronged. In the passing of this legislation, we are reinforcing Canada's position as a global leader in maintaining a fair and effective military justice system, one that continuously evolves in harmony with our civilian laws. In passing this legislation, we are demonstrating clearly and without question that anyone who is victimized by inappropriate behaviour within the Canadian Armed Forces will be supported fully in the military justice system through these enhanced victims' rights.

For these reasons, I appeal to all members of this House to support this bill.

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Madam Speaker, we had a good, vigorous debate and study of Bill C-77, and a number of shortfalls were identified by some of the witnesses: retired Lieutenant-Colonel Perron in particular, as well as the Barreau du Québec.

One thing that came up that we did not get positive feedback from JAG on was the issue of changing the burden of proof from beyond a reasonable doubt to the balance of probabilities. The argument from National Defence and the Canadian Armed Forces' legal advisers is that we do not need to have such regimented tests within a summary hearing process, unlike in the old-fashioned court martial and summary conviction process.

I would ask the member if he feels we got to the bottom of it to protect those who are wrongfully accused in view of the potential punishments that will be laid down, such as confinement to quarters and being sent to the brig for a period of time, as well as a reduction in rank and pay.

**Mr. Mark Gerretsen:** Madam Speaker, I know the member for Selkirk—Interlake—Eastman would not overly criticize this bill, considering that earlier he said it is a complete replica of the Conservative bill that was introduced by the previous government. I am sure any criticism he might make about it now would equally apply to the former bill.

His question digs into the nuances of what happened in committee, the various testimonies we heard and the results we came out with at the end of the day as a result of that deliberative process. When we had the opportunity to do that and when we heard from the various witnesses, that informed our opinions on how to proceed.

However, what we end up with here is a bill that would put our military personnel within the same form of evolution in terms of their rights as people get outside of the military. That is the primary objective here. That is what has come forward through this piece of legislation.

• (1255)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I would like to pick up on my colleague's last point and cite an example.

Under civilian law, if someone does not show up for work, there is a marginal consequence for that, whereas under military law, a service member could end up going to court and receiving a criminal record. If a criminal record is received, that has a profound negative impact once that service member leaves the military on things such as taking a trip to the U.S.A. or applying for a job. Bringing these things together, military law and civilian law, and making them closer in resemblance would be a good thing for the service member.

Could my colleague comment on that?

**Mr. Mark Gerretsen:** Madam Speaker, the bill is really about that. I talked about the evolution of putting it more in line with the similar supports and processes which people outside of the military go through. This is about that.

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We find that within the military, just like outside the military, not every case should be treated the exact same way, given the different significance of what was inappropriately done. This legislation would give the flexibility to allow the different processes to take place so people would not necessarily be subject to the exact rule depending on the particular violation.

**Ms. Julie Dzerowicz (Davenport, Lib.):** Madam Speaker, on behalf of the residents of Davenport, it is an absolute honour to have this opportunity to rise today and engage in the third reading of Bill C-77, an act to amend the National Defence Act and to make related and consequential amendments to other acts.

This proposed bill amends the provisions of the National Defence Act with respect to the governance of the military justice system and it adds a new section on the declaration of victim rights to the Code of Service Discipline that specify the victims of service offences have a right to information, protection, participation and restitution in respect to service offences. It adds or amends several definitions, including victim and military justice system participant rights and specifies who may act on the victim's behalf for the purposes of that division.

I am so pleased to speak about how Bill C-77 is part of a broader effort our government is making to increase diversity and inclusiveness within the Canadian Armed Forces. Canada's unique, diverse and multicultural population is one of its greatest strengths and we are determined to see that strength reflected in Canada's military.

We know that embracing diversity and drawing on all the strengths of Canada's population will enhance military operational effectiveness. That is why Canada's defence policy "Strong, Secure, Engaged" makes diversity and inclusion a core institutional value for the Canadian Armed Forces. Canadians know diversity is our strength, and we will always champion that.

A diverse and inclusive Canadian Armed Forces starts with a respectful and open work environment for all. "Strong, Secure, Engaged" has identified several initiatives that will help our military continue to cultivate a culture of respect, and it is delivering on all of them.

We are ensuring that the Canadian Armed Forces has the ability to respond effectively and appropriately to anyone who discriminates against fellow service members. Through Bill C-77, we are calling for increased sentences and sanctions for service offences and infractions when there is evidence they are motivated by bias, hate or prejudice based on gender expression or identity. This focus on deterring crimes based in hate for those whose gender expression or identity differ from our own is an important step in the significant progress the forces has made in changing its culture to one of greater inclusivity and diversity. These changes will help the defence team ensure it remains an institution based in honour, integrity and honesty.

However, the changes proposed in Bill C-77 are not the only steps the forces are taking. Through Operation Honour, the Canadian Armed Forces continues its vital work to eliminate harmful and inappropriate sexual behaviour. Above all else, it is putting its focus on support for people affected by inappropriate sexual behaviour. That includes expanding the role and mandate of the sexual

misconduct response centre, or SMRC, to make it the authoritative voice on victim support and advocacy.

As the Sexual Misconduct Response Centre assumes this increased responsibility, it has already established itself as a leader in this field. This past December, the SMRC hosted the first-ever Five Eyes forum on preventing and addressing sexual misconduct, allowing experts from Canada, the U.S., the U.K., Australia and New Zealand to share with, and learn from, one another. These efforts will also help National Defence be an even greater leader in achieving a gender balanced military.

We should all be proud that Canada is already a world leader in this area. As of this January of this year, there are 15,116 women in the Canadian Armed Forces. That is 15.7% of our military, and significantly more than the NATO average of 11%.

● (1300)

I was honoured to recently visit the Canadian Armed Forces mission in Mali. It is participating in MINUSMA, which is the UN Multidimensional Integrated Stabilization Mission. Right now 14% of all those deployed there are women. That number compares to about 4% for all other UN missions.

I know we have a long way to go, but we have already made great progress. We should celebrate the progress we have managed to make.

Through "Strong, Secure, Engaged", we are increasing the percentage of women in the military to 25% by 2026. That is our target. The Canadian Armed Forces has undertaken a number of activities to meet this goal. I will go through them in a minute.

I want to add that right now the national defence committee is looking at how we can increase diversity in the Canadian Armed Forces. We are looking to put forward a number of other policy ideas and immediate action steps on how we can increase the number of not only women, but those from visible minorities, the LGBTQ community and the indigenous community, among others, in the Canadian Armed Forces.

I will go back to the additional activities that the Canadian Armed Forces is undertaking to meet the goal of 25% of 2026.

First, it has established a team of representatives from across the military, the federal government and the private sector to examine recruiting strategies for women joining the defence team. We have gone outside of government to get the best ideas so we can achieve our goal of 25% by 2026.

Second, the Canadian Armed Forces has introduced policies and practices that promote a healthy family and work-life balance. I was blessed to join the Canadians Navy on the HMCS *Charlottetown* during the summer. When I talked to women there, I heard that more and more women were joining because the navy had done a wonderful job of improving the work-life balance, making it easier for people to have families and to support their families while they were pursuing careers in the Canadians Navy.

However, diversity is more than gender. The Canadian Armed Forces also has specific initiatives under way to increase its diversity across a broad spectrum of ethnicity, religion, age, experience, language and more.

The Canadian Armed Forces continues to modernize, streamline and standardize recruiting to ensure that it is truly welcoming to all applicants. It has recruiters who are multilingual and from a wide range of ethnic backgrounds. These recruiters receive extensive training designed to help them understand and be attuned to cultural norms that may differ from their own background and beliefs. This has helped improve communication with potential recruits, which in turn has alleviated many of the misconceptions that visible minority applicants sometimes have regarding the military.

The Canadian Armed Forces has also made important changes to the way it welcomes people of different backgrounds into the military. While the military maintains strict dress regulations for professional and operational purposes, it refuses to allow those regulations to be a barrier to someone who wishes to join.

As important as all these initiatives are, we also have to recognize the impact of past actions.

In November 2017, our Prime Minister rose in the House to issue a formal apology to Canadian members of the LGBTQ2 community for historic injustices inflicted upon them in the country. That included many members of the Canadian Armed Forces who were not just discriminated against, but interrogated and persecuted for nearly forty years during what has become known infamously as “the purge”.

We can never undo the damage of this persecution, but we can recognize and remember the pain it caused. We apologized in order for us to move on and make changes.

We are doing just that with the Canada pride citation. Members of the Canadian Armed Forces who were directly impacted by anti-LGBTQ2 policies and practices can wear the Canada pride citation on their uniforms. The citation stands as an acknowledgement and reminder of past injustices and as an affirmation of our commitment to ensuring that this dark chapter in our history never happens again.

I note that over a year ago, the military launched the positive spaces initiative to promote a safe and inclusive work environment for all employees regarding sexual orientation, gender identity and gender expression. I am happy to answer questions on that.

I am very proud of the actions we have taken to date and I ask everyone in the House to support Bill C-77.

● (1305)

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Madam Speaker, the member talked about some of the challenges that occur in the Canadian Armed Forces, and that Bill C-77 incorporates the Gladue decision from the Supreme Court, ensuring that indigenous members of the Canadian Armed Forces will have a chance, at the time of sentencing, to make sure that any cultural sensitivities are taken into consideration.

We just witnessed an unfortunate event over the last few weeks, where the former associate minister of defence who is also the former attorney general, a very proud indigenous leader, was forced

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to resign. I would like to know, from the member, why the former associate minister of defence left her office.

**Ms. Julie Dzerowicz:** Madam Speaker, I will focus my comments on Bill C-77.

The member talked about the indigenous population. As we mentioned, we are actually trying to increase the number of indigenous peoples within our Canadian Armed Forces. Two key things that we are really focused on in Bill C-77 are including indigenous sentencing provisions, which require military tribunals to consider the circumstances of indigenous offenders at sentencing, as is the case in the civilian justice system, and ensuring that indigenous peoples are given the same rights and respect in the military as in civilian courts.

[*Translation*]

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Madam Speaker, I thank my colleague from Toronto—Danforth for her speech.

I am not an expert in military justice. However, it has come to my attention that, in the military, acts of self-harm are considered an offence. This makes it punishable behaviour.

I would like to know what my colleague thinks about the fact that the new legislation does not address this problem, even though it is a known issue. Self-harm is still considered an offence.

Obviously, if an individual is struggling with this problem, it will be hard for them to seek help because they could end up being reprimanded under the Code of Service Discipline.

● (1310)

[*English*]

**Ms. Julie Dzerowicz:** Madam Speaker, that is an excellent question. I am the member for Davenport, although many people do confuse me with the hon. member for Toronto—Danforth, and that is okay. However, I did want to correct it for the record.

I would say that self-harm is absolutely something that was brought to the attention of the committee. It was mentioned and we questioned whether there were some adjustments that we could make to Bill C-77 to address all of the concerns around self-harm.

The context of the bill did not allow us to address that particular issue, but we recognize that we need to continue to adapt our approach to care and to those suffering from mental health issues. That is why our minister invited the national defence committee to study the issue of suicide and self-harm within the Canadian Armed Forces, with a view to providing our government with recommendations related to these challenges, specifically as it relates to self-harm.

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We have acknowledged that this is an issue. There was an impassioned plea by a mother who was affected by a Canadian Armed Forces member impacted by this particular issue. We made a commitment to look at it and we will continue to take this very seriously moving forward.

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Madam Speaker, there is a very important conversation that we need to have today regarding the amendments to Bill C-77, which seeks to amend the National Defence Act.

The most important thing we have to talk about is why we have a National Defence Act and why people in uniform have a separate judicial system than those in the civilian world. The reason for that is very important. It is that people in uniform are the only people who are entrusted with the right to take a life in aggression, not in self-defence. They are entrusted with the responsibility and sacred reliability of taking a life.

Therefore, as elected officials in a liberal democracy, we must ensure that would never happen without the authority of the citizens, who have entrusted the people in uniform with that responsibility. That is why we have a National Defence Act that separates them from regular citizens, because they have a responsibility and authority that the average citizen does not have.

When we talk about amending the National Defence Act, we have to understand why we have it in the first place. A military is foreign policy by other means. Therefore, when, where, how and for what purpose would we use people in uniform to fight acts of aggression and take lives on behalf of the country? Our alliance in NATO and the Washington treaty, signed on April 4, 1949, after the Second World War, clearly outlines exactly why. It says:

The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

They are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law.

Therefore, why do we have a military? We have a military to ensure we can safeguard the freedom, common heritage and civilization of our peoples, founded on the principles of democracy, individual liberty and the rule of law. That is incredibly important to remember, particularly in light of the conversations that have gone on over the last couple of months and the testimony of the former attorney general yesterday.

Our foundation of democracy is based on the separation of the executive branch, the legislative branch, the judicial branch and the military under the National Defence Act. Those pillars are the checks and balances to ensure that individuals are not in a position to undermine the value of these institutions.

Individuals take responsibilities in each of those institutions, just like I did when I swore an oath to serve in the Canadian Forces. The oath I swore was not to a person but to the position of Queen and country. I swore an oath to serve and defend the values of the nation for which it stands. The Prime Minister, members of Parliament and cabinet ministers are also not individuals but people who have also been entrusted with the roles and responsibilities associated with their positions. If and when we forget that these are positions, not

individuals, and that the role is bigger than the individuals themselves, the very nature of our democracy is under threat, because, as we can see, those individuals think they have the authority to wield the system in their favour.

• (1315)

We heard from the former attorney general that the Prime Minister had an unrelenting and coordinated attempt at influencing her decision as the Attorney General, the top prosecutor in the land, to do something that was actually illegal so that he could achieve political gain.

**Mr. Kevin Lamoureux:** Madam Speaker, I rise on a point of order. We are debating Bill C-77 today. The previous Speaker had just cautioned members to try to remain relevant to the bill. I can somewhat sense that the member is trying to be relevant but is skirting around it, and now she is getting to a point of wanting to reflect on something that took place at committee yesterday.

There has been an emergency debate requested and approved for tonight. Maybe the member could save that aspect until tonight and for now concentrate on Bill C-77.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I want to remind the hon. parliamentary secretary that there is some flexibility, as he well knows, during the debates. However, I also want to remind those who are making speeches that their speech has to be relevant to the bill that is being debated at the moment. Therefore, I am sure that the member will come back to the bill itself and will ensure that her speech is surrounding the bill.

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

**Ms. Leona Alleslev:** Madam Speaker, the relevance is that we have a military to defend the very nature of our institutions, both at home and abroad, because we send them to save the world for democracy. If we do not understand what that democracy is and what they are defending, we risk undermining the nature and value of democracy. We certainly cannot be in a position to amend the National Defence Act if we do not uphold the values and the principles the National Defence Act was put in place to defend.

Let us go to the chief of the defence staff. We have also heard in papers that the chief of the defence staff went directly to unelected officials to discuss an ongoing court case when Vice-Admiral Norman was actually undergoing a trial. For those who do not know, the chief of the defence staff does not report to unelected officials. The chief of the defence staff reports to the Minister of National Defence, under the National Defence Act, and through the minister, to the Governor General and the Queen. That is how we ensure that our ability to use the military is only exercised within its sovereign ranks. Therefore, we need to understand exactly what the chief of the defence staff was doing, potentially breaching the chain of command, going to dinner with unelected officials to discuss things that are within the purview of his responsibilities as chief of the defence staff.

*Government Orders*

Furthermore, we need to look at whether there was political interference in Admiral Norman's ability to get a fair trial, because Admiral Norman was conducting military operations when he allegedly committed whatever offence he is being charged with, yet the Minister of National Defence has decided not to indemnify him. That means that he does not have the ability to have the military pay for his trial and his defence to ensure that he gets a fair trial. One could argue that this in itself is political interference, because trials can cost a significant amount of money, and this could potentially prevent him from getting that fair trial. Is that a good use of exercising the defence budget, and, under the National Defence Act, access to justice? Those are significant, serious concerns.

Now we are talking about amending the National Defence Act, yet these amendments do not remotely address the effectiveness of the act. We found, through evidence, that we have issues with timeliness. People cannot get charges, courts martial and summary hearings in a timely manner. Because we are finding that charges are not being laid, it is undermining the confidence of the military in the justice system.

We have judges in the military system who are not getting effective training or experience and who no longer have the extensive qualifications they need to execute on the National Defence Act.

We are talking about fairness. We actually have people within the military justice system who have been charged and found guilty and have been given a punishment. However, other people have been given a different punishment within the military justice system for that same crime. There is no balance and equity among members within the military justice system or compared to their civilian counterparts or even compared to our allies and their militaries.

All those things undermine the code of service discipline and the military justice system we are attempting to put in place, yet none of the amendments to the National Defence Act being put forward today address any of those things.

Even more disconcerting, we have a justice system that is not delivering and executing on that justice, as we have seen in the fact that we can have members of the military who are not being held accountable when they have perhaps breached the chain of command or have acted in a partisan and political way.

● (1320)

Defence is not a luxury. Defence is the foundation of our society. It allows us to have the principles of democracy, individual liberties and the rule of law. We cannot have anything that undermines any of those clear checks and balances and the structures of our democracy, as we heard from the former attorney general, who was also the former associate minister of national defence. Thank goodness she recognized that she had two hats: one as the attorney general and one as the minister of justice. She could understand the rules and responsibilities that came with each of those hats. She knew that she was the last line of defence, the check and balance, that upheld the very structure and nature of our system. She did what needed to be done. She stood up and was counted.

We need a military justice system that reinforces the ability to maintain our democracy and the principles for which it stands, and that is at risk right now.

Defence is not a luxury. Defence allows us to have the freedoms and liberties we have. The more the Liberal government undermines its commitment to defence by not funding it, by giving the military terrible equipment, by not ensuring that the CDS is accountable to the Minister of National Defence and by politically interfering in the trial of a senior admiral, possibly preventing him from getting a fair trial, the more it calls into question not only the individuals and their roles but the very nature of what we are asking people to put on a uniform, swear an oath, serve and defend and give their lives for.

Members of Parliament, cabinet ministers and the Prime Minister are more than just individuals. As we say in the military, I was an officer first, I was air force logistics second, and I was an individual far after that. The same is true of the people who sit in this place.

There are partisan issues we are going to talk about. We are going to disagree on perhaps how and what and when we should prioritize, but at no time should any of us ever disagree or risk the actual structure and sanctity of the institutions and everything they stand for. If we do, we are no better than all those countries we are so quick to criticize that are not as fortunate as Canada in having democracy.

It is a slippery slope. We have seen over the last 20 or 30 years the lack of independence and separation between the legislative branch and the executive branch. Now we are seeing the slippery slope moving into the judicial branch. With the lack of material in the National Defence Act and the inability of the justice system to execute military justice, it is also slipping there.

It is very disconcerting. We have now come to a point when Canadians are giving up. They are looking at government, not only the individuals in government but government as an institution, and saying that we do not know what we are doing, that we cannot be trusted and that we are all the same. If we do not have our democracy, what do we have?

● (1325)

We owe a great deal to the former attorney general for having the courage and fortitude to stand and be counted and stand for democracy. She can recognize that she has a responsibility and has been entrusted with something that is bigger than she is, as the former attorney general and the former minister of justice. While they may be the same person, they are two separate roles and responsibilities.

Members of Parliament, cabinet ministers, the Prime Minister, the Clerk of the Privy Council and all of us also need to remember our roles and responsibilities and the separation of the executive branch, the judicial branch and the legislative branch. Our system does not work when those things are intermingled.

*Government Orders*

There is still much work to be done to amend the National Defence Act to ensure that we have a vibrant, modern military justice system that compares with our allies' justice systems. At the same time, we can never forget that defence provides the safeguards for our freedom, our individual liberty and the preservation of the rule of law. The minute we start to erode that, we have absolutely nothing left. It is very worrying, because we have arrived at a place in our history where I am concerned that our country is at stake.

• (1330)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, listening to the member, one of the conclusions one can draw is that she believes that this legislation is falling short and that many other aspects should have been incorporated that were not incorporated.

If we actually go through the bill, we see that this legislation has its founding in Stephen Harper's government. It was Stephen Harper who initiated the process. We have taken the process, have not deleted anything, and have added to it indigenous considerations and one or two other aspects after a series of consultations. We have enhanced the bill. When the member criticizes the government today for not doing enough, she is really criticizing her own party, the Conservative Party. She is criticizing Stephen Harper.

We have a good piece of legislation that would help modernize our military law and makes it more in line with civilian law. That is a good thing. Would the member not agree that, for example, the modernization is to the benefit and in the interest of forces members who are serving today and even those who are retiring?

**Ms. Leona Alleslev:** Madam Speaker, it is a flawed argument to say that because people who came before us did not do it, we should not be held accountable for not doing it ourselves. That is like saying that we do not need stoplights for horses and buggies because we did not have cars. It does not make any sense.

The current government put this legislation forward. The government is trying to amend the NDA. The amendments to the NDA far fall short. The Liberals need to be held accountable for the things that are missing.

Would I say that modernizing the National Defence Act to make it more similar to civilian law is a good thing? Not necessarily, because as I said in my speech, there is a significant difference between the rights and privileges of someone in uniform and the rights and privileges of civilian society. That is why we have a National Defence Act, and that is why it—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** We do have to allow for other questions, so I would ask members to keep their preambles and their responses and questions to a minimum, which would be about a minute, if possible.

Questions and comments, the hon. member for Oshawa.

**Mr. Colin Carrie (Oshawa, CPC):** Madam Speaker, I want to thank my colleague for her service. I know she is committed to the institutions we all hold so dear. Her comment that defence is not a luxury is important for people to realize.

The member brought up the importance of avoiding political interference. We have seen the current government make extremely

bad decisions. She mentioned the Norman affair, which many people are interested in, and the debacle of the jets. With the testimony yesterday on the SNC-Lavalin affair, I think Canadians are rightly concerned.

What does the member think needs to be done to make sure that our military justice system is there for the people who are in the military and to attract the wonderful Canadians who will put on uniforms in the future?

**Ms. Leona Alleslev:** Madam Speaker, ultimately, we in the House, cabinet ministers and the Chief of the Defence Staff set the example. If we do not lead by example by fulfilling our roles and responsibilities free from political interference and recognize the independence of the judiciary and the responsibilities of the military, then there is no way we will have a national defence act that does so.

The second thing for us to remember is the difference between the military and why it is subject to a National Defence Act and what their roles and responsibilities are. By ensuring that we have a military justice system that takes into account training, access to justice and all those kinds of things, we will ensure that members in uniform feel as though there is a code of service discipline and that it is fairly applied.

• (1335)

**Mr. Chris Bittle (St. Catharines, Lib.):** Madam Speaker, I would like to thank the hon. member for her service. She brought up some concerns about an individual not receiving the right to counsel or perhaps having difficulty paying for it. What is her and her party's plan? I would like to hear more about universal legal aid and better access to justice principles.

I know the hon. member was elected as a progressive, but I wonder if she could discuss better access to justice issues which she or her party sees for the future.

**Ms. Leona Alleslev:** Madam Speaker, that is a very simple question. The simple answer is that the military has a structure to indemnify members in uniform when they find themselves in legal difficulty. Mark Norman requested that, but was denied it by the government. Therefore, it is very easy. The government could indemnify him and could do it now. It could ensure that there is no political interference and that he has access to a fair trial.

**Mr. Robert Sopuck (Dauphin—Swan River—Neepawa, CPC):** Madam Speaker, I would like to ask my hon. friend a very simple question based on her experience in the military.

She talked about how poorly equipped the military had become under the present government. Could she provide her views on how the present government is treating the military?

**Ms. Leona Alleslev:** Madam Speaker, I said that defence was not a luxury. The government said that it would invest, but it has not invested by over 50%. It has not even delivered the money it said it would. Of course, worse than that, the government is equipping our military with 40-year-old, used Australian F-18s.

*Government Orders*

The Australians are smart. They would not be getting rid of fighter aircraft if they were still operationally capable. They are older than the ones we currently own, because they bought them before us.

Therefore, it is not only embarrassing and not contributing to the security and safety of our nation, but it is humiliating. Our allies know we are not serious about defence, and that is because of the actions the government has taken.

**Mr. Kevin Lamoureux:** Madam Speaker, it is important to recognize that the functionality of an F-18 is not necessarily determined by years as much as it is hours flown.

The question just posed was interesting. The Conservative Party was absolutely abysmal. It totally failed on providing. The Conservatives make reference to the aircraft. Stephen Harper was an absolute, total disaster in getting a replacement for the F-18. That is the core of the problem. The attitude of the member's party in not providing the proper resources in the 10 years of Stephen Harper has put the Canadian Forces in the position it is in today. This obligated us to get a replacement aircraft in the short term so that in the long term our Canadian military would be better served by more modern equipment.

I wonder if she would agree that Stephen Harper should have done his job as prime minister and invested in our Canadian Forces when it was the right time to do it, which was 10 years ago.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I want to remind the member for Cariboo—Prince George that the Speaker will determine when the time is up.

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

**Ms. Leona Alleslev:** Madam Speaker, there is that argument again. Because someone else did not do it, we do not need to do it and we do not need to be responsible or accountable for the actions we have taken, we can blame it on somebody else. When it comes to our military that is just highly unacceptable.

Ultimately, though, the Liberals said that they would spend some money on defence and they have not done that. They campaigned on advanced fighter jets. There is no way that 40-year old, used F-18s from Australia are advanced capability fighter jets. Yes, it is about flying hours. The Australians flew them a lot and over oceans, so they have corrosion charges as well.

• (1340)

**Mr. Chris Bittle (St. Catharines, Lib.):** Madam Speaker, I am pleased this important bill has reached this advanced stage in the legislative process. I am equally pleased for the opportunity to say a few words in support of the adoption of Bill C-77 and to further illustrate the improvements it would bring to Canada's military justice system.

By now, members have heard a fair bit of detail about how the bill would further modernize the military justice system; how it would ensure our military justice system would continue to evolve in harmony with the civilian justice system, while continuing to respond to the unique needs of our military; how it would enshrine victims' rights within the military justice system and ensure they would be well supported at all stages; and how it would support our government's commitment to repairing our nation-to-nation relationship with indigenous and protecting LGBTQ2 individuals from

discrimination and injustices based on their gender expression or identity.

Those are all much-needed steps to strengthen our military justice system to ensure it is responsive and reflective of our deeply held Canadian values and of our number one priority, to care for our people.

However, there are other important changes in the bill, changes that will help streamline our military justice process, changes that will make those processes more efficient and better suited to meet the demands of a modern military. Today I would like to re-examine some of those changes.

The legislation before us promises to reform the summary trial process in ways that will enhance the military's ability to maintain fast, fair and effective discipline. Canadians, military and civilian alike deserve a military justice system that is responsive to operational demands and that applies fair and proportionate disciplinary measures when dealing with minor breaches of military discipline.

Our proposed changes will simplify the process of dealing with minor breaches of military discipline by replacing the current summary trial process with a new system of summary hearings, while continuing to process more serious breaches of military discipline through the court martial system.

These summary hearings would make it much easier for the Canadian Armed Forces to address minor breaches in a fair and timely manner. Summary trials have generally tended to comprise approximately 90% of all service tribunals. Courts martial have made up just one-tenth.

By creating the new summary hearing process, Bill C-77 would enable simpler and faster handling of minor breaches of military discipline. As members have heard us say before, this new process would be non-penal and non-criminal.

It would focus exclusively on minor breaches of military discipline. These minor breaches, called service infractions, would be created in regulation and dealt with exclusively through summary hearings. They would not be considered criminal offences, so they would be dealt with swiftly and fairly at the unit level.

Sanctions may be imposed in respect of a service infraction, such as reduction in rank, reprimands, deprivation of pay or minor sanctions that are non-penal, non-criminal and that would be prescribed in the regulations.

Under the proposed changes, the new summary hearing will be conducted by officers who will have jurisdiction if the person charged is one rank below the officer conducting the hearing or if he or she is a non-commissioned member. That means military commanders will have more flexibility and thus be better able to maintain discipline, efficiency and morale. In this way, the summary hearing process will maintain the current responsiveness, while enhancing operational effectiveness.

*Government Orders*

At the same time, the proposed reforms show trust and confidence in our military leaders and their ability to address minor breaches of military discipline. Of course the more serious breaches of military discipline, known as service offences, would continue to be tried under our system of courts martial.

All of that means greater efficiency within the broader military justice system.

Our military justice system is unique and necessary to meet the needs of our armed forces. The Supreme Court has affirmed this on a number of occasions. It is the solemn duty and responsibility of everyone here in this room to ensure we are supporting a military justice system that is set up to preserve the highest standards of conduct and discipline. We owe that to our armed forces, which must remain ready at all times to act decisively and effectively in service to their country.

• (1345)

Just as the civilian criminal justice system has progressed to reflect our current times, so too must the military justice system continually evolve.

Bill C-77's proposed summary trial reform is about making that system simpler, more effective and more efficient. It is about making sure breaches of military discipline are dealt with appropriately and effectively, based on their severity. A new summary hearing process would help preserve discipline and morale at the unit level, with sanctions that are non-penal and non-criminal and would not trigger detention or criminal record.

It would improve the chain of command's ability to address minor breaches of military discipline swiftly and fairly, which would enhance the operational effectiveness of the Canadian Armed Forces. All told, the legislation would create a fairer, faster and more flexible process, one that reflects our Canadian values while staying responsive to the unique needs of our military.

Through our defence policy "Strong, Secure, Engaged", our government is demonstrating its unwavering commitment to supporting the women and men of the Canadian Armed Forces. The bill offers more opportunity for all of us to reaffirm our people are our number one priority. The bill is essential to ensuring our military members have the support and systems they need to remain ready to defend and protect Canadians at home and abroad.

I am proud to be part of these efforts, and I thank my colleagues for their support in passing this important legislation.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, one of the things that are incorporated into the legislation is the issue of victim rights. This is something being welcomed universally and that is fairly significant. It takes into consideration a number of things that should be taken into consideration relating to victims. These are all very positive aspects of the legislation.

I am wondering if my colleague can provide his thoughts on the issue of having victim rights put into the legislation, which is really outside the law we have today. It is something completely new that is going to make a very positive change to the law itself.

**Mr. Chris Bittle:** Madam Speaker, victim rights are important in the civilian system. This is one of those issues that needs to evolve in the military justice system. I can only imagine the feelings someone who has been the victim of a serious criminal offence must feel in dealing with something that may seem like a closed system. Again, it is important for the military justice system to ensure victim rights are respected, and that is something we continue to put forward. It is something that is a priority in our civilian system, but it should be a priority in our military justice system as well.

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Madam Speaker, I believe the member for St. Catharines has a legal background. Bill C-77 is a bill we are supportive of, and it is based on the Conservatives' original bill, Bill C-71, from the last Parliament.

The one change that was made that I struggle a bit with, which is something we discussed at committee for quite some time, is the question of the burden of proof when it comes to summary hearings, rather than summary convictions, which are carried out in the military and are penal in nature, often resulting in confinement to barracks, yet it does not have to be proven beyond a reasonable doubt that the person was guilty. Now it is a balance of probabilities.

Does the member think that would violate the charter rights of the Canadian Armed Forces members?

• (1350)

**Mr. Chris Bittle:** Madam Speaker, I do know there is a difference between those two different burdens of proof. However, when we are dealing with non-penal matters, my understanding, based on the discussions within committee, is that it was a matter of making it more like the civil courts and bringing it to the same level. If we are not dealing with an issue that is penal in nature, a different burden of proof may be acceptable in those particular circumstances.

I would like to take this opportunity to thank all the members of the committee, including the hon. member, for their thorough debate on that matter. We all look forward to bringing the bill forward and ensuring its swift passage through this chamber.

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Madam Speaker, my friend has spoken quite well about the issues raised by the bill. There are some changes that add to inclusivity on the basis of changing some of the rules. I was wondering if perhaps he could elaborate as to how it helps inclusivity.

**Mr. Chris Bittle:** Madam Speaker, the bill deals with inclusivity in two regards: in terms of indigenous rights, and also in terms of gender identity and expression and dealing with those concerns, issues and rights of the LGBTQ2 community.

We talk about the military justice system evolving and meeting the civilian justice system. These are important rights as the Canadian Forces have become inclusive and have tried to lead the way to ensure the Canadian Armed Forces represent Canadian society and look like Canadian society does. There have been some strong efforts to move forward, but the criminal justice system has to move along with that as well.

The bill is a wonderful opportunity to move the military justice system ahead, to bring it more in line with the civilian justice system and ensure the rights of all individuals are protected.



*Statements by Members*

**Mr. Kevin Lamoureux:** Madam Speaker, to continue on that same point, earlier this morning I gave the example that an individual who does not show up for work in the military, under the current system, could be subjected to a court martial. That would then lead to a criminal record. Comparing that to the civilian world, if someone does not show up for work, he or she will not have a criminal record as a result. When we talk about modernization, having the current law better reflect some of the aspects of civilian law, this is a good example.

I wonder if my colleague would provide his thoughts on someone not showing up for work. We understand and appreciate the difference between military service and civilian service, but at least there would be much more discretion to allow someone who is absent without leave the opportunity to have a disposition that does not allow for a criminal record, which is of benefit. That is one aspect of the legislation that is really encouraging.

**Mr. Chris Bittle:** Madam Speaker, when I was a student at Queen's University, I had the opportunity to take a course at the Royal Military College in military history. That became clear when the professor yelled at the entire class because people were signing in for other students. As a civilian, I did not think that was such a big deal, but I immediately became aware that these students were absent without leave, which was skipping class.

We want to deal with an issue like skipping class at a summary hearing in a way that is proportional and reflects the nature of the offence committed, rather than bringing it to a court martial, destroying a career and negatively impacting that person. The bill would give the commander the ability to deal with that in a proportional way and provide greater flexibility to deal with it and truly have justice, especially in minor cases like that. That was an example that became clear to me as a student and it is something we should strive for in all levels of our justice system.

• (1355)

**Mr. James Bezan:** Madam Speaker, one thing that was very disappointing in the committee study of Bill C-77 was around the issue of self-harm. It was proposed by the defence critic for the NDP, the member for Esquimalt—Saanich—Sooke, that we eliminate paragraph 98(c) from the National Defence Act, where those who hurt themselves or try to commit suicide could be charged and imprisoned for violating the National Defence Act. That action stigmatizes those dealing with PTSD and other operational stress injuries.

I would ask the member if he would support striking down that part of the National Defence Act so that we would end stigmatization and help those who would seek help.

**Mr. Chris Bittle:** Madam Speaker, I had the opportunity to discuss this issue with the hon. member for Esquimalt—Saanich—Sooke. The government cares deeply about this issue and has invested over \$17 million in a strategy moving forward. I look forward to debating the hon. member for Esquimalt—Saanich—Sooke's bill on this particular issue.

I know the committee studied it and it was deemed outside the scope of this legislation. However, it is something I believe needs to be debated further and I look forward to the private members' debate on that subject.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Before resuming debate, I want to remind the next speaker that unfortunately I will have to interrupt his speech because of question period. However, he will be able to continue when the subject comes before the House after question period.

Resuming debate, the hon. member for Cariboo—Prince George.

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Madam Speaker, I want to preface my intervention by letting you know that I will be splitting my time with my hon. colleague from Bruce—Grey—Owen Sound. As they say, “I get by with a little help from my friends”.

It is an honour to rise today to speak to Bill C-77.

We have such a short time to try to get in all these points. However, the bill really is a carbon copy of the bill from our previous parliament that the strong team of Conservatives put forth, which was Bill C-71.

Having listened to the debate today, I want to congratulate our hon. colleague from Esquimalt—Saanich—Sooke on his very measured approach. As we have learned, every day we sit in the House there is so much we can learn from all sides. His was an interesting intervention and I want to thank him for it.

I want to focus my intervention on a couple of different areas. However, I imagine I will have to continue after question period, because I would not want to pre-empt that, as we must give question period its full allotted time.

**The Speaker:** I thank the hon. member for Cariboo—Prince George for his co-operation. He will have eight minutes to resume his speech following question period.

Statements by members, the hon. member for Nunavut.

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## STATEMENTS BY MEMBERS

• (1400)

[English]

### NUNAVUT

**Hon. Hunter Tootoo (Nunavut, Ind.):** Mr. Speaker, this week the Government of Canada announced \$1.6 million in funding to support the Kivalliq hydro-fibre link. This project will significantly reduce Nunavut's dependency on fossil fuels and for the first time bring reliable Internet connectivity to communities in the Kivalliq region. This represents a big step toward building a sustainable economy for Nunavut, and I was proud to be a part of that effort.

However, a sustainable economy also requires the kind of social service supports most Canadians take for granted. In Nunavut there is not one mental health and addictions treatment facility, despite the fact that we have the highest suicide rate in Canada.

*Statements by Members*

Addictions are causing untold damage to families and communities, tearing at the very fabric of our society. It took Canada decades to get on board with the hydro-fibre link project. I can only hope they will recognize this urgent need and work with the Government of Nunavut to make a mental health and addictions treatment facility a reality.

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**FIREARMS**

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Mr. Speaker, last week I attended an open meeting hosted by family and friends of people who were injured or lost in the Danforth shooting.

At that meeting, they shared a letter for the Prime Minister. I would like to share part of it with this place. It reads, in part, “Having taken some seven months to grieve and consider what we should do to make a difference, we are urging that Canada follow the lead of other like-minded countries such as the U.K., Japan and Australia and impose a ban on the private ownership of handguns and military-style assault rifles.”

The letter goes on to say, “We acknowledge that this action is not the only step that needs to be taken to stem gun violence; however, we believe that it will be impactful and effective as the results in other countries have shown.”

I want to thank Noor Samiei, Ken Price, Quinn Fallon and Claire Smith for their advocacy, as well as members of the community, including the leadership of the Broadview Danforth BIA and the GreekTown BIA.

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**RETIREMENT CONGRATULATIONS**

**Mr. Martin Shields (Bow River, CPC):** Mr. Speaker, today I want to stand and recognize the director general of Encounters with Canada, Linda Brunet, who is with us here in Ottawa today. Encounters is the largest student exchange program in Canada.

Ms. Brunet has been director general of Encounters since 1999. Her leadership has made a real difference in the lives of over 100,000 young Canadians. As a volunteer for Encounters, I have seen first-hand the incredible work she is doing. Every year, thousands of youths are afforded the opportunity to visit the national capital and learn about our Canadian institutions.

Current members of Parliament for Calgary Nose Hill, Milton, Fredericton, Gatineau, Surrey Centre, Central Nova and Sturgeon River—Parkland are among the alumni of this great program.

Ms. Brunet has been pivotal in ensuring Encounters stays a dynamic, exciting experience for young Canadians. She has announced that she will be retiring on March 1. I join generations of Canadians in thanking Linda Brunet for her dedication to Encounters with Canada and wishing her all the best going forward.

[Translation]

**TRANSBOUNDARY LAKES IN BROME—MISSISQUOI**

**Hon. Denis Paradis (Brome—Missisquoi, Lib.):** Mr. Speaker, the water quality of our transboundary lakes continues to be a major concern for my constituents.

We share two beautiful lakes with our American neighbours, Lake Champlain and Lake Memphremagog. We are fortunate to have two organizations whose members devote much of their time and energy to protecting these two lakes. Memphremagog Conservation, which is led by Robert Benoit, works for the protection of Lake Memphremagog, which includes the issue of the Coventry landfill in Vermont. Five mayors of villages along Lake Champlain formed Actions Lac Champlain. This group is committed to doing what it takes to clean up the lake water.

Jacques Landry, the mayor of Venise-en-Québec, told us that Lake Champlain is a source of great pride for the people of Venise-en-Québec and the entire region. The lake is a popular tourist draw during the summer, so it contributes greatly to the region’s vitality. As a result, it is vital we look after the quality of the water, especially since it is the source of drinking water for the towns of Bedford and Saint-Armand. Cleaning up this lake is a priority for the region.

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[English]

**B.C. SCHOOLS**

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, last week the Vancouver School Board released a facilities plan naming some two dozen elementary and high schools that are in danger of being closed. This is the third time in 10 years that schools are at risk of being shut down, depriving thousands of students the opportunity to attend a quality school in their own neighbourhood.

Many of these schools are slated for closure because they are at high risk in an earthquake. British Columbia sits on seismically active areas, and the next major earthquake is only a matter of time.

The federal government plays an important role in emergency preparedness and ensuring the public safety of all Canadians. Parents expect their government to take every precaution to keep our children safe. That is why the seismic needs of Vancouver schools must be a top priority for all levels of government, including this one.

Today, I am once again calling on the federal government to make funds available to help seismically upgrade B.C. schools, so that every child can attend a neighbourhood school and receive a quality education in safety.

*Statements by Members*

●(1405)

[Translation]

**REGIONAL NEWS MEDIA**

**Mr. Jean Rioux (Saint-Jean, Lib.):** Mr. Speaker, keeping the public informed ensures the integrity of the democratic institutions that have made Canada what it is today.

As a government, we fully agree with the need to support the news media. Regional news has long been a tool for community development. That is why we should celebrate the regional news professionals who work every day to protect the freedom of speech and freedom of opinion of our fellow citizens.

Today, I would like to pay tribute to a Saint-Jean resident who has made an invaluable contribution to local news broadcasting in my riding. Éric Latour is a television host in Haut-Richelieu. He just presented his 2,000th show. Over his 30-year career in communications, Mr. Latour has always maintained the highest standards of openness and integrity.

I want to offer Éric my congratulations and thanks.

\* \* \*

[English]

**RARE DISEASE DAY**

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, this morning I raised a flag on Parliament Hill in recognition of Rare Disease Day. The theme of this year's Rare Disease Day is "Bridging health and social care", bridging the gaps between medical, social and support services for patients living with a rare disease and their families.

Millions of Canadians, two-thirds of them children, are affected by one of over 7,000 rare diseases. Only one in three of these Canadians can access the treatments they need.

One of the hardest experiences a family can face is caring for a loved one with an incurable condition. My family has been affected by two rare disorders, Alport syndrome and Patau syndrome, which members know claimed the life of my youngest daughter, Lucy-Rose, last year.

I invite all members to join me in recognizing Rare Disease Day and to champion the medical pioneers looking for treatments. We should offer our support to reduce the stigma associated with rare disorders.

As the slogan says, "Show your rare. Show you care."

\* \* \*

**HOMELESSNESS AWARENESS EVENTS**

**Mr. Majid Jowhari (Richmond Hill, Lib.):** Mr. Speaker, Richmond Hill is a compassionate community that lifts up those at risk. We do not allow the marginalized to go unseen or unassisted.

This past weekend, Mosaic Interfaith held its Coldest Night of the Year fundraiser. This event raised over \$43,000 to support homeless and at-risk people. Meanwhile, grade 6 students slept over at TMS Lower School to experience a simulated night of homelessness.

Tonight, for the fifth year in a row, I will be joining 360°kids to take part in its 360°Experience, during which we will spend the night in the streets to experience first-hand what homeless youth endure.

Tomorrow, Yellow Brick House will be holding its 14th annual gala, which raises money to support women and children escaping domestic violence.

Richmond Hill's compassion and empathy are why I am so proud to represent my community in the House.

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**RECOGNITION OF SERVICE**

**Mr. Marc Serré (Nickel Belt, Lib.):** Mr. Speaker, I want to recognize the inspirational work of Dr. Kevin McCormick, honorary lieutenant-colonel of the Irish Regiment of Canada. I also want to salute Brigadier Nicholas Orr, the United Kingdom defence military adviser.

[Translation]

Founder of the Crown in Canada initiative and numerous international projects, Mr. McCormick works hard to educate the public about the vital role of the Canadian Armed Forces.

On his travels, he has acquired thousands of historical artifacts, which he donated to museums and families.

[English]

He attended the 70th birthday of the Prince of Wales at Buckingham Palace, and made a special donation of historic military scrolls and artifacts from 1872 to the regimental museum.

Through his selfless efforts, honorary Lieutenant-Colonel McCormick demonstrates distinguished service to Her Majesty Queen Elizabeth II while promoting and educating the nation about the vital role that the Crown continues to play in our country's rich history.

I thank the honorary Lieutenant-Colonel McCormick and Brigadier Nicholas Orr.

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**THE ECONOMY**

**Mr. Kerry Diotte (Edmonton Griesbach, CPC):** Mr. Speaker, I talk to a lot of people in my riding of Edmonton Griesbach. One thing is crystal clear: People are worried. They are worried because of the Prime Minister's out-of-control spending. They are worried because he has failed in his promise to balance the budget. They are worried because their children will be stuck with the tab for this.

They know that this runaway train of spending makes life more expensive for all Canadians. They also know that more taxes are coming down the track.

People in Edmonton Griesbach tell me that life is already more expensive under the Liberals. Seniors especially feel the pinch, when they are slapped with more and more taxes. We all know that today's deficits are tomorrow's taxes.

*Statements by Members*

However, they should not fear. Our Conservative team, with its strong leader, will win the election this fall and stop this Liberal train wreck.

\* \* \*

• (1410)

**WORLD JUNIOR CURLING CHAMPIONSHIPS**

**Mr. John Aldag (Cloverdale—Langley City, Lib.):** Mr. Speaker, I stand today to congratulate members of B.C.'s team Tardi, who successfully defended their title in the World Junior Curling Championships in Liverpool, Nova Scotia on February 23. Team Tardi now has three straight national and two straight World Men's Junior titles under its belt. Please join me in congratulating team Tardi.

On a somber note, I would like to acknowledge the passing of a very well-known and respected Rotarian and community advocate of Langley, David Truman. David was a birder, golfer, friend and avid curler. He was also a strong advocate for my entry into politics. My deepest condolences go out to his wife, Nora, and two sons Douglas and Gregory.

\* \* \*

**WOMEN'S CONTRIBUTIONS**

**Mr. Terry Duguid (Winnipeg South, Lib.):** Mr. Speaker, in February, during Black History Month, we honour the legacy of black Canadians. As it draws to a close, I would like to recognize some remarkable black women from Canada's past and present, such as civil rights crusader Viola Desmond, trail-blazing politician Rosemary Brown and entrepreneur Ann Divine. Their contributions helped advance gender equality and build a more inclusive Canada.

Honouring the contributions of women and girls will continue next week, on International Women's Day, when we celebrate the achievements of women and girls in fields where they are under-represented, including science, technology, engineering and math.

We need women's voices in these fields to shape the innovations of the future. It benefits us all, it makes Canada more competitive, it drives our economy and it grows our middle class. We need to #InnovateForChange.

\* \* \*

**THE ECONOMY**

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, my constituents in Oshawa, like all Canadians, are gravely concerned about the direction of the Liberal government's moral compass and ongoing mismanagement of our economy.

As members know, the economic news for hard-working families in Oshawa has not been rosy over the past few months. However, while thousands in my riding agonize over future job prospects, retraining supports and their children's future, we see absolutely no sense of urgency from the ministers of industry or finance, or even the Prime Minister himself. He did not even bother to show up.

Hard-working families in Oshawa and across our country desperately need immediate action on lower taxes, infrastructure and an immediate end to the unfair U.S. steel tariffs ravaging our

industrial sector. If we add in the uncertainty of a carbon tax and the future of Oshawa's port, we see why families are worried.

Canadian families need a government that works for them, not a protection racket in the PMO. It is time for Conservative economic policies that will again make life more affordable for working families in Oshawa and across the country.

\* \* \*

**RECOGNITION OF SERVICE**

**Mr. William Amos (Pontiac, Lib.):** Mr. Speaker, Jean Guy Whiteduck was elected chief of the Kitigan Zibi Anishinabeg in 1976 and led the community for 30 consecutive years until his resignation in 2006. He came back to lead this Algonquin community from 2015 until December 2018, when he resigned due to illness.

Today, I pay tribute to Chief Whiteduck for his 40 years of public service, so that the House of Commons might honour his career commitment to Kitigan Zibi and the Algonquin Nation.

He was devoted to Algonquin control over education, and now the KZ school has produced hundreds of graduates since 1980. These were children who became community leaders themselves. Chief Whiteduck staunchly supported the revival of the Algonquin language and culture, and pursued the recognition of indigenous rights and title everywhere on the Algonquin traditional territory on which Parliament Hill sits, in the heart of the Kitchissippi watershed.

As Pontiac's MP, it has been an honour to work with Chief Whiteduck on the global settlement of Kitigan Zibi's specific claims. I trust we will have some good news to announce shortly.

Even as he battles sickness, Chief Whiteduck's presence is felt, because the Algonquin Nation runs in his blood.

*[Member spoke in Algonquin and provided the following text:]*

Migwech Ogimà Jean Guy Whiteduck Kà jji mino widkokàzoyen ondaje Anishinàbewaking.

*[Member provided the following translation:]*

I thank Chief Jean Guy Whiteduck for all the good work he has provided on this Anishinabe Algonquin territory.

\* \* \*

*[English]*

**SASKATOON WEST FORUM**

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Speaker, I would like to thank all the wonderful constituents of Saskatoon West who participated in our recent forum.

*Oral Questions*

Using a world café method for our forum meant everyone's input was heard and honoured. Together we decided on the most important recommendations for action: support for a universal basic income; better care for those living with HIV and AIDS; upholding Canada's duty to consult first nations; eliminating barriers to post-secondary education; enshrining the right to housing in Canadian law; a \$15 an hour minimum wage; and access for all to public transportation.

As I promised, I have shared these recommendations and I have forwarded them in writing to the Prime Minister.

I would like to share a wonderful quote from one of the forum participants, which sums up the spirit of our discussions, "Politicians should take the long view, and not be afraid to be idealistic. People need to hope."

\* \* \*

• (1415)

**CARBON PRICING**

**Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC):** Mr. Speaker, the Prime Minister's punitive 2019 carbon tax is the latest in a growing list of Liberal failures. For no environmental gain, Canadians will be unfairly punished by the Prime Minister for heating their homes, commuting to work, driving their kids to hockey or even buying groceries.

The Prime Minister's carbon tax will add 11¢ to the price of every litre of gasoline and hundreds of dollars more per year for heating a home with natural gas. That is just the beginning. The Prime Minister's carbon tax will go much higher and perhaps, as government documents hint, 15 times higher. That is bad news for struggling Canadian when they say they can least afford it.

In October, Canadians can choose to stop paying for Liberal failures and choose Conservative leadership to get ahead. Canada's Conservatives are fighting for better.

\* \* \*

**RARE DISEASE DAY**

**Mr. Francesco Sorbara (Vaughan—Woodbridge, Lib.):** Mr. Speaker, Duchenne muscular dystrophy, Phelan-McDermid syndrome, mutation of the Spatton One gene, these, like many others, are rare diseases. By definition, each one of them affects fewer than one in 2000 individuals, but those individuals have names, like Jesse, Lorena and Isabella.

My own nephew Ethan lives with ATRX syndrome, one of less than 200 in the world afflicted. Today, on this 12th annual Rare Disease Day, I rise to celebrate his journey through life and his accomplishments, no matter how seemingly small.

I would also like to acknowledge the caregivers of those with rare diseases, including my sister-in-law Kathryn and my brother-in-law Chris, who is a rare disease board member.

[*Translation*]

I applaud their sacrifices, their resilience and their efforts to raise awareness, despite constant challenges and unforeseen circumstances.

I call on all my colleagues and all Canadians to continue to promote awareness, today and each and every day, about people with rare diseases, their caregivers and their advocates.

**ORAL QUESTIONS**

[*Translation*]

**JUSTICE**

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, the former attorney general confirmed yesterday that she was pressured by the offices of the Prime Minister, the Privy Council and the Minister of Finance to change her position on prosecuting SNC-Lavalin.

The Prime Minister cannot continue to govern, plain and simple. Now that Canadians know what he did, he must resign. Will he do so?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the Prime Minister has said all along that he and his staff acted appropriately and professionally. Yesterday, the former attorney general confirmed that the Prime Minister had said the decision was hers to make. The members who sit on the Standing Committee on Justice and Human Rights will do their job, and the Conservatives will continue playing politics instead of focusing on Canadian workers.

All prime ministers must stand up for Canadian workers, which is what we are doing.

[*English*]

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, this question is for the Prime Minister and he should have the decency to answer for himself.

The Prime Minister says that there is a difference of opinion. I will ask him a very specific question. In a meeting with the Clerk of the Privy Council and the Prime Minister, the former attorney general said that the clerk indicated that they had to find a solution quickly because "There is a board meeting on Thursday...with stockholders."

Does the Prime Minister deny that these words were spoken, yes or no?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we know that the justice committee is looking at this file. Once again, it has continued to call witnesses. Members of Parliament from both sides of the aisle are working together to have those witnesses appear.

Yesterday we heard from the former attorney general. She confirmed that the Prime Minister, at all instances, confirmed that it was her decision to take.

*Oral Questions*

We know that committees are doing their work. We also know that the Conflict of Interest and Ethics Commissioner is looking at this file. We also know that there are two ongoing court cases. We on this side respect the work of committees. We respect the work of officers of Parliament. We respect the independence of the judicial system.

• (1420)

**The Speaker:** Order, please. I remind the hon. member for Calgary Midnapore and others that each side will have their turn. The time to listen is when they do not have the floor, which is now.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, these questions are for the Prime Minister and he should have the guts to stand and answer for himself.

He stands accused of political interference in a criminal case. In one of those meetings, the Clerk of the Privy Council told the former attorney general that this was not about jobs, that this was about a shareholders' meeting that was happening the next Thursday, and that there was an election in Quebec soon.

Once again, for the Prime Minister, did he hear those words spoken, yes or no?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, Canadians wanted to hear from the former attorney general, and Canadians got to hear from the former attorney general.

We on this side have confidence in the work that committees do. We know that members of Parliament from both sides sit on that committee. They have been able to have meetings. They are calling witnesses. Witnesses are appearing and answering those questions.

It is important that witnesses be able to share their perspectives. We on this side respect that. We on this side will fight for Canadian jobs.

Perhaps if the Conservatives, rather than playing partisan politics, focused on creating growth, they would not have had the worst growth since the Great Depression.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, once again, the Prime Minister should not be hiding behind other members of his government. He should be answering these questions himself.

We did hear from the former attorney general yesterday. Now we want to hear from the Prime Minister, the man who stands accused of major political interference in a criminal case.

In one of the meetings between his staff and the former attorney general, Mathieu Bouchard said, "We can have the best policy in the world but we need to get re-elected."

Does the Prime Minister deny that those words were spoken, yes or no?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, our government will always stand up for Canadian workers and the importance of the rule of law.

We have been clear since day one, when it comes to the work of committees, this is the government, under the leadership of the Prime

Minister, that increased resources to committees so they could do their work. They do very important work.

The Conservatives will continue to undermine their work. The Conservatives are the party that has chosen a new leader, but it is clear that it remains the party of Stephen Harper. They put out a rule book to undermine and destroy the work of committees.

We on this side will not do that. We will let the committees do their work. We will respect officers of Parliament as well.

**The Speaker:** Order, please. I remind members that the rules of order continue to apply.

The hon. Leader of the Opposition.

**Hon. Andrew Scheer (Leader of the Opposition, CPC):** Mr. Speaker, it is completely disgusting that the Prime Minister does not have the fortitude to answer these questions himself.

Do we want to talk about respect for the rules? I will try another one on the Prime Minister. Gerald Butts, his principal secretary, said to the former attorney general that the statute was set up by Harper, but that he did not like the law. When the Liberals do not like the law, they try to break the law. The only job the Prime Minister was interested in protecting was his own.

Does he deny that Gerald Butts said those words, yes or not?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we, on this side, will remain focused on Canadians. The former attorney general stated that the Prime Minister told her it was her decision to make. The former attorney general stated that it was appropriate to discuss job impacts. In the end, the former attorney general made the decision not to proceed. The law was followed every step of the way and the former attorney general confirmed that.

The job of any prime minister is to stand up for Canadians and Canadian workers. We, on this side, will keep investing in Canadians. We, on this side, will keep fighting for Canadian jobs. That is what a government does. That is what a prime minister does. It is unfortunate that the Leader of the Opposition does not understand that.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the former justice minister has revealed that the Prime Minister of Canada has coordinated a campaign of intimidation and interference against her to protect his partisan interests as the MP for Papineau. The finance minister attempted to interfere in the course of justice. The Clerk of the Privy Council delivered the threats. Gerry Butts and Katie Telford said that they were not interested in what was legal. The former justice minister referred to the Prime Minister as Richard Milhous Nixon.

Will the Prime Minister stop the ongoing smears against her and call an independent inquiry?

*Oral Questions*

• (1425)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we know that the justice committee is looking at this file. We know that members from both sides of the aisle are working together to have witnesses appear. Witnesses are appearing and responding to questions. We also know that the Conflict of Interest and Ethics Commissioner is looking at this file.

We, on this side, respect the work of officers of Parliament and we think the commissioner should do his work. We also know on this side that it is the job of any prime minister to defend Canadian jobs. There was a time that the NDP used to fight for jobs and workers. Obviously, those days are gone.

That member talks about providing advice. Where was his advice in December 2018 when he was making accusations on—

**The Speaker:** The hon. member for Timmins—James Bay.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, jobs? Job one of the Prime Minister is to be more ethical than Richard Nixon. Let us talk about the threats, like when Michael Wernick said that the Prime Minister “is going to find a way to get it done, one way or another. He is in that kind of mood, and I wanted you to be aware of it.” He further said that she did not want to be on a collision course with the Prime Minister. I asked her if she felt threatened. She said she was not threatened once in that meeting; she was threatened three times.

It is not the role of the Clerk of the Privy Council to act as the personal goon of the Prime Minister. At the very least, will they call on Michael Wernick to step down today?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, when members such as that member start mis-characterizing witness testimony, it actually takes away from the debate and the level of discourse in this place. We know that the former attorney general stated that the Prime Minister told her it was her decision to make. We know that the former attorney general stated that it was appropriate to discuss job impacts.

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

**The Speaker:** Order, please. I am having difficulty hearing the answers. I should be able to hear them. All members need to be able to hear both the questions and the answers.

The hon. government House leader has the floor.

**Hon. Bardish Chagger:** Mr. Speaker, the former attorney general stated that it was appropriate to discuss job impacts. In the end, the former attorney general made the decision not to proceed. The law was followed at every step of the way.

The job of any prime minister is to stand up for Canadians and Canadian workers. That is exactly what we do on this side of the House.

[*Translation*]

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, yesterday, people were appalled at the former attorney general's account of the inappropriate pressure the Prime Minister himself and his staff subjected her to.

The Prime Minister, the Minister of Finance, the chief of staff, the principal secretary and seven other highly placed individuals put inappropriate, repeated and sustained pressure on the former attorney general. She repeatedly said no, and she was fired.

How low will the Prime Minister go to get a good deal for wealthy friends of his with strong ties to the Liberal Party of Canada?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, let us look at the facts.

According to the former attorney general of Canada, the Prime Minister told her it was her decision to make. The former attorney general stated that staff in the Prime Minister's Office said they did not want to act inappropriately. The former attorney general stated that it was appropriate to discuss job impacts. In the end, the former attorney general made the decision not to proceed. The law was followed every step of the way.

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, people want the truth, the whole truth.

After the former attorney general testified, the Prime Minister said that he disagreed with her testimony. Then he admitted that he did not even listen to all of it. He is changing his story again. Canadians want the truth and they deserve the truth from their Prime Minister. The question is very simple. We need a public inquiry into the wrongful pressure by the Prime Minister and his office.

Will the Prime Minister agree to a public inquiry to shed light on this issue and to get the entire truth?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we know that the members of the justice committee are doing their work. We respect the work of the committee members.

We know that the Ethics Commissioner is conducting an investigation and looking into this file. We know that the commissioner can do his work.

We believe that we must have confidence in our institutions. We know that Canadians must also have confidence in our institutions.

We will let them do their work.

• (1430)

[*English*]

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, yesterday Canadians were told by the former attorney general that on September 17, in relation to the SNC-Lavalin affair, the Prime Minister told her that there is an election in Quebec and that “I am an MP in Quebec—the member for Papineau”.

Does the Prime Minister deny saying that?

*Oral Questions*

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, what we know is that the justice committee is doing its work. The justice committee is actually having witnesses appear and answer those questions.

We also know that the former attorney general confirmed that the Prime Minister told her it was her decision to make. We also know that the former attorney general confirmed that it was appropriate to discuss job impacts. We also know that the former attorney general made the decision not to proceed. We also know that the law was followed at every step.

The job of any prime minister is to stand up for Canadians and Canadian workers. That is exactly what we do on this side of the House.

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, he does not deny it. Clearly, the former attorney general is telling the truth.

I have another question for the Prime Minister. Yesterday, the former attorney general also testified that Mathieu Bouchard, a senior adviser in the Prime Minister's Office, tried to pressure her in regard to the SNC-Lavalin deal by saying, "We can have the best policy in the world but we need to get re-elected." Again, does the Prime Minister deny that this was said?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the Prime Minister will always stand up for Canadian workers and the importance of the rule of law. Prime ministers should fight for Canadian jobs.

On this side, we respect the work of committees. We have confidence in our institutions, as all Canadians should.

What is clear is that the Conservatives will continue their partisan ways. They will put politics ahead of Canadians. We will not do that on this side. We are fighting for Canadians and we see the results. We know that Canadians are better off today than they were under Stephen Harper's Conservatives. The Conservatives have chosen a new leader, but it remains Stephen Harper's party of austerity.

[*Translation*]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, it is clear. They do not dispute it. They admit it. In her testimony, the former attorney general of Canada said various officials urged me to take partisan political considerations into account, which it was clearly improper for me to do.

Can the Prime Minister tell us whether he disputes her testimony?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we know that members of the justice committee are doing their job. They are calling witnesses, and witnesses are appearing and answering questions. We know that the Conservatives continue to talk out of both sides of their mouths. They say one thing in French and another in English.

Canadians will have a choice to make between our plan to invest in our communities, grow our economy and support middle-class jobs, or the party of Stephen Harper that wants to divide Canadians and has no plan for the economy or jobs.

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, the Standing Committee on Justice and Human

Rights will call on the 11 people mentioned in the former attorney general's testimony, and I hope that the Liberals will agree to let those 11 people appear.

However, in response to the former attorney general's testimony, the Prime Minister said that he completely disagreed with her when she stated that Gerry Butts told her that there was no solution that did not involve some interference.

Does that mean the Prime Minister is disputing what the former attorney general said?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it was important for Canadians that the former attorney general be able to speak openly before the Standing Committee on Justice and Human Rights.

The members of that committee are doing their job. They are calling witnesses, and witnesses are appearing before the committee.

We, on this side of the House, respect the work of the members of the Standing Committee on Justice and Human Rights. We will not interfere, as the Conservatives like to do. We know that committees are capable of doing their job, and we have confidence in them.

[*English*]

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Speaker, yesterday the former attorney general testified to the impact that the anonymous smear campaign had on her and her office, and we saw the Prime Minister come out and supposedly apologize for not speaking out sooner. Now the Liberal member for Mission—Matsqui—Fraser Canyon is declaring that her statements yesterday were merely sour grapes and that her father was pulling her strings. What disrespect to the former attorney general.

Is this the line of the Liberal Party? Will the Liberals apologize for these sexist, misogynist comments?

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

• (1435)

**The Speaker:** Order. I would ask the hon. Leader of the Opposition and his colleagues to come to order.

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we on this side know that it is never acceptable for such comments to occur. We on this side respect the work of committees. We on this side respect the work of officers of Parliament. We on this side respect the independence of our judicial system.

We on this side recognize the importance of the issue. We recognize that it is important that Canadians get to hear all of the different perspectives. Committees are doing their work. Witnesses are appearing to answer those questions.



*Oral Questions*

We will not play the politics of division, as the Conservatives always continue to do.

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Speaker, the Prime Minister declared that the testimony of the former attorney general was false before he had even heard it or read it. Now the Liberal member for Mission—Matsqui—Fraser Canyon is sully the name of the member, saying that it is just sour grapes and that it is her father, a respected chief in British Columbia, who is pulling the strings. This is absolutely unacceptable. It is beneath a member of Parliament, who continues to laugh about this.

Will the Prime Minister denounce it today?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there is no place for misogyny or sexism. We know that is very much the case.

I will remain focused on the issue. I can assure that member that we will look into this matter. We take it very seriously. I take it very seriously. The Prime Minister takes it very seriously.

When it comes to the matter before us, if we remain focused on the issue, we know that the former attorney general was able to appear at committee. We know that the former attorney general stated that the Prime Minister told her that it was her decision to make. We know that the former attorney general stated that it was appropriate to discuss job impacts, and we know—

**The Speaker:** The hon. member for Rosemont—La Petite-Patrie.

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** It is a feminist government, Mr. Speaker. I remember.

[*Translation*]

It has now been established that the Prime Minister's Office repeatedly pressured the former attorney general. At least 11 individuals, including the Prime Minister himself, engaged her on the subject at least 20 times.

Were they doing this for jobs? No. For the economy? No. The revolting answer is that they were doing it for themselves. They were doing it for the Liberal Party of Canada.

Adviser Mathieu Bouchard and the Prime Minister made it clear that they were only doing this to get re-elected.

Will the Prime Minister drop the spin and admit that the only job he wants to save in Quebec—

**The Speaker:** Order. The hon. Leader of the Government in the House of Commons.

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we on this side of the House are going to look at the facts. We believe that Canadians are capable of making up their own minds.

The former attorney general stated that the Prime Minister told her it was her decision to make. She also stated that it was appropriate to discuss job impacts. In the end, the former attorney general made the decision not to proceed. The law was followed every step of the way. The job of any prime minister is to stand up for Canadians and Canadian workers.

[*English*]

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, yesterday we heard explosive testimony from the former attorney general. It directly involved the Prime Minister of Canada, and Canadians still have not heard the whole story. The Prime Minister is not allowing the former attorney general to discuss anything that happened after she was removed from her role. Yesterday the Liberal majority on the justice committee voted no when I asked that she be able to tell us what happened after that date.

Will the Prime Minister stop trying to save himself and remove the restrictions that he imposed on her so she can tell her entire story?

• (1440)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it is important that Canadians be able to hear from witnesses, including the former attorney general. Members who sit on the justice committee work together, members from both sides, to ensure that witnesses are appearing. Witnesses are appearing and answering questions. Yesterday we heard the former attorney general confirm that the Prime Minister told her it was her decision to make. The former attorney general stated it was appropriate to discuss job impacts. In the end, the former attorney general made the decision not to proceed. The law was followed every step of the way.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Mr. Speaker, yesterday we heard disturbing testimony from the former attorney general of a coordinated campaign directed by the Prime Minister to obstruct justice. The former attorney general stated that there were communications relevant to getting to the heart of the truth that she cannot speak of because the Prime Minister is silencing her.

Enough is enough. It is time for the Prime Minister to immediately lift all solicitor-client privilege and all cabinet confidentiality. Why will he not?

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Mr. Speaker, it was extremely important for the former attorney general to come to the committee and to share her views on this important issue. The waiver of cabinet confidences and of solicitor-client privilege is an exceptional form of relief, and it was provided here because all Canadians needed to hear the former attorney general speak to this important issue.

We want to assure Canadians that they are getting the answers to the information they are seeking. It is important for Canadians to hear the diverse perspectives on this matter.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Mr. Speaker, the Prime Minister and top PMO officials repeatedly allowed political considerations to trump the rule of law. Gerald Butts said, “there is no solution here that does not involve some interference.” Katie Telford said, “we don’t want to debate legalities anymore”. This is shocking.

Canadians deserve to hear the full truth, so why does the Prime Minister not simply let her speak?

*Oral Questions*

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Mr. Speaker, as was indicated in the House of Commons, the government's goal has been to allow the former minister to speak freely about the matters that relate to this issue that has been raised. The integrity of judicial proceedings is also a priority for our government. The waiver that has been provided does not cover any information shared by the director of public prosecutions with the former attorney general. That information is protected because two ongoing prosecutions are en route now.

[*Translation*]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Mr. Speaker, let us be clear. Canadians heard some very troubling testimony yesterday, which clearly showed that there was consistent and sustained pressure from the PMO and the Prime Minister to politically interfere in a criminal case.

Upon reading the testimony, it is clear that we still do not have all of the information and that we are missing an important piece of the puzzle.

When will the Prime Minister waive all his privileges and let Canadians hear the rest of this scandal?

[*English*]

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Mr. Speaker, as I have indicated in this House, it was extremely important for the former attorney general to speak to the issues at hand. Waiver is an exceptional remedy, specifically when it relates to cabinet confidences and solicitor-client privilege. Every lawyer in this House who has a seat in the chamber knows that to be the case. The waiver was provided in this case so that the former attorney general could speak to this issue and address the concerns of not just parliamentarians but all Canadians.

[*Translation*]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** It is obvious that the Prime Minister is choosing the truth he wants to hear.

Since yesterday evening, the Minister of Infrastructure has been taking every opportunity to repeat that we must hear the testimony of the 11 other people named by the former attorney general. He said that those 11 people have things to say and that he wants to hear from them. We agree with the minister. Canadians have the right to hear those individuals' side of the Liberal scandal.

Can the Prime Minister tell us today when we will hear his testimony, as well as the testimony of Gerald Butts, Katie Telford, Mathieu Bouchard and all of the others who applied consistent and sustained pressure on the former attorney general?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, as I said, we, on this side of the House, have confidence in the members of the Standing Committee on Justice and Human Rights. They are doing their job. They are calling witnesses, and witnesses are appearing and answering questions.

Members on both sides of the House sit on the Standing Committee on Justice and Human Rights. We, on this side of the

House, are letting those members do their job. However, the Conservatives obviously like to interfere. Nothing has changed since Stephen Harper's time.

● (1445)

[*English*]

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, does anyone still wonder why the Prime Minister made sure his last question period happened before the explosive testimony from the former attorney general? Because I do not.

Then the Prime Minister had the audacity to tell Canadians that he rejected this damning and detailed testimony, and then admitted that he had not actually listened to it all. Talk about arrogance. Talk about tone deaf. She told us of a consistent and sustained effort to politically interfere in a public prosecution, and a B.C. Liberal said that this was all sour grapes and she just was not a good "team player". I guess being a good team Liberal player means a willingness to break the law.

When will they stop with the misogynistic smears and just agree to a public inquiry?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the justice committee is looking at this file. We on this side of the House respect the work of committees and that is why we increased resources for committees so that they could do their important work. There was a time when that member used to respect the work of committees in this place and our institutions.

We also know that the Conflict of Interest and Ethics Commissioner is looking at this file. We have confidence in our officers of Parliament, as all members should and all Canadians as well.

There are two court cases proceeding. We on this side have respect for the independence of the judicial system, as I would encourage all members to as well.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, the former attorney general gave a detailed and devastating account of a relentless campaign to try to force her to break the law. The Prime Minister first said that if the former attorney general had a problem, she should have complained. Well, she did, and the bullying and the pressure and the veiled threats got worse. Then he said that she just should have quit. Well, thank God that she did not, because when she was there, she was standing up for the rule of law.

Yesterday, Canadians watched a fearless and courageous indigenous woman who stood up against the most powerful men in this country. When are the Liberals going to have even a scintilla of that courage to call for a full public inquiry?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, let us look at the facts.

Yesterday, the former attorney general stated that the Prime Minister told her it was her decision to make. The former attorney general stated that it was appropriate to discuss job impacts. In the end, the former attorney general made the decision not to proceed. The law was followed at every step of the way.

*Oral Questions*

The job of any prime minister is to stand up for Canadians, Canadian workers and the rule of law. It was important for Canadians to hear the testimony of the former attorney general. Committee members made sure that happened. That member should stop putting words in other people's mouths.

\* \* \*

**IMMIGRATION, REFUGEES AND CITIZENSHIP**

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Mr. Speaker, our government has led the world in creating a special program for Yazidi and other survivors of Daesh and in recognizing the genocide that was perpetrated against these communities. Even more so, countless Canadians and Londoners have welcomed victimized families and helped them find a new peace in Canada.

Some Yazidi refugees have close family members that they would like to see join them in this country. Can the minister update the House on what the government is doing to facilitate family reunification for survivors of Daesh?

**Hon. Ahmed Hussen (Minister of Immigration, Refugees and Citizenship, Lib.):** Mr. Speaker, I thank the member for London North Centre for his amazing advocacy on this issue. In fact, I joined him recently in London where we met members of the Yazidi community and we heard first-hand not only of their triumphs but also some of the challenges they continue to face.

We are very proud on this side of the House to offer protection to over 1,400 survivors of Daesh atrocities. I am happy to update the House that our government has taken the extra step of extending the one-year window to allow more Yazidis to sponsor their family members. On this side of the House, instead of engaging in fearmongering, we will stand up—

[*Translation*]

**The Speaker:** The hon. member for Lévis-Lotbinière.

\* \* \*

**JUSTICE**

**Mr. Jacques Gourde (Lévis—Lotbinière, CPC):** Mr. Speaker, Canadian laws should apply to the Prime Minister just as they do to all Canadians, which means that “no” means “no” for this Prime Minister, just as it does for all Canadians.

The former attorney general told the Prime Minister and his team no several times, but they refused to accept her response. When she refused to reverse her decision, the Prime Minister simply relieved her of her duties.

Why would the Prime Minister not take “no” as the former attorney general's final answer?

• (1450)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it was important for Canadians that the former attorney general be able to speak openly at the Standing Committee on Justice and Human Rights. Yesterday we heard from the former attorney general. She confirmed that the Prime Minister told her that it was her decision to take.

In the end, the former attorney general decided not to proceed. The law was followed every step of the way. Every prime minister

has a duty to stand up for Canadians, including workers. That is exactly what we are doing on this side of the House.

[*English*]

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Mr. Speaker, we have heard a lot today from the members opposite about letting the justice committee do its work, but the Liberals on the justice committee said it was a witch hunt. That is absolutely unacceptable. The Prime Minister put his re-election above the judicial system when he cited the Quebec election and that he was an MP from Quebec, when he pressured the former attorney general to drop the criminal prosecution of SNC-Lavalin. She said no.

As the former Ontario Liberal attorney general has said, interfering with a criminal prosecution is what despots do. Why did the Prime Minister put his personal political interests ahead of the integrity of our government?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, once again for the record, the justice committee is meeting. It has called witnesses. Witnesses are appearing and answering questions.

There was a time not too long ago that the opposition was denying that the committee would ever meet. The committee is meeting. They were denying that witnesses would appear. Witnesses are appearing, and they are answering. They were denying that the former attorney general would be invited. She was invited, and she appeared. They denied that the former attorney general would be able to share her perspective and share her side. She appeared yesterday and she shared it.

She confirmed that the Prime Minister at every step told her it was her decision to take. In the end—

**The Speaker:** The hon. member for Calgary Nose Hill.

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, at the heart of the conversation on women's rights over the last year has been the need to believe women. Yesterday, the former attorney general presented evidence, texts and emails that show a campaign by the Prime Minister to intimidate her into politically influencing the outcome of a criminal corruption investigation.

However, the Prime Minister is saying that we should not believe her or her evidence. Why is the Prime Minister telling Canadians that we should believe all women, except his accusers?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there is a clear difference between the way this Prime Minister and our government governs versus the approach of the previous government. We on this side respect the work of committees. We on this side respect the work of officers of Parliament. We on this side respect the independence of the judicial system.

*Oral Questions*

The justice committee members have asked for witnesses to appear. Witnesses are appearing and they are providing answers. It was important for Canadians that the former attorney general be able to speak openly at the justice committee. The Prime Minister worked with the current Attorney General to ensure that solicitor-client privilege would be waived, as well as cabinet confidence.

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, here are the Liberal lines on the mountain of evidence that were presented yesterday by the former attorney general: Her dad is pulling her strings. Why didn't she say no more forcefully? Why didn't she report it sooner? She experienced it differently.

Gaslighting a strong woman, especially one with a mountain of evidence, at the behest of the fake feminist who through his actions uses women instead of supporting them, sets women back. Why are not all women in that caucus, and their so-called feminist allies, calling for the Prime Minister's resignation?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we on this side have confidence that the justice committee will have witnesses appear. Witnesses are appearing. They are answering questions. We on this side have confidence that it will be able to do that work.

We on this side also know that the Conflict of Interest and Ethics Commissioner is looking into this matter. We have confidence in our officers of Parliament. We also know that there are two ongoing court cases. We on this side have respect and confidence in the independence of the judicial system.

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**EMPLOYMENT**

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, on that side no one is standing up for women. While Canadians are fighting for their jobs, the Prime Minister has been busy pressuring the former attorney general to break the law for his rich corporate friends. Imagine if the PMO put all those efforts into standing up for working people. Instead, he invested time and energy into pressuring the former AG to change her mind to help his rich corporate friends.

This is about the choices the Liberals make. They will not fight for GM auto workers. They will not fight for steel and aluminum jobs and they failed Sears pensioners. Why will the Liberals not just admit that the middle class and those working hard to join it just do not matter to them?

• (1455)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would encourage the member to have more regard and respect for the former attorney general's testimony yesterday. She confirmed that the Prime Minister told her it was her decision to make. The former attorney general stated that it was appropriate to discuss job impacts. In the end, the former attorney general made the decision not to proceed. The law was followed every step of the way.

The job of any prime minister is to stand up for Canadians and Canadian workers and that is exactly what this Prime Minister did. We, on this side, have confidence in the work of committees. We know that witnesses will appear and—

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

[*Translation*]

**INTERNATIONAL TRADE**

**Ms. Karine Trudel (Jonquière, NDP):** Mr. Speaker, small businesses and workers in Saguenay—Lac-Saint-Jean have been in limbo for months because of the steel and aluminum tariffs. The entire region is waiting for the Prime Minister to do something, but nothing is happening. I guess he is too busy putting pressure on the former attorney general instead of Trump.

When friends of the party call, the Prime Minister always picks up. Workers, though, do not have a direct line to his office.

Will the Prime Minister admit that he has never been on the side of Saguenay—Lac-Saint-Jean and that he works only for friends of the Liberal Party?

**Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.):** Mr. Speaker, the illegal and unjust American tariffs on Canadian steel and aluminum must be lifted. We are consistently sending this message to the United States, and it is being received.

American legislators have asked Ambassador Lighthizer to lift these tariffs. Republican Kevin Brady recently said that the tariffs should be lifted. On Monday, I raised this issue directly with the vice-president of the United States, Mike Pence.

\* \* \*

[*English*]

**JUSTICE**

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, when the former attorney general resigned in protest of political interference, the Prime Minister said that he was “both surprised and disappointed by her decision to step down” and “she said nothing of that to me”. Yesterday, we learned that she said to him in September, “Are you politically interfering with my role, my decision as the Attorney General? I would strongly advise against it.”

Why did the Prime Minister tell Canadians the opposite of the truth?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the Prime Minister has been clear since the beginning that he and his staff always acted appropriately and professionally. It was important for Canadians to be able to hear from the former attorney general. The members of the justice committee have been working together, members from both sides, to have witnesses appear. Witnesses are appearing. They are answering those questions. Canadians are able to hear that testimony and it is important that they do.

*Oral Questions*

Our government will always focus on jobs, growing the middle class and strengthening our economy. There were, of course, discussions about the potential loss of 9,000 jobs in communities across the country, including a possible impact on pensions. It is a job of—

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

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, we now know that the only job the Prime Minister was interested in protecting was his own. Yesterday's testimony revealed that the Prime Minister looked Canadians in the eyes and he said that the former attorney general had never raised concerns about his political interference. We now learn that she did raise her concerns in September.

If the Prime Minister does believe that her testimony under oath is false, will he show up to committee to refute it?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the Prime Minister, in the House, as well as outside of the House, has said that it is important that Canadians be able to hear from witnesses, including the former attorney general. The Prime Minister worked with the current Attorney General to ensure that solicitor-client privilege could be waived as well as cabinet confidence.

The former attorney general, yesterday in her testimony stated that the Prime Minister told her it was her decision to make. The former attorney general stated that it was appropriate to discuss job impacts.

In the end, the former attorney general made the decision not to proceed. The law was followed every step of the way. Why can the member not accept that?

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, it is clear the current Prime Minister would go to the moon to avoid answering questions on this issue. In fact, he has so far refused to summon the courage that yesterday the former attorney general demonstrated when she came with copious notes, saved text messages and other documentary evidence proving the veracity of her comments. She exposed a pattern of systematic political interference by the Prime Minister in a criminal prosecution. Will he show the same courage and show up and answer under oath?

• (1500)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it was important for Canadians to hear from witnesses on this matter, including the former attorney general. We know the justice committee is doing its work. We on this side respect the work the committees do. That is exactly why this government increased resources for them.

We also know the Conflict of Interest and Ethics Commissioner is looking into this matter. We on this side respect our officers of Parliament.

We also know that there are two ongoing court cases. We on this side respect the independence of our judicial system. That is unfortunately not the case for the Conservatives.

**The Speaker:** I will advise the member from Calgary that he shall not interrupt when someone else has the floor.

[*Translation*]

The hon. member for Brossard—Saint-Lambert.

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## INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

**Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.):** Mr. Speaker, Canada has made major contributions to space science and technology, such as satellite communications technology, the Canadarm and satellites in space. When we invest in science, innovation and research, we foster economic growth, create thousands of jobs for Canadian workers and gain a better understanding of our world.

Could the Parliamentary Secretary to the Minister of Innovation, Science and Economic Development tell us a bit more about this?

**Mr. Rémi Massé (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, I thank the member from Brossard—Saint-Lambert for her excellent question.

This morning, the Prime Minister was in Saint-Hubert to announce an investment of more than \$2 billion in Canada's space program. This historic investment is part of Canada's new partnership in the lunar gateway project.

This NASA-led project will make it possible to return to the moon and to prepare for more thorough exploration of Mars. This partnership provides new opportunities for our astronauts to participate in space missions and for our scientists to conduct groundbreaking research. Our investments will create hundreds of well-paid jobs and make it possible for Canadian explorers—

**The Speaker:** The hon. member for Aurora—Oak Ridges—Richmond Hill.

\* \* \*

[*English*]

## JUSTICE

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Mr. Speaker, on September 17, I left the Liberal Party because I lost confidence in the current Prime Minister. I know what it is like to trust the Prime Minister and have that trust broken. Canadians have had their trust in the Prime Minister broken. He has lost the moral authority to govern. Will the Prime Minister resign?

*Oral Questions*

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I can say that I ran for the Liberal Party because this Prime Minister had a plan, a plan for the economy and a plan for kids. What is interesting is that every step of the way, the Conservatives voted against it. We brought forward the Canada child benefit, a tax-free benefit to help families with children who need it the most. This week it was confirmed that close to 300,000 children have been lifted out of poverty, and over 800,000 Canadians are benefiting from this program. The Conservatives voted against it every single time. Over 800,000 jobs have been created by Canadians because of our investment. The Conservatives—

**The Speaker:** The hon. member for Saskatoon West.

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**HOUSING**

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Speaker, on this day last year, every single Liberal member voted against my motion to create a national plan to end and prevent homelessness. This week, they announced funding for urban and indigenous homelessness but have no idea where the money will go or when it will be spent. Instead of working on ending homelessness, the Prime Minister has been busy pressuring the former attorney general to break the law for his corporate friends. When will he finally turn his attention to the real issues facing Canadians?

**Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.):** Mr. Speaker, I am very proud to be part of a government that has invested \$5.7 billion in the national housing strategy. That money arrived in our first budget, and we are now spending \$40 billion over the next 10 years. Every one of those programs is eligible to be subscribed to by indigenous groups across this country. In fact, the \$13.2-billion co-investment fund is building real housing for real people, led by indigenous communities, as we speak. However, there is an additional program that was announced on top of that, which is a program to try to build more indigenous housing off reserve. That program is now financed and is delivering real housing for real people.

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

**Mr. Adam Vaughan:** I only wish the NDP were as effective at building houses as they are at screaming.

\* \* \*

● (1505)

**HEALTH**

**Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.):** Mr. Speaker, over the past two weeks, I have heard from several constituents concerned about the outbreak of measles in Alberta and British Columbia. While measles was eliminated in Canada over 20 years ago, we know that outbreaks sometimes do occur. I would like to ask the Minister of Health, what is the most effective way to fight measles?

**Ms. Pam Damoff (Parliamentary Secretary to the Minister of Health, Lib.):** Mr. Speaker, I want to thank the member for Coquitlam—Port Coquitlam for his passion for the health of Canadians. The answer is simple. The best way to fight measles is

by getting the measles vaccination. Vaccines are one of the most powerful public health tools we have, and they are the reason measles was eliminated in Canada. Our government knows this, which is why we have committed \$25 million over five years to get more Canadians vaccinated. The evidence is clear. Vaccines are safe and effective and save lives.

\* \* \*

**JUSTICE**

**Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC):** Mr. Speaker, the Prime Minister coordinated a sustained effort to politically interfere in a criminal prosecution. He pressured the former attorney general to end the trial of SNC-Lavalin for political reasons. She refused, but he would not take no for an answer. As the clerk said to the former attorney general, the Prime Minister was going to “get it done, one way or another”.

The Prime Minister has lost the moral authority to govern this country. When will he resign?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, let us look at the facts. Yesterday at the justice committee, the former attorney general stated that the Prime Minister told her it was her decision to make. Yesterday at committee, the former attorney general confirmed that she had made up her mind. In the end, the former attorney general made the decision not to proceed. The law was followed every step of the way.

The job of any prime minister is to stand up for Canadians and Canadian workers. If the Conservatives spent half their time on Canadians rather than on partisan politics, perhaps their record would not show them having the worst growth since the Great Depression.

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[Translation]

**EMPLOYMENT**

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Mr. Speaker, yesterday evening, the NDP and the Conservatives cheered the former attorney general on as she settled scores with the Prime Minister's Office.

Not many people seemed all that concerned about the real issue: Why did she decide to sacrifice thousands of jobs in Canada and Quebec for the sake of standing up to her leader?

Now that the Liberals have made a huge mess of the SNC-Lavalin affair, what exactly is the government going to do to save the company's head office and the jobs of thousands of Quebecers?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, from the beginning, the Prime Minister has said that he and his staff acted appropriately and professionally. We will always focus on jobs, the middle class and the economy.

*Points of Order*

There were, of course, discussions about the potential loss of 9,000 jobs across the country, including a possible impact on pensions.

The job of any prime minister is to stand up for Canadians. That is exactly what our government and our Prime Minister will do.

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[English]

**HEALTH**

**Hon. Hunter Tootoo (Nunavut, Ind.):**

[Member spoke in Inuktitut and provided the following text:]

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[Member provided the following translation:]

Mr. Speaker,

[English]

the Minister of Indigenous Services will be aware that in my riding of Nunavut, there is not one mental health and addictions treatment facility. The need for such a facility has been well documented and is exemplified by the highest rates of suicide in the nation and alcohol and drug addiction. The Government of Nunavut has recognized this need and has identified it as a priority.

The previous minister stated in the House that she had heard the call for a treatment centre and looked forward to moving forward with this work. Will the minister commit to funding this much-needed centre?

**Hon. Patty Hajdu (Minister of Employment, Workforce Development and Labour, Lib.):** Mr. Speaker, my heart goes out to the member opposite. In my previous work, I worked extensively with people who are indigenous and who suffer from mental health and addictions every single day. We need to do more. That is why our government is working closely to close the gap between health services for indigenous people and non-indigenous people. To close that gap, we are investing in 52 new community-led mental wellness teams that are now serving over 344 communities.

I will take the request from the member back to the new minister and make sure that he has an opportunity to meet with the member at his first availability.

\* \* \*

● (1510)

**JUSTICE**

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, advice from my heart to my friends in the Liberal Party: Do not dispute the truth of what our former minister of justice has said. Do not attempt to question or undermine or impugn her integrity. No one will believe them if they do.

What the Liberals must do is tell the truth and let the chips fall where they may, starting with these three steps: call for a public inquiry, release the former minister of justice from restrictions on her evidence and fire the Clerk of the Privy Council office.

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, as we have always said, it was important for Canadians to be able to hear from witnesses, including the former attorney general. We know that the Prime Minister worked with the current Attorney General to ensure that we could waive solicitor-client privilege as well as cabinet confidence.

Yesterday we saw that Canadians were able to hear directly from the former attorney general. Canadians are able to watch the justice committee look at this file, look at witnesses appearing and their answers. We recognize that the committee system is working, because even that member, yesterday, was given the opportunity to ask questions directly of the witness.

We on this side have confidence in our institutions.

**Mr. Scott Duvall:** Mr. Speaker, on a point of order, I will be asking for the consent of the House in a moment as I need to give some context to the matter in question and underscore just how serious it is. There are confirmed reports that earlier this week, the member for Hamilton East—Stoney Creek engaged in behaviour that could only be described as that of a bully toward a delegation of representatives from the United Steelworkers.

There have been consultations among the parties and I believe that if you seek it, there would be unanimous consent for this motion.

I move that the House condemn the inappropriate behaviour of the member for Hamilton East—Stoney Creek, who, according to reports, during a meeting with a delegation of representatives from the United Steelworkers from Hamilton, Ontario, verbally abused the delegation; attempted to physically intimidate them by striking various pieces of furniture and violently slamming his office door; insulted and disparaged the organization, including the retirees of Stelco Inc., and expelled them from his office, and that the House call on the member to give a full and public apology for his unacceptable and unparliamentary behaviour.

**The Speaker:** Does the hon. member have the unanimous consent of the House to propose the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

\* \* \*

**POINTS OF ORDER**

COMMENTS TO ABBOTSFORD NEWS

**Mr. Jati Sidhu (Mission—Matsqui—Fraser Canyon, Lib.):** Mr. Speaker, I rise on a point of order to apologize, without reservation, to the member for Vancouver Granville. My comments were inappropriate. Whether inside or outside this House, it is incumbent on all of us to treat each other with respect at all times.

*Points of Order***BUSINESS OF THE HOUSE**

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, I would like to take this opportunity to ask the government House leader to let us know what we might be doing when we return. We are very concerned with some of the things that are happening and we would like to get some clarity on what is going to be happening the rest of this week and the week we return.

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, this afternoon we will continue with debate at third reading of Bill C-77, the victims bill of rights.

Tomorrow we will debate Bill C-83, the administrative segregation legislation, at third reading.

[*Translation*]

For the next two weeks, we will be working with our constituents in our ridings. Upon our return, Monday shall be an allotted day. Tuesday we will start report stage and third reading of Bill C-84, on animal cruelty. At 4 p.m. on Tuesday, the Minister of Finance will present budget 2019. Wednesday will be dedicated to the budget debate.

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● (1515)

[*English*]

**POINTS OF ORDER**

FEBRUARY 25 MEETING OF STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, my point of order relates to the meeting held by the Standing Committee on Citizenship and Immigration on Monday, February 25.

I understand that the Speaker does not normally become involved with committees, but there are occasions when the Speaker is obliged to intervene, and I will lay out why I believe this situation constitutes such an occasion.

First, the Speaker may intervene in cases when committees adopt amendments to bills that go beyond the scope of the bill or require a royal recommendation. The Speaker may intervene as well when committees attempt to operate outside the authority granted to them by the House. My point of order relates to such an occasion.

To cite precedent in support of my case, on June 20, 1994, and again on November 7, 1996, the Speaker ruled that:

While it is a tradition of this House that committees are masters of their own proceedings, they cannot establish procedures which go beyond the powers conferred upon them by the House.

I would also refer you, Mr. Speaker, to Standing Order 116(1), which states:

In a standing, special or legislative committee, the Standing Orders shall apply so far as may be applicable, except the Standing Orders as to the election of a Speaker, seconding of motions, limiting the number of times of speaking and the length of speeches.

As such, I ask you, Mr. Speaker, to examine the following situation and provide a ruling in the context of the two points I have just stated.

The Standing Committee on Citizenship and Immigration on Monday, February 25, was interrupted by votes. The chair suspended the meeting at this point in time.

At the time of the suspension, a motion had been moved and was being debated. After, not prior to, gavelling the meeting suspended, the chair indicated that the committee would reconvene after the vote. When members returned to the committee room, we waited some time for the quorum to be met, which never occurred. Finally, the chair decided to leave the room without ever reconvening or ending the meeting.

I assumed that the meeting would continue at our next scheduled meeting on Wednesday. Conservative members came to this meeting prepared to continue debate on the motion that was being discussed on Monday, given that the meeting was suspended. To our surprise, the chair informed us that the meeting on Monday had been adjourned, despite the suspended meeting never having been reconvened.

I find this unilateral decision of the chair to adjourn a meeting outside a committee meeting and without the support of the committee members to be disturbing and in violation of the rules governing such meetings, and potentially a damaging precedent for future Parliaments.

When the committee met again, Conservatives raised a point of order to ask that meeting number 145 continue, as it was suspended and not resumed, and that the member for Brandon—Souris be allowed to resume where he left off. When this request was denied, we challenged the chair's ruling. The ruling was sustained by Liberal members.

While I appreciate that in upholding the ruling of the chair, the committee in effect made a decision and that in the normal course of things, it should be left at that. However, on the strength of the Standing Orders, the chair was prohibited from terminating debate, and a committee decision cannot override the House. As I pointed out earlier, committees cannot go beyond the powers conferred upon them by the House, and in particular, the committee cannot override Standing Order 116(2).

The committee's decision to support the chair's decision to adjourn the meeting outside of a duly called committee meeting without the consent of committee members was, in my view, an attempt to indirectly circumvent the relatively new rule found in subsection 2 of Standing Order 116. Standing Order 116(2) states:

(a) Unless a time limit has been adopted by the committee or by the House, the Chair of a standing, special or legislative committee may not bring a debate to an end while there are members present who still wish to participate. A decision of the Chair in this regard may not be subject to an appeal to the committee.

(b) A violation of paragraph (a) of this section may be brought to the attention of the Speaker by any Member and the Speaker shall have the power to rule on the matter. If, in the opinion of the Speaker, such violation has occurred, the Speaker may order that all subsequent proceedings in relation to the said violation be nullified.



*Government Orders*

The committee brought the debate to an end while the member for Brandon—Souris still had the floor and wanted to continue his remarks, a clear violation of Standing Order 116(2).

In addition, I would also argue that the Chair did not have the right to unilaterally adjourn Monday's meeting outside of a duly called committee meeting.

To first prove this point, I would draw your attention, Mr. Speaker, to rules pertaining to quorum. With respect to quorum, the rules governing the House are covered in chapter 9 in Bosc and Gagnon. At page 401, it states:

If fewer than 20 Members are present, the Speaker may adjourn the House until the next sitting day. The Speaker may take such an initiative only until the moment when the House is called to order; once the sitting has begun, "control over the competence of the House is transferred from the Speaker to the House itself...the Speaker has no right to close a sitting at his own discretion".

● (1520)

Pages 402 and 403 refer to the business before the House at the time quorum was lost.

However, should the House adjourn for lack of quorum, any Order of the Day under consideration at the time, with the exception of non-votable items of Private Members' Business, retains its precedence on the *Order Paper* for the next sitting. The lack of quorum means only that the House adjourns for the day.

I would also argue that the chair of the standing committee went beyond his authority and breached the rules laid down by the House on a number of fronts, specifically the rules respecting the role of the chair and the business before the committee in the absence of quorum and the attempt to circumvent Standing Order 116(2)(a).

While the chair of the committee has implied consent to adjourn a meeting and if there is a loss of quorum during the sitting of a meeting, then a meeting can be adjourned. However, if a chair suspends a meeting, then the meeting must reconvene to then adjourn. The chair should not and cannot adjourn a meeting that he has suspended on his own.

When committee members questioned him about this on Wednesday, he attempted to quote precedent to justify his decision. However, he falsely quoted precedent. The instance he cited was an instance in which a committee was adjourned through all-party agreement between whips and House leaders on the last day of a sitting that was then prorogued and therefore was in no way congruent to the situation currently at hand.

In conclusion, the chair had no right to adjourn a meeting that had never started without the consent of the members, and he had no right to effectively terminate debate on a motion when there were members wishing to participate in said debate.

Should this decision of the chair be allowed to stand, it could have very serious consequences on the future democratic nature of committees.

I ask, Mr. Speaker, that you nullify all business of the committee that was conducted after the suspension of said meeting and allow the member for Brandon—Souris to continue debating the motion where he left off.

**Mr. Robert Oliphant (Don Valley West, Lib.):** Mr. Speaker, I very much welcome your wisdom on this matter.

The decisions that I took were very much done in consultation with the clerk of the committee and very much done with reference to the Standing Orders, some of which were referred to by the previous speaker and some of which were not. It was done very much in conversation with the table officers, who helped us through this decision. Therefore, Mr. Speaker, I welcome your ruling on this when it is appropriate for you to do so, and that will help our committee to continue its work, which it has always meant to do in good faith.

It can be assumed that when our committee lost quorum, we would obviously have wanted to continue, but the suspension of the meeting was based on a precedent from 2013 and deemed adjourned, so our meeting could go on.

The committee was advised at the subsequent meeting that they could resume that debate based on a motion to change the agenda for that committee, and that would have been a non-debatable motion; however, it was not moved.

**The Speaker:** The member for Calgary Nose Hill is rising again on the same point of order.

**Hon. Michelle Rempel:** Mr. Speaker, I have additional information for your consideration.

What I observed to transpire at that meeting was that the Liberal members of the committee went down to the committee meeting, and it appeared to me that they were advised to leave the room so that quorum could not be obtained. I would ask you to look into this in great detail, because I would refute my colleague's assertion that this was done in good faith. I also would refute the assertion that the government members on the committee have the intent to proceed in an orderly fashion.

The motion that was before the committee on which the government did proceed in this manner and subsequently adjourned the meeting was a motion to study the family reunification of the Yazidi victims of genocide. There were members of the community in the room, and they have observed this. I think that it is very important that we look at all the facts that occurred in this meeting, because, to me, it sets some very dangerous precedent in the ability of a chair to unilaterally end debate on a motion that the government members may or may not like.

**The Speaker:** I thank the hon. member for Calgary Nose Hill for raising the matter and the hon. member for Don Valley West for his comments. I will take the matter under advisement and come back to the House.

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## GOVERNMENT ORDERS

● (1525)

[English]

### NATIONAL DEFENCE ACT

The House resumed consideration of the motion that Bill C-77, An Act to amend the National Defence Act and to make related and consequential amendments to other Acts, be read the third time and passed.

*Government Orders*

**The Speaker:** On debate, the hon. member for Cariboo—Prince George has eight minutes remaining in his speech.

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Mr. Speaker, I will remind the House that I am splitting my time with my hon. colleague from Bruce—Grey—Owen Sound.

Before question period, I was talking about the intervention by our hon. colleague from Esquimalt—Saanich—Sooke on Bill C-77. The beauty of the House is that when one pays attention to debate, we can learn things. So many of our colleagues bring expertise and knowledge to the debate. One only has to just pay attention and listen.

My hon. colleague from Esquimalt—Saanich—Sooke brought up two areas of Bill C-77 that were missing. I want to bring them up as well and address them.

One is the issue of mental illness and injury of those who serve in our Armed Forces and their death by suicide, self-harm, and the fact that section 98(c) is still in military law. The simple act of removing that could do so much to break down the stigma for those who still suffer in the shadows.

I worked tirelessly in getting my Bill C-211 through the House and to royal assent, which took place on June 21 of last year. I am proud to say that the round tables for Bill C-211 are taking place within a month in Ottawa. Stakeholders, representatives from the provinces and territories, ministerial colleagues from across the way as well as military from Veterans Affairs and National Defence are coming together to have that overall discussion on mental health and how we can stem the tide of the epidemic of suicide due to mental illness and mental injury. This is so important.

It is very important that at all times we build trust not only for those who suffer from mental illness and mental injury, but for those who suffer from sexual assault as well so they know they will be believed and they can get the services they require. It is very important we build that environment of trust so they feel they can come forward and there will not be that stigma attached to them. Throughout this debate, we have heard that this still remains, because Bill C-77 does not address that.

My hon. colleague talked about his Bill C-426, which could address the removal of section 98(c). Again, it is a simple thing. I do not accept the argument that we need to study it. The wheels of bureaucracy move slowly. We tend to study things to death and then we are victims of our own inaction. We refuse to act when simple things could be done that would have such a major impact. Section 98(c) is one that my hon. colleague from Selkirk—Interlake—Eastman mentioned it as well.

This is not my file, but I read some of the amendments put forward by the my colleagues in the official opposition, and this was brought up by a number of colleagues. I did not know that in military law there is no provision for reporting the proceedings of a summary hearing. There is also no provision compelling an officer presiding over a summary hearing to give reasons for his or her findings. I had no knowledge that no notes were taken or recordings of proceedings. I am shocked that there would be not requirements in military legal procedure to take copious notes. That makes it very difficult for the appeal process.

● (1530)

As Conservatives, we always believe that the rights of victims should come before those of the criminal. We will always stand tall to ensure the rights of victims and their families are considered first and foremost.

Over the course of the last week, and indeed leading up to Christmas, we had a lot of opportunity to talk about victims' rights and ensuring that those who we trusted to protect us and serve our country were armed with the tools to complete their mission. We must ensure they are safe and secure and remain healthy when they come back to their families.

Earlier this week, we were talking about the rights of victims. I brought up Cody Legebokoff, Canada's youngest serial killer and how the families of his victims had been re-victimized time and again. We recently found out that he was transferred from a maximum-security to a medium-security facility.

Our hon. colleague, the Minister of Public Safety and Emergency Preparedness, has committed to reviewing that case. It is my hope that he will take swift action to reverse the decision, similar to what he did with Terri-Lynne McClintic. I am not sure why things always have to get to this point.

Going back to my earlier comment about subsection 98(c), I note there are simple things we can do as leaders and elected officials within the House. The 338 members of Parliament have been elected to be the voice of Canadians. There are simple things we could do to make the lives of Canadians better. Rather than overthink things, we should use a little common sense.

Sometimes in this place we get mired under the bubble in which we work. If common sense could prevail, we would be far better off.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, the member across the way seemed to focus a great deal on removing subsection 98(c) or that aspect of the legislation. The member indicated before question period that he had been following the debate. Certain elements currently in the legislation were generated in the dying days of the Stephen Harper government.

We have added a couple of things to it. I note in particular the indigenous factor, which is so critically important to take into consideration when administering military justice, like our civilian courts do.

With respect to the subsection he has referred to, could the member tell the House why Stephen Harper would not have addressed that point in the Conservative legislation? We have made it very clear that this is of interest to us and we would like to explore it. At the time, when it was in committee, it was considered outside of our scope, yet now the Conservatives and the NDP are telling us we should be making changes. Stephen Harper did not do this.

We as a government are saying that we will take a look at it to see what can be done. That seems to be the responsible approach to deal with this.

*Government Orders*

**Mr. Todd Doherty:** Madam Speaker, I took a very non-partisan approach to my intervention. My hon. colleagues across the way, as the Liberals do, always has to place blame. I was merely offering that when the committee was studying Bill C-77, our hon. colleague from Esquimalt—Saanich—Sooke, with the best intentions, put forward a motion for us to consider the removal of subsection 98(c). That would have been an opportune time to get Bill C-77 right.

I also have offered that Bill C-77 is being supported by all opposition members on this side of the House. It is almost a carbon copy of Bill C-71, which was put forward by our strong Conservative team in the previous Parliament.

It is unfortunate that our hon. colleague has taken the opportunity to turn things partisan when we are having a reasoned debate and discussion on the merits of Bill C-77 and the opportunities to amend it.

• (1535)

[*Translation*]

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Madam Speaker, as my colleague knows, removing paragraph 98(c) is about removing self-harm as an offence. He talked about that himself.

When the amendment moved by my colleague from Esquimalt—Saanich—Sooke was rejected, he decided to introduce his own private member's bill, Bill C-426, to correct this issue.

Does my colleague plan to vote in favour of Bill C-426 to correct the problem he was talking about?

[*English*]

**Mr. Todd Doherty:** Madam Speaker, I have not had the opportunity to see Bill C-426 in its entirety. I only just heard about it an hour ago from our colleague from Esquimalt—Saanich—Sooke. It seems well-intended. I imagine that our national defence critic will provide a reasoned approach to it.

I believe our colleague from Selkirk—Interlake—Eastman also referenced Bill C-426 in his intervention. While I have not seen the full text of the bill, I look forward to seeing it. I am sure it will have support from all sides of the House.

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Madam Speaker, it is a pleasure to have the opportunity to again speak to Bill C-77. This is important legislation that I believe has a good amount of support from all sides of the House.

Before I get into the heart of my remarks today, I want to take a few moments to applaud the hon. member for Vancouver Granville, the former attorney general, for the courage she showed yesterday at the justice committee. All Canadians have been watching this story very closely. The hon. member laid out a very clear picture of what has happened.

It is now crystal clear that the Prime Minister and his office carried out a coordinated effort to try to obstruct the prosecution of SNC-Lavalin. It is shameful, and it needs to be looked into further.

The Criminal Code defines the charge of obstructing justice as anyone who “wilfully attempts in any manner to obstruct, pervert or defeat the course of justice in a judicial proceeding.” Applying sustained pressure to the former attorney general once she had

already made the decision to proceed to trial would 100% constitute a wilful attempt to obstruct, pervert or defeat the course of justice.

The RCMP needs to look into this and needs to hold all of those responsible accountable for their actions, including the Prime Minister. The buck stops with him. It was his office and people in his government who carried out this pressure, and he needs to own up to it, something he is not very good at.

Further, the Prime Minister has to agree to call for a public inquiry so all Canadians can once again have faith in an independent judiciary.

**Mr. Kevin Lamoureux:** Madam Speaker, I rise on a point of order. There is some onus on the member to be relevant to the legislation at hand. We are talking about Bill C-77. The member is reading, verbatim, a speech that he has prepared and it is completely irrelevant to the legislation. At least, if he is going to be off topic, he should try to make it a little more spontaneous.

I would suggest that the member is not being relevant to the bill at hand. Bill C-77 is a good bill that should be debated.

• (1540)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. member knows full well that he should not be talking about spontaneity or anything like that. However, I do want to remind members, as the parliamentary mentioned a while ago, that there is some leeway when speeches are being given.

For the members who are delivering speeches, their speeches do have to be relevant. They may have some stuff that may not be as relevant to the legislation before us, however, they need to bring in that relevancy. Therefore, I would ask the member to ensure the relevancy is part of his speech.

**Mr. Larry Miller:** Madam Speaker, if my partisan colleague across the way had just given me another 10 seconds, that is where my next paragraph was going. The issue of carrying the course of justice is, in fact, not out of place within the context of the debate here today on Bill C-77, so there is relevancy.

Bill C-77 is all about carrying out the course of justice within our military in a way that protects victims. The legislation would bring forward changes to our military justice system that would give some protection to victims. That is something the Conservative government was working on, and as we heard earlier today from my colleague for Cariboo—Prince George, the bill is almost a duplicate of what we had proposed in the last Parliament.

As I said, the legislation would bring forward changes to our military justice system that would give some protection to victims, which is vitally important. Our previous government recognized this. It is why we brought in the Canadian Victims Bill of Rights and worked to enshrine those rights within our military justice system.

*Government Orders*

Former Bill C-71, which did not pass before the last election, looked very much like the legislation before us today. Our proposed legislation would have given victims the following: first, enhanced access to information through the appointment of a victim liaison officer; second, enhanced protection through new safety, security and privacy provisions; third, enhanced participation through impact statements at sentencing; and four, enhanced restitution, meaning a court martial would be required to consider making a restitution order for losses.

Imitation is the greatest form of flattery and that is on full display here. The Liberal government knows that what the Conservative government tried to do in the previous Parliament was the right thing to do, and that is why it is copying it with this legislation. However, there are a few differences that I would like to highlight.

Perhaps the most glaring difference between the two bills would be the addition of the Gladue decision, in relation to paragraph 718.2 (e) of the Criminal Code of Canada, into the National Defence Act. This addition would mean aboriginal members of the Canadian Armed Forces who face charges under the National Defence Act may face lighter punishment if convicted.

There is absolutely no place in the Canadian Armed Forces and in Canadian society, for that matter, for discrimination of any kind. No one should ever be discriminated against based upon race, gender, religion, culture or any other factor. That being said, the insertion of this principle has the potential to result in different consideration of offences committed by aboriginal forces members than for those committed by non-aboriginal forces members. This could lead to sentences that are less harsh, could undermine operational discipline and morale in the forces and could even undermine anti-racism policies.

I truly believe, and I think all of us in this place do, that judicial systems, military or otherwise, operate most effectively when the defining principle is equality before the law. By definition, equality applies to all. If we want true equality before the law, we cannot have separate levels of standards or sentences for some segments of the population. It must be applied uniformly.

Furthermore, while I am pleased the government is moving forward with legislation to help the men and women who are currently serving our country, it must be reminded that our veterans need our support as well.

A recent report from the Parliamentary Budget Officer confirmed our veterans are paying for the mistakes of the government. The PBO's report, titled "The cost differential between three regimes of Veterans Benefits", is clear proof that the pensions for life scheme by the government is falling well short of the mark when it comes to supporting the men and women who have served our country. The report confirms veterans with severe and permanent injuries will be worse off by an average of \$300,000 under this scheme. This is unacceptable and needs to be addressed.

● (1545)

That said, it is my hope that Bill C-77 moves on to consideration in the Senate and that those in the other place will conduct a fulsome review of the bill to ensure that military justice reform works for all those who serve our country.

We cannot ever do enough for our veterans. A lot of veterans from the Second World War and many from the Korean War have left us and there will be more as time moves on. It is times like this, in their later years, when they need veterans services more than ever. I remind the government to change its attitude, change its ways and change Veterans Affairs so that the main goal is to serve these veterans instead of keeping the strings on the bank book unreasonably.

When Conservatives were in government, the same type of thing happened and it is happening now.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I was a bit concerned when my friend talked about indigenous people. We want to get military law to more closely resemble what is taking place in our civil court system. My understanding is fairly clear in that what is being proposed in the legislation is no different from what is currently being applied in civil law.

If the member follows me on this, does that mean the Conservative Party's principles that he talked about today are the same principles he would apply to civil law, that we should not be giving any consideration to the indigenous conditions, the issue of reconciliation or things of that nature? I understand what he is saying about military law, but would he expand that to include civil law?

**Mr. Larry Miller:** Madam Speaker, the member is obviously trying to distort what I said. I simply pointed out that there is a difference. We should not start applying laws based on race, gender or whatever. In the military, if there are four soldiers, and two of them are aboriginal and two of them are not, and they make a mistake, two of them would have the potential of being treated differently than the other two. That is all I was trying to point out. I do not think that is right. I do not have a clear answer on it, but doing anything race-based is not acceptable, even less so in this day and age. That is all I was trying to point out.

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Madam Speaker, I thank my colleague for his speech. It was also my impression that he thought it would be discriminatory to take into account the reality of an indigenous community or indigenous representative in a ruling.

I have to wonder whether, instead of talking about discrimination, we should not be talking about mitigating factors, the opposite of aggravating factors, that the judge must take into account before issuing a ruling, as is the case in all criminal and civil proceedings.

Could indigeneity, for example, be considered a mitigating factor in some cases and not a matter of discrimination?

*Government Orders*

•(1550)

[English]

**Mr. Larry Miller:** Madam Speaker, my colleague talked about the conditions under which somebody would make a ruling. I would point out that the conditions in the military for all members, male, female, native, non-native, whatever one's race or background, are the same. They are treated the same way, except for what is coming in the bill. That is all I am pointing out.

Again, I do not have the complete answer, but when we start treating people differently because of the colour of their skin, it is unacceptable in today's society, no matter how good one's intentions are.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, there is a form of discrimination that continues in this country for veterans and other people who are within the superannuation acts of the government, which is, if they remarry after age 60, their spouses are denied survivor rights that they would otherwise have. What has been perpetually and continually asked for, going back to the late and wonderful Jim Flaherty, is to get this fixed. I have also asked the current Minister of Finance.

It really is unfair that veterans are treated differently and that spousal benefits are denied to surviving spouses if they happen to find love after 60, as just happened to me.

**Mr. Larry Miller:** Madam Speaker, I thank the member for Saanich—Gulf Islands for a great question. It is one I can relate to because that has happened to constituents in my riding.

Also, I want to officially, albeit belatedly, congratulate her on her new-found love later in life and wish her the best.

Coming back to the issue, I remember talking to my good friend Jim Flaherty, who was working on this at the time. Unfortunately, it did not get fixed, but it needs to be.

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Madam Speaker, I will be splitting my time with the hon. member for Fredericton.

My thanks for the opportunity to outline some of the many ways the Canadian Forces would strengthen the administration of military justice through Bill C-77.

“Strong, Secure, Engaged”, our new defence policy, unveiled in July of 2017, marks our first step in the priorities of everything we do in the Canadian Forces, now and for years to come.

We have a concrete vision, informed by diligent consultation with our fellow citizens from coast to coast to coast. The commitments we have made to our women and men in uniform will provide them with a more dynamic, prosperous and resolutely positive work environment that guarantees respect for the individual rights of all. The changes introduced in Bill C-77, coupled with the steps taken to respond to the Auditor General's report, will make it even stronger.

I want to start by reminding the House that Canada maintains a unique system of military justice. The Code of Service Discipline mandates that the military justice system deal expeditiously and fairly with service offences while respecting the Canadian Charter of

Rights and Freedoms. That said, there are some fundamental differences between the two systems, and for very good reason.

The military justice system is vital to maintaining discipline, efficiency and morale in the Canadian Armed Forces. That is crucial, given the unique environment in which it operates. Military personnel often risk injury, or even death, as they perform their duties in Canada and abroad. Discipline and cohesion within military units can literally be a matter of life and death. Equally important, the military justice system enables Canada to comply with its obligation under international law to hold its military personnel accountable for their conduct during naval, land and air operations.

The military justice system is continually evolving to comply with Canadian law and Canadian values, and we will ensure that it remains responsive to both the accused and the victims. We are proud to continue in this direction and to promote the progress of justice in Canada and within our forces.

This legislation would ensure that the military justice system could satisfy both the expectations of Canadians and the unique needs of the Canadian Armed Forces. In addition, the legislation would improve victim support through information, protection, participation and restitution rights.

The bill would also introduce indigenous sentencing considerations to mirror similar provisions within the civilian criminal justice system, and it would provide sentencing and sanctions provisions for service offences and service infractions rooted in bias, prejudice or hate toward individuals based on their gender expression or identity.

Bill C-77 would also complement the positive actions resulting from the recommendations of the Auditor General's office on ways to strengthen the administration of military justice. The judge advocate general had already initiated a number of measures to improve the administration of the system prior to that report, and the department is implementing an action plan to ensure that all nine recommendations are addressed.

•(1555)

The Office of the Judge Advocate General and the director of military prosecutions have implemented or amended various policies to address the Auditor General's recommendations. For instance, the Office of the Judge Advocate General has begun to develop a new electronic case management tool and database to capture the relevant data on all military justice cases. This case management system directly responds to several recommendations to identify and address delays in military justice system processes.

However, our goal is not simply to speed up the system. We want to make sure that the system continues working, and working well. The case management system will assist the Canadian Armed Forces in maintaining the discipline, efficiency and morale of Canadian Armed Forces members as they work in the service of Canada, both at home and abroad.

*Government Orders*

The judge advocate general has also re-established the military justice round table to increase and improve communications among key actors in the military justice system. The round table brings together key stakeholders from across the military justice system to discuss best practices in its administration.

As “Strong, Secure, Engaged” makes clear, we are ensuring the long-term health and wellness of military members and civilian personnel. Bill C-77 is one of the many ways we are delivering on that pledge. That pledge also means that we work together to build a more inclusive and respectful environment in our military.

This is an important achievement for all our members in the military, and we hope to have the support of all parties to pass the bill. Our military justice system is vital to maintaining discipline, efficiency and morale in the military. This carefully balanced legislation would ensure that the Canadian Armed Forces could do exactly that.

• (1600)

[Translation]

**Ms. Karine Trudel (Jonquière, NDP):** Madam Speaker, the NDP supports Bill C-77 at third reading. However, even with the proposed changes in the bill, acts of self-harm continue to be considered an offence in the military justice system. Asking for help in the military comes with a risk of disciplinary action.

What protections will the Liberals propose to ensure that military personnel have access to mental health services without fear of reprisals or risk of disciplinary action?

[English]

**Mrs. Karen McCrimmon:** Madam Speaker, the hon. member raises a very important point. From my own knowledge, having been a member of the Canadian Armed Forces in the past, we did not take mental health as seriously as we needed to. Under the current government, with its universal commitment to mental health care and mental health care funding, this is also being reflected in the Canadian Armed Forces itself.

It is the example we set and the funding we put forward, the investments we make in mental health care, that are going to make the difference in the long term.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, this legislation covers a number of areas that are very important, including better mental health care.

I want to raise with the government member the point I raised earlier about what is called the gold-digger clause, which denies veterans, retired RCMP, judges and other classes of people under the Superannuation Act, an opportunity to leave their pensions to their spouses if they remarry or marry after the age of 60. It actually goes way back to the Boer War, and that is why it is called the gold-digger clause. Many Liberal finance ministers and Liberal motions at their conventions have said that they will remove it. I wonder if the member has an update.

**Mrs. Karen McCrimmon:** Madam Speaker, my reading has indicated that it goes back even further than the Boer War. It goes back to the Civil War in the United States. I know it is an issue. I know it is being studied. There are a lot of people out there who believe that this needs to be changed. We need to find a way to

support the spouses of military members and others, even if the members remarry at or after the age of 60. People are living longer now. It is not as unusual as it might have been in the past to get married over the age of 60. It is an issue the government is taking seriously, and it is being looked at.

**Hon. Alice Wong (Richmond Centre, CPC):** Madam Speaker, I support the leader of the Green Party, because as the former minister for seniors, I definitely will support anything that helps seniors. As the hon. member opposite has just said, we all live longer. The age of 80 is now considered by WHO to be the real start of being a senior, so there is still a lot of life before 80. I definitely want the government to look very carefully and support those who get married at the age of 60.

**Mrs. Karen McCrimmon:** Madam Speaker, it is important that more people are advocating for our seniors. I am happy to know that our life expectancy is extending, and therefore some of our government programs and policies will also need to change. I would like to thank the member for bringing up that particular issue.

• (1605)

**Mr. Matt DeCoursey (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.):** Madam Speaker, I stand here today as the member of Parliament for Fredericton. I am proud that over the last three-and-a-half years I have had the distinct privilege to meet with many of the women and men of the Canadian Armed Forces who serve at 5th Canadian Division Support Base Gagetown.

Centred in the town of Oromocto, Base Gagetown is the second-largest military base in Canada and the home of Canada's army. Gagetown is not just a place of work for the 7,500 military members and civilian personnel, it is home to countless families. It is a school. It is a medical centre.

Base Gagetown is an economic driver for New Brunswick. It is the second-largest public sector employer in the province and the third-largest employer overall. It contributes hundreds of millions of dollars to our local and provincial economy each year. The benefits the base brings to our community are far too many to count.

Canadian Armed Forces members at Base Gagetown do not only make Fredericton, New Maryland, Oromocto and the Grand Lake region a more vibrant place to live, as members of the military, they put their lives on the line for our country and give up their own safety to defend ours.

We can never match that honour and sacrifice, but what we can do is ensure that the structures within the military are as strong as they can be so Canadian Armed Forces personnel and their families never have to see their own system as an obstacle to overcome.

*Government Orders*

Military members keep us safe, but we must protect them as well. By amending the National Defence Act, Bill C-77 is ensuring better protection for the women and men of the Canadian Armed Forces under the military justice system. Bill C-77 means a more just and equitable future for the 6,500 members of the Canadian Armed Forces at Base Gagetown and for thousands more who serve across the country.

The very nature of the military means its justice system must consider a different set of demands, from the hazards of war to the hierarchal chain of command. The Canadian Armed Forces must always be able to enforce discipline within that chain of command, so it can be ready and able to respond to any threat.

Bill C-77 commits to strengthening the victims rights within the unique framework of the military justice system. From ensuring that victims of inappropriate conduct by members of the Canadian Armed Forces have the right to information, protection, participation and restitution to establishing a new victim liaison officer to help guide victims through the military justice system, we are ensuring that the victims rights are not only respected but that they are strengthened.

When victims come forward with a complaint, we must ensure they are fully supported. Anything less is unacceptable. Bill C-77 is about making real changes in the lives of our service members. The impact of those changes will be felt across the country, from the Military Family Resource Centre and the Royal Canadian Legion in Oromocto all the way to Alert to Esquimalt to St. John's.

Victims rights matter, and that is why these changes matter as well.

As the Minister of National Defence has made clear, the Canadian Armed Forces welcomes the Auditor General's recommendations on ways to strengthen the administration of military justice. Our government is committed to maintaining a fair, modern and robust military justice system. We thank the Auditor General for this important work and accept the recommendations.

Unfortunately this review reflects the previous government's neglect of not only the military, but also the military justice system, which is an important part of military discipline and morale within the Canadian Armed Forces. Unlike the previous government, we are committed to ensuring the efficiency of the military justice system. Unlike the previous government, which allowed delays to fester, we are committed to ensuring a reliable military justice system.

• (1610)

We have already started to address some of the Auditor General's recommendations, including a case management system to monitor and manage cases as they progress through the system, extending the postings of defence counsel and military prosecutors to better serve both the accused and the Crown and reinstating the military justice round table, which the previous government abolished. These are just some of the measures we have taken to address the report and we will continue to work to ensure an effective military justice system.

To get back to the matter at hand, the Auditor General's findings reinforce that the judge advocate general of the Canadian Armed Forces, or JAG, is taking the right approach to modernizing the

system. The JAG, Commodore Geneviève Bernatchez, oversees the administration of military justice in the forces. She has embraced the Auditor General's recommendations, which will guide her efforts to ensure the military justice system meets the expectations of Canadians and the needs of the Canadian Armed Forces. She has already developed a detailed action plan to respond to all nine recommendations, and members of the military are already seeing improvements to the administration of the military justice system.

Many important changes are already under way, with the office of the JAG and the director of military prosecutions actively implementing measures to improve how military justice is administered. For instance, even before the Auditor General made his recommendations, the office of the JAG began to develop a new electronic case management tool and database to capture the relevant data on all military justice cases. This will directly respond to a number of the Auditor General's recommendations to identify and address delays in military justice processes and improve the efficiency and effectiveness of the system.

The justice, administration and information management system, JAIMS, will allow for the real-time tracking of files as they proceed through the system. It will incorporate and enable the enforcement of time standards that will be established following a review conducted by the JAG as part of the response from the Department of National Defence to the Auditor General's recommendations. JAIMS will allow military justice stakeholders and decision-makers to access case data in real time and be prompted when their action is required. This will help reduce delays by improving how the military justice system's files are managed.

This is not simply about speeding up the system. We want to ensure the system is working and working well. As members may have heard my colleagues say, the military justice system is vital to the ability of the Canadian Armed Forces to achieve its missions in Canada and around the world. It cannot and will not remain static. The military justice system, like the civilian criminal justice system, is constantly evolving to remain fully compliant with Canadian law, norms and values. That is why our government tabled Bill C-77, which proposes to introduce a declaration of victims rights to incorporate indigenous sentencing considerations and reform summary trials.

In Canada's defence policy, "Strong, Secure, Engaged", our government has made an unprecedented commitment to provide the men and women of the Canadian Armed Forces with the support they need and deserve. That includes the assurance that military members will continue to have access to a fair and effective military justice system as they bravely serve Canadians at home and abroad. With Bill C-77 and the many progressive changes being instituted by the Office of the Judge Advocate General, we are clearly delivering on this pledge.

*Government Orders*

The Auditor General's report offers valuable insights and tangible recommendations that will help us further enhance the efficiency and effectiveness of the military justice system. The changes the Auditor General has urged, many of which we are already acting on, will ensure the military justice system remains valuable and relevant in contributing to the operational readiness of the Canadian Armed Forces.

• (1615)

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Madam Speaker, we are very much in favour of the bill, but we did propose an amendment and I would like to hear from the member why the government did not accept it. I want to read a quote from Sheila Fynes, who appeared as an individual before the committee. She said:

...it is disturbing that even today, under paragraph 98(c), a service member could face life imprisonment for an attempted suicide. It would be more appropriate to consider self-harm under such circumstances as being symptomatic of a serious and urgent mental health concern, and signalling the need for appropriate and immediate medical intervention.

Why did the Liberal government not remove subsection 98(c) from the legislation?

**Mr. Matt DeCoursey:** Madam Speaker, this government, and I am sure all parliamentarians in the House, take very seriously issues of life and death, issues of suicide. I have no doubt and entire confidence that this issue was studied in-depth with a certain comprehensiveness at the committee and the report stage. It was a decision of the committee, which is independent of the government, and a decision at report stage by parliamentarians not to adopt this motion.

We continue to monitor the effectiveness of the military justice system by moving forward with Bill C-77, but it will not end there. We will continue to ensure we have an effective, fair, responsive military justice system that ensures Canadian Armed Forces members receive what they need and delivers fair, robust and accurate results.

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Madam Speaker, I listened closely to the speech of my colleague across the way.

At first he seemed to want to make a distinction between the bill the Conservatives introduced in the previous Parliament and the one before us today.

One thing that is clear is that the bill is being met with broad consensus, give or take a few amendments that some wanted to see included, such as the one we just discussed.

My question is as follows. Since the bill has the consensus of the House and almost had consensus in the previous Parliament, then why did we have to wait for the last year of the Liberal term to move forward with these long-awaited measures?

**Mr. Matt DeCoursey:** Madam Speaker, I think that our government's record on national defence over the past three and a half years speaks for itself.

We have made unprecedented investments in the military. Some of those investments were made at Base Gagetown, in my community. Not only did we invest in infrastructure and the needs of our military

members, but we also invested in their physical and mental health, as well as the well-being of the members and their families.

I believe we have an exceptional record on military issues, and Bill C-77 enhances it even further. We are proud of our record, and we will always support Canadian military members and their families.

[*English*]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, as we debate the legislation, the issue of health comes up on an ongoing basis. We have seen a commitment from the government of about \$17.5 million for a centre of excellence, which will focus on the prevention, assessment and treatment of PTSD and related mental health conditions.

Could my colleague provide his thoughts not only about legislation, but other budgetary matters that will make a difference?

**Mr. Matt DeCoursey:** Madam Speaker, that is another element of the record this government has when it comes to supporting the military, which is so important to the service women and men of our armed forces and their families.

There have been great advancements over the last number of years in recognition of and research on how to prevent and treat different forms of mental illnesses, including post-traumatic stress disorder to which far too many members of our military succumb. We will always stand to support the mental health of the women and men of the Canadian Armed Forces as well as their families and the communities that support them right across the country.

• (1620)

**Mr. Ziad Aboultaif (Edmonton Manning, CPC):** Madam Speaker, before I begin, I would like to inform the House I will be sharing my time today with the hon. member for Red Deer—Mountain View.

It is a pleasure to rise in the House today to discuss an issue of great importance to members of the Canadian Armed Forces, their loved ones and all those who support both victims of crime and our Canadian Armed Forces. As a member of Parliament from northeast Edmonton, I have the great pleasure of representing many members of the Canadian Armed Forces who live off base while deployed at Edmonton Garrison.

When I meet with these men and women, their conviction, dedication and love for our country never ceases to amaze me. I am very pleased to be able to lend my voice to them this afternoon as we continue to discuss Bill C-77, an act to amend the National Defence Act and to make related and consequential amendments to other acts.

In the last Parliament, the former Conservative government worked hard to develop and entrench the Canadian Victims Bill of Rights in law. It was a very proud day when the legislation was enacted, as it rebalanced our justice system to put more of an emphasis on protecting and empowering victims and standing up for their rights during criminal proceedings.



*Government Orders*

Over the years, there was an emphasis on ensuring accused people were treated properly, and everyone here understands how important that is as well. However, Canada's Conservatives believe victims rights need to be at the heart of our justice system. We understand victims deserve the right to information, protection, participation and, where possible, restitution.

Bill C-77 is an important piece of legislation. It continues the good work of our former Conservative government of enshrining the rights of victims of a crime in law, this time for our military justice system. The bill is largely based on legislation our former government put forward, which was Bill C-71 from the last Parliament.

Bill C-71 was introduced to ensure victims going through the military justice system had many of the same protections provided to civilians by the Canadian Victims Bill of Rights. I am very pleased the Liberal government did the right thing and used our previous legislation as the basis for Bill C-77.

Canada has a long history of having a parallel justice system for our military. There are those who rail against this idea and believe military justice issues should be handled in civilian courts. Perhaps they do not understand why we have two systems, or maybe they do and simply disagree. Having these parallel systems has been upheld by the Supreme Court of Canada a number of times, and is even protected in the charter under section 11.

The sad reality is that we often must ask much of the members of the Canadian Armed Forces. We ask them to risk life, limb and mental health for the protection of our great country and the promotion of freedom, democracy and the rule of law, often in far off and hostile environments. This operational reality of the military means Canadian Armed Forces members must be held to a higher standard than what would be expected of a civilian.

This reality is recognized in the Supreme Court's 1992 ruling of *R. v. Généreux*, which acknowledges the armed forces must be able to deal with discipline issues quickly, effectively and efficiently for the sake of the operational readiness of our armed forces so that they may defend against threats to Canada's security. For this important reason, the armed forces has its own code of service discipline, as well as military justice tribunals to enforce it and ensure the military can accommodate its particular disciplinary needs.

• (1625)

That decision is from 1992. However, it has been upheld a number of times since then, most recently in 2015.

While out of necessity there is an imperative for the armed forces to be able to administer justice in its unique way, there is no reason why victims rights should not be also featured prominently in the military justice system. I believe that Bill C-77 is a good step forward in accomplishing this goal while building on the established code of service and Operation Honour to effectively combat sexual misconduct, harassment and deal with issues of intolerance in the Canadian Armed Forces.

While this is good legislation, which I am looking forward to supporting once again, I would be remiss if I did not take this opportunity to highlight some concerns I have with the bill as well.

Under the military justice system currently, charges can be dealt with through a summary trial or a court martial. Bill C-77 introduces a new category of service infractions consisting of minor infractions that can be dealt with through a new method of summary hearings, replacing summary trials. In proposed subsections 163.1(1), (2) and (3), Bill C-77 shifts the burden of proof. In a summary hearing it goes from "beyond a reasonable doubt" to "on a balance of probabilities".

Currently, proof must be beyond a reasonable doubt, the same as in the civilian legal systems. Proof beyond a reasonable doubt is one of the pillars of the Canadian justice system, and I believe that it should remain the case for our military justice system, particularly when we consider that through a summary hearing, a service member's commanding officer is able to confine them to barracks or ship for up to 21 days. In light of that realization, I believe the burden of proof should remain higher than "on a balance of probabilities".

Unfortunately, our colleague for Selkirk—Interlake—Eastman's amendment to make this sensible change was voted down at committee, though I hope it will receive further consideration at the other place. Failing that, I hope this will be able to be reconciled through regulation to both avoid a charter challenge and ensure that the men and women of the Canadian Armed Forces can be treated justly if they find themselves being called to a summary hearing.

The last issue I want to briefly touch on is the issue initially raised by our NDP colleague for Esquimalt—Saanich—Sooke that Bill C-77 does not repeal parts of paragraph 98(c) of the National Defence Act, which lists self-harm as an offence that can result in a fine and/or imprisonment.

I take heart in the fact that the committee heard that this is rarely used and it is my understanding that the intention is to provide recourse against individuals who may maim or injure themselves in order to be excused from duty or to be discharged. I do appreciate that rationale, but we also cannot overlook that we ask members of the Canadian Armed Forces to do and bear witness to extraordinary things and that, as a result, not only their bodies can be damaged and scarred but their minds as well.

I do not believe anyone with the privilege to sit in this chamber supports prosecuting people who make a desperate act like self-harm because they are suffering from a mental health issue. Even if it is rarely used, I do not think it should even be an option. It is my understanding that when this issue came up in relation to Bill C-77, it was ruled out of scope of the legislation.

With that in mind I would like to echo our colleague for Selkirk—Interlake—Eastman in calling for the Minister of National Defence to take this issue and come back to the House with a separate piece of legislation to address this oversight at the earliest opportunity.

*Government Orders*

•(1630)

The Canadian Armed Forces is a source of great pride to our country. Its members conduct themselves with honour as they serve, both in our communities and abroad. Due to their sacrifices and the sacrifices of those who came before them, we can afford the privilege to live in relative peace and security—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The time is up. Maybe the hon. member will be able to finish his thoughts during the questions and comments. I did allow him a bit of time.

Questions and comments, the hon. parliamentary secretary to the government House leader.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, at the onset let me just acknowledge that it is encouraging that we have all members supporting the legislation. That is very encouraging to see. It is in the best interests of our women and men of the forces and the broader community as a whole.

One of the aspects of the legislation that I like, and that we have not heard much discussed today, is the whole idea that within the legislation we are putting into place a declaration of victim rights. That is being very well received, virtually universally. The right to information, protection and participation and, where possible, even restitution, these things put the legislation more in line with civil law. Because we have not heard it in a while, I am interested to know what the members opposite have to say about that aspect of the legislation because it is very new to military law.

**Mr. Ziad Aboultaif:** Madam Speaker, in the spirit of agreement today about Bill C-77, this is a very important piece of legislation. I did touch a bit on this in my speech, but on such very important areas more discussion takes more time. Definitely, we are supportive of strengthening the bill as much as possible to make sure it emphasizes the importance of the bill, what it can do and its purpose.

As I said in my speech, it was a very good start. It is built on a previous bill by our former government, Bill C-71 in the past. I hope the government can enhance it further to make it strong and to make it meaningful.

[Translation]

**Ms. Karine Trudel (Jonquière, NDP):** Madam Speaker, I thank my colleague for his speech.

I would like to know what he thinks about the fact that the Liberals rejected the NDP's amendment to strike paragraph 98(c). Under this paragraph, a service member could face life imprisonment for attempting suicide.

We know that mental health problems also exist in the Canadian Armed Forces. Would the member agree that it is important to acknowledge that fact? Why did the Liberals reject our amendment? We in the NDP believe that this section should have been eliminated. I would like to hear my colleague's thoughts.

[English]

**Mr. Ziad Aboultaif:** Madam Speaker, I touched on this topic in my speech. The government should answer the question of why it did not go for the amendment that was presented by the NDP

member at the time, when we believe it was a very important element.

Again, in the spirit of agreement, I was hoping the Liberals would have taken into consideration this important element. If we are going to introduce such a law or regulation or legislation, I believe it to be in the best interests of all, and specifically our armed forces, to make the bill as perfect as possible. I was hoping that the government would have taken into consideration the amendment proposed by the NDP member, and I will encourage the Liberals to do so if it is not too late.

•(1635)

**Mr. Earl Dreeshen (Red Deer—Mountain View, CPC):** Madam Speaker, it is an honour to speak to this bill.

In talking about military justice reform and justice reform, I want to thank the former attorney general. The difference between a justice system and the potential for injustice, integrity versus undue pressure, and of course, rule of law versus political manipulation is certainly an issue that many of us were seized with last night as we heard the testimony. Hopefully there will be an opportunity for everyone to get to the bottom of that, because Canadians are extremely concerned about that type of action.

I want to talk specifically about the military, keeping in mind that for those in the military, there are certain rules and responsibilities they have to deal with. Mistakes made can well result in death, whether it is operational or in training. These are very important issues and why there has to be a system of rules and laws that make sure that everyone follows the same set of rules. That is critical.

Some of the discussion here today has included the mental health aspect, PTSD and making sure that there is help along those lines. That is extremely important. I come from an area where I know many military members and their families in the community. I listen and find out what their stories are. It is not the things veterans tell me; it is the things those engaged in the field now have to say. It is very important that we keep that in mind and respect it, because that is what is involved with the different laws we are talking about today.

The intention of the bill is to make changes to Canada's military justice system, and it does it in a number of ways. As was mentioned by one of the members opposite, it would enshrine victims rights in the National Defence Act, which is certainly important. It would also put a statute of limitations of six months on summary trial cases and clarify what cases would be handled by summary trial.

Victims rights would include enhanced access to information through the appointment of a victims liaison officer; enhanced protection through new safety, security and privacy provisions; enhanced participation through impact statements at sentencing and enhanced restitution. A court martial would require considering making a restitution order for the losses someone might have endured. Those issues are certainly critical.

*Government Orders*

In the discussions, a number of amendments were introduced, some of which were accepted and some of which were not. I know from many committees that this is a normal situation. The first was civilian criminal records for uniquely military offences. The issue was that if a soldier were found guilty and sentenced, it would result in a criminal record in the civilian world. The committee looked at five uniquely military offences that would be considered minor offences: insubordinate behaviour, quarrels and disturbances, absence without leave, drunkenness and conduct prejudicial to good order and discipline. The committee tried to fit those activities into what the general public would have. Consequential amendments were made to ensure that a soldier convicted one of those minor offences would not be given a civilian criminal record, no matter what the severity of the sentence would be if served in the military. The legislative counsel flagged that and said that it was outside the scope of Bill C-77. Nevertheless, it is perhaps something that could be addressed later.

• (1640)

The other issue was burden of proof. When we considered what we had in Bill C-77, the burden of proof was shifted from beyond a reasonable doubt to a “balance of probabilities”. The burden of proof does not provide the same level of protection for service members undergoing a summary hearing. As a result, there is a concern. The change to “balance of probabilities” from beyond a reasonable doubt is certainly something everyone should be aware of.

One of the other amendments was on recording of proceedings and reasons for findings. This is just making sure that the information would be available for the accused and for others associated with the trial.

Appeals was another issue. Certain punishments resulting from the summary hearings could be penal in nature. However, there was no avenue to an appeal this to a higher or different authority. The amendment would allow an appeal to a judge at the Court Martial Appeal Court in the case of sentencing arising from a summary hearing that was penal in nature.

The issue of rank was a concern because of the way the military is set up. In some cases, a non-commissioned member could be one rank below an officer and making decisions. It was important that this language be dealt with.

Those are some of the key things that were involved in the discussion. It made me feel good that under those circumstances, there was certainly ample time taken to deal with those items that are unique to the system.

As has been mentioned many times, Bill C-77 is similar to the legislation we presented a few years ago. It is important that we continue to look at and flag some of the important things that were done by our Conservative government and recognize the system that is in place right now and the problems we see in this country. Perhaps it will not be too long before we will be able to have a Conservative government back and doing something that will be good for everyone.

The purpose of Bill C-77 is to align the military justice system with the Criminal Code of Canada. Enshrining a victims bill of rights in the National Defence Act, putting a statute of limitations on

summary hearing cases and clarifying what cases should be handled by a summary hearing are significant points.

The legislation before us today would enact in the Code of Service Discipline a declaration of victims rights. It would give victims the right to information, protection, participation and restitution. These rights mirror those in our previous government's Canadian Victims Bill of Rights, which received royal assent on April 23, 2015.

When we consider the severe offences that have diverse victims, including military members and their families and members of the broader civilian community, to many of these individuals the military justice system can be unfamiliar and potentially intimidating. Therefore, to help ensure that victims were properly informed and positioned to access their rights, the legislation would provide for the appointment of a victims' liaison officer when a victim required this appointment.

The bill would ensure that victims of service offences within the military justice system would be able to exercise their rights, as detailed in the proposed legislation, such as the right to protection and participation. The legislation also proposes complementary changes to many court martial processes. For example, the proposed legislation would enhance a victim's ability to participate in court martial proceedings by broadening the way victim impact statements could be presented at the court martial.

There are many similarities between the legislation before us today and the legislation our Conservative government introduced. It has enough worthwhile similarities to our government's legislation that it deserves the support of the House at this point.

My Conservative colleagues and I are committed to standing up for victims of crime and ensuring that victims have a more efficient and effective voice in the criminal justice system.

• (1645)

**Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.):** Madam Speaker, the bill proposes the introduction of a victims liaison officer. I wonder if the member could share with us his thoughts on the importance of this position and the difference it could make for victims.

**Mr. Earl Dreeshen:** Madam Speaker, that is certainly something that was critical for us as Conservatives. Whether it be in the military or in the general public, we need to make sure that we recognize the damage done when criminal activities affect an individual. Therefore, it was important that we set up a structure for the general public, but it is also important to bring that into the military justice system as well.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, one of the issues that comes up time and again is the very serious issue of PTSD and other mental health issues in our military. Certain elements can be best addressed through budgetary measures. One of the things we have seen over the last couple of years is a sincere commitment to centres of excellence to deal with mental illness, which we think is a good thing. We have seen an increase in the number of health care workers. I believe it is now at around 200.

*Government Orders*

The Conservative Party has been very supportive of the legislation. Even the NDP supports the legislation. We also need to look at other ways we can support our women and men in the Canadian Forces, and that includes investing in health care. I wonder if my colleague could provide his thoughts on that.

**Mr. Earl Dreeshen:** Madam Speaker, when Peter MacKay was minister of defence, we were looking at making sure that we had a lot more people available to deal with the mental health aspect. I appreciate the fact that the Liberals have continued on that same trajectory.

It is important, because often there is not the same type of skill set for those dealing with PTSD in the general public and in the military. With the types of things they see, whether operationally or even in training, they know that they are the ones responsible for some of the carnage there. Therefore, it is very important for them to have people who understand their circumstances. To have professionals who are directly related to the military when it comes to PTSD is certainly an important aspect. Hopefully, we will always be able to maintain that as one of the critical components of any type of military justice system and support for our military.

**Mr. Andy Fillmore (Parliamentary Secretary to the Minister of Canadian Heritage and Multiculturalism, Lib.):** Madam Speaker, I am very pleased to join colleagues here today for the third reading debate of Bill C-77, an act to amend the National Defence Act and to make related and consequential amendments to other acts.

I must say that it is my profound honour to represent the city of Halifax in this place. The riding of Halifax includes the home of Canada's east coast navy and the Maritime Atlantic Command, or MARLANT. It includes elements of the 5th Canadian Division, the great Mighty Maroon Machine. It includes elements of the 12 Wing Shearwater air force base and, of course, all of their families. All these servicemen and women call Halifax home. Over these years, I have developed many lasting friendships as I meet them on base or on ship and as they meet me in their member of Parliament's office.

I am so pleased that this bill is before us. With it, our government is going to be strengthening victims' rights within the military justice system. With Bill C-77, we would also enshrine a declaration of victims' rights in the code of service discipline within the National Defence Act. We would also ensure victims' rights are respected and, notably, that we are providing victims the right to a victims liaison officer, who will help victims navigate the often confusing justice system. The bill would also enhance the speed and fairness of the summary trial system to address minor breaches of military discipline.

I am very proud to be in this House today to contribute to our government's efforts to have the military justice system continuously evolve to comply with Canadian laws and values, and we will ensure it remains responsive to both accused and victims. Reforms are building on Canada's military justice system in the long, proud history that it has of helping to maintain a high level of discipline, efficiency and morale within the Canadian Armed Forces, and it is in that spirit that our government has committed to reviewing, modernizing and improving our civilian and military systems of justice.

I am happy to reiterate what many of my colleagues around the House have said today: While some of the changes we are proposing to the National Defence Act are minor and some are considerably more significant, at their core each strives to make sure that the military justice system remains relevant and legitimate.

The Supreme Court of Canada has affirmed on multiple occasions that the military needs a military justice system. Our military justice system contributes to the maintenance of discipline, efficiency and morale in the Canadian Armed Forces, but what is more, the military justice system is needed to deal with cases of breaches to military discipline that have no equivalent and no *raison d'être* in Canada's civilian criminal justice system.

I will now offer a broad overview of the changes that we are proposing through Bill C-77.

To start, the amendments will clearly enshrine victims' rights in the military justice system and make sure adequate support is put in place to support them by adopting a more victim-centred approach in the military justice system. To do that, Bill C-77 proposes to add a declaration of victims rights within the code of service discipline. This declaration will ensure that the victims of service offences are informed, protected and heard throughout the military justice process.

The declaration provides victims of service offences with four new rights.

The first is the right to information, so that victims understand the process that they are a part of, how the case is proceeding, which services and programs are available to them and how to file a complaint if they believe their rights under the declaration have been denied or infringed.

The nature of the military justice system is unique, and understanding it can be difficult and even sometimes intimidating. For those reasons, this legislation includes the appointment of the victims liaison officer to help guide victims through the process and inform them of how the system works. Under the victims' right to information, they would also have access to information about the investigation, prosecution and sentencing of the person who has harmed them.

The second core right in the legislation is that of protection, so that victims' privacy and security are considered at all stages of the military justice system. Moreover, where it is appropriate, it will ensure that their identity is protected. It also ensures that reasonable and necessary measures are taken to protect victims from intimidation or retaliation.

The third right is for participation, so that victims can express their views about the decisions to be made by military justice authorities and have those views considered. This right also includes the right to present a victim impact statement at a court martial so that the harm they have suffered can be fully appreciated at sentencing. In addition, it will be possible to submit military and community impact statements to the court martial. These will convey the full extent of the harm caused to the Canadian Armed Forces or the community as a result of the offence.

*Government Orders*

•(1650)

The fourth right is to restitution, so that the court martial may consider making a restitution order for all offences when financial losses and damages could be reasonably determined.

The next notable change introduced by this legislation relates to how indigenous offenders are sentenced. This is also a change that stems from the evolution of Canada's civilian criminal justice system and our desire to ensure that the military justice system reflects our times while remaining faithful to its mandate.

In the case of the military justice system, the changes introduced by Bill C-77 will make the system faster and simpler. The summary hearing will be introduced and will address minor breaches of military discipline in a non-penal and non-criminal manner. This new system will be more agile, timely and responsive. More serious matters will be directed to courts martial, and there will no longer be a summary trial.

The summary hearing will only deal with a new category of minor breach of military discipline termed a service infraction. All service offences that are more major in nature will be dealt with at a court martial. There will be no criminal consequences for service infractions, and military commanders who conduct summary hearings will be limited to non-penal sanctions to address them.

This approach has the added benefit of improving the chain of command's ability to address minor breaches of military discipline fairly and more rapidly. We expect that this will enhance the responsiveness and efficiency of military discipline, thereby contributing to the operational effectiveness of the Canadian Armed Forces.

In 2017, our government launched Canada's defence policy, "strong, secure, engaged". It is a policy that charts a course for the defence of Canada for the next 20 years. It puts our people first and at the heart of what we do. It spells out clearly how the government will support the Canadian Armed Forces as an organization and support its women and men in uniform as our most important asset. On the whole, that policy is a commitment to take concrete steps to give service members what they need to continue excelling in their work, as they always have.

The military justice system is central to how the Canadian Armed Forces accomplishes what it does every single day. It sets up the framework for service members to maintain an outstanding level of discipline and a high level of morale so that they can successfully accomplish the difficult tasks we ask of them. Knowing that they are protected by a military justice system that keeps pace with Canadian values and concepts of justice builds great unit cohesion among our forces as well.

It is a pleasure to see this legislation progress to second reading, as we continue to make every effort to deliver for the women and men of our armed forces and for all Canadians.

The drive to be fair, to be just, and to restore that which has been harmed is a drive that dates back to the very foundations of our country and our armed forces. Today we are taking steps in the pursuit of justice, steps to take care of victims while we seek to ensure justice is served, steps to ensure that indigenous peoples in

the military justice system receive the same considerations when sentenced as those in the civilian justice system and steps to uphold justice within our military so that they can continue defending this country.

I thank every member in this House who will be supporting this very important bill and working with us toward that very worthy goal for the servicemen and women in Halifax, across Canada and indeed around the world. It is just the right thing to do.

•(1655)

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Madam Speaker, I thank my colleague for his speech.

Earlier I asked what I thought was a very simple question. Since there is broad consensus around this bill, I wanted to know why we had to wait so long to get it to this point and pass it. The member who responded talked about all kinds of other things that had been done in the Canadian Armed Forces but did not answer my question.

If the two or three years it took to get to this point had made it possible to resolve the self-harm issue, I might have understood the need to spend time hearing from experts in committee, but there is nothing about that in the final version of the bill.

How can a bill that has been met with such broad consensus take so long?

[*English*]

**Mr. Andy Fillmore:** Madam Speaker, our government is committed to strengthening the rights of victims in the military justice system.

The member asked about delays with regard to drafting legislation. Indeed, five years to draft regulations is a long time. I am wondering if that delay is the result of the cuts to the public service that the previous Conservative government implemented.

I hope I have the support of my colleague in this important initiative for all of our men and women in uniform, but given this concern for the pressing nature of this issue, I would suggest he might ask the previous government why it tabled this bill in the dying days of its mandate.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, my colleague and friend represents a wonderful area of Canada where there is a very strong military presence. He has consistently been a very strong advocate for our women and men in the Canadian Armed Forces. As someone who served in the Canadian Armed Forces a number of years ago, I think one of the changes, and I mentioned this morning, is the difference between civilian life and military life.

If service members are absent without leave or even late, they subject themselves to a potential court martial, which would then give them a criminal record. That is under the current system. Let us compare that to civilian life: if people miss days of work, they are not going to have a criminal record.

*Government Orders*

In part, this legislation tries to address that inequity and allow for more discretion so that when Canadian Armed Forces personnel retire and become veterans, fewer will find themselves with a criminal record because of something that happened while they were an active member. We do not want to see that, although we heard many examples at committee.

Could my colleague provide his thoughts on why it is important to address this issue?

• (1700)

**Mr. Andy Fillmore:** Madam Speaker, as we know, the new defence policy of “strong, secure, engaged” puts the men and women serving our country at the very heart of our decision-making process. It puts them at the very heart of our new and improved policies.

As the member would have heard me say in my speech, part of what the bill would accomplish is to make sure that service members are treated in a fair and reasonable way relative to non-service members and in a way that they can understand, and that they can have an expectation of being treated fairly. This is fundamental to creating a service that draws people to choose to serve, to take on the possibility of the greatest possible sacrifice for this country that we can imagine.

One of the wonderful things in the bill to make that happen is the creation of the victim liaison officer to pick through what can be an intimidating or daunting process. We are very happy that the liaison officer will help members to understand the code of service discipline as they proceed through it.

**Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.):** Madam Speaker, it is a privilege to rise in the House today. I would like to use my time to share how this government is supporting victims of inappropriate conduct by members of the Canadian Armed Forces.

Last year, our government introduced legislation in the House that proposed to add a declaration of victims rights to the military's code of service discipline. This is good news. It shows that military justice in the country continues to evolve in the best interests of Canadians and the Canadian Armed Forces.

When victims display courage by coming forward with a complaint, we must ensure they are supported fully. Anything less would be unacceptable. Every victim, whether a Canadian Armed Forces member or civilian, deserves to be treated with trust, dignity and respect. This legislation shows that the government recognizes the harmful impact of service offences on victims, the military and society. It reconfirms this government's commitment to strengthen victims rights in the military justice system. It is our view that the legislation advances Canada's position as a global leader in support for victims.

The proposed amendments in the bill will strengthen and uphold victims rights within the military justice system, while ensuring these rights mirror those in the Canadian Victims Bill of Rights. Simply put, the legislation creates and extends rights for victims in four specific areas: the right to information about how the military justice system works; the right to protection of security and privacy; the right to participation by expanding how victim impact statements can be presented at a court martial; and the right to restitution for

damages or losses. These rights would be available to any victim of a service offence when he or she comes into contact with the military justice system.

Let me expand more on each of the four rights.

The first is the right to information. Any victims of a service offence have the right to general information about their own role and how Canada's military justice system works. They will be informed about the services and programs available to them. They will have the right to know how their case is progressing within the military justice system. This includes any information related to the status and outcome of investigations and the prosecution or sentencing of the person who harmed them. It is vital to keep victims informed during what can be a complex and foreign process. However, it is only the first step.

Second, a victim's right to protection must be considered in any matter in which a service offence has been committed. That is why the bill extends victims the right to have their security and privacy considered at all stages in the military justice system. The legislation would give victims the right to have reasonable and necessary measures taken to protect them from intimidation and retaliation. Victims can also request that their identities be protected. This is paramount to ensuring that victims rights are protected when they come into contact with the military justice system through no fault of their own. It will protect vulnerable participants by giving military judges the power to order publication bans, the power to allow testimony outside of the courtroom and the power to prevent an accused person from cross-examining a victim in a court martial.

• (1705)

The third way this government is recognizing victims is by enhancing their right to participate in the military justice system. We are doing this by expanding how victim impact statements can be presented at court martial. We are also enabling victims to share at various stages of the legal process their views about decisions that affect their rights and to have those views considered by appropriate authorities. This will ensure that the views of victims and the harm and loss they have suffered can be fully considered by appropriate authorities in the military justice system. It will also allow for a community impact statement to be submitted, describing the harm, the loss and the overall impact of a service offence on the community.

In addition to victim and community impact statements, the bill would enable the submission of a military impact statement on behalf of the Canadian Armed Forces when one of its members commits a service offence. Such an impact statement could describe the harm done to the discipline, efficiency or morale within the unit or to the Canadian Armed Forces as a whole. The statement would be taken into account alongside victim and community impact statements. The victim's right to participate before courts martial is a crucial part of recognizing the losses, damages or wrongs he or she has suffered.

The fourth and final right for victims in the legislation concerns their right to restitution. This will ensure victims can ask a court martial to consider ordering restitution for damages or losses when that value can be readily determined.

*Government Orders*

These rights will be guaranteed for any victims of a service offence committed by a service member should they come into contact with the military justice system. We are committed to ensuring victims are treated with dignity and respect and we are taking this responsibility seriously. We owe it to victims and to their families.

I have a number of families in my riding serve. I have the Kingston armed forces base on one side and the Trenton air base on the other side of my riding, so I have a number of serving members and veterans who live within my riding. I have worked closely with the MFRC in Trenton, which provides incredible services to members of the Trenton air base. The Military Family Resource Centre is a valuable resource that provides a number of different types of services to military service personnel. This is another reason why I am so pleased to make this speech today. This is so important to the families, the service personnel and the many thousands of civilians who work in the military at these two bases.

By maintaining discipline, efficiency and morale, the military justice system helps the Canadian Armed Forces achieve its mission here at home and around the world. Adopting the declaration of victims rights in the Code of Service Discipline will strengthen the rights of victims within the military justice system. It will ensure that victims have the right to information, protection, participation and restitution when they have been wronged. It will reinforce Canada's position as a global leader in maintaining a fair and effective military justice system, one that evolves in harmony with our civilian laws.

For all these reasons, members on this side of the House will be supporting the bill. I am so proud to be part of a government that has brought forward a bill that will make such a difference in the lives of military service members and their families.

• (1710)

**Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Intergovernmental and Northern Affairs and Internal Trade, Lib.):** Madam Speaker, one of the things I like about the bill is that it seeks harsher penalties for crimes motivated by bias, prejudice or hate based on gender identity or expression. Does the member see this as one of the fundamental changes the legislation would bring to those who serve in the Canadian Armed Forces across the country?

**Mr. Mike Bossio:** Madam Speaker, I enjoy working with my colleague on the indigenous committee. We have worked on together on numerous studies over the last three and a half years. She needs to be commended for her service to the indigenous community.

Our government is committed to strengthening the rights of victims in the military justice system. In addition to ensuring respect for victims rights, Bill C-77 includes a provision to incorporate aboriginal sentencing into the military justice system and more severely sanction military misconduct and misconduct related to prejudices against members of the LGBTQ2 community.

• (1715)

**Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Intergovernmental and Northern Affairs and Internal Trade, Lib.):** Madam Speaker, I am happy to rise in the House today to discuss Bill C-77 and the important changes to the National Defence Act that our government is proposing.

Bill C-77 proposes changes to the act that we feel modernize it and are long overdue. At the heart of these changes are our people and those in service to Canada.

This is the most important piece, as I see it. I come from a family of people who have had long-term service in the Canadian military. I am extremely proud not just of them and the work they have done but of all those who serve in the Canadian Armed Forces.

My sister is now a veteran of the military and continues to work with the Department of National Defence. I also have three other family members in service for this country. I have come to understand the tremendous sacrifices they and their families have made for our country each and every day.

We owe all the women and men in the Canadian Armed Forces a lot. We owe them our deep gratitude for their service to our country.

We also owe them fairness, openness and transparency within that service. This includes a military justice system that ensures that victims receive the support they need and deserve, a system that promotes a culture of leadership, respect and honour.

Canadian Armed Forces members are held to a higher standard of conduct, as we all know. Whether they are stationed in Canada or deployed around the world, we ask a lot of them each and every day. We have a responsibility to ensure that the rules that guide their conduct are transparent, equitable and fair.

Much of what is within Bill C-77 is an extension of the work our government is already doing to ensure a more victim-centred approach to justice; to build on Bill C-65, our government's legislation against workplace harassment; to strengthen truth and reconciliation with indigenous people; and to change military culture, through Operation Honour, in order to ensure that the Canadian Armed Forces provides a respectful workplace of choice for every Canadian.

I would like to take a moment to expand on the importance of Operation Honour. As many members in the room know, Operation Honour aims to eliminate sexual misconduct in the Canadian Armed Forces. We have zero tolerance for sexual misconduct of any kind in our Canadian Armed Forces and in any entity within the country.

Through Operation Honour, we have introduced a new victim response centre that provides better training for the Canadian Armed Forces personnel and an easier reporting system.

I would also like to acknowledge the important work of the Sexual Misconduct Resource Centre, which recently released its annual report. We thank the centre for continuing to support Canadian Armed Forces members affected by sexual misconduct.

I am also pleased to note that the SMRC is looking at providing caseworkers to victims of inappropriate sexual behaviour to ensure they have continuous support from when they first report an incident to when their case concludes.

*Government Orders*

The work of the Sexual Misconduct Resource Centre has been exceptional. I know that victims are being well supported as a result of its efforts.

Its origins come from former Supreme Court justice Marie Deschamps, who recommended it in her 2015 report. As a government, we acted to put in place a sexual misconduct response centre to provide support to those affected by inappropriate sexual behaviour.

• (1720)

We have extended the hours so that staff at the centre are there to listen and provide support to members of the Canadian Armed Forces calling in 24 hours a day, seven days a week, no matter where they are in the world. Last October's annual report of the centre demonstrates the important work that they have done and continue to do to enhance victim support for members of the Canadian Armed Forces.

I would now like to turn to the legislation at hand and to highlight how Bill C-77 will give victims a voice and change our National Defence Act in four important ways.

First, like the civilian criminal justice system, it will enshrine important rights for victims. Second, it will seek harsher penalties for crimes motivated by bias, prejudice or hate toward gender identity or expression. Third, it will ensure that the specific circumstances of indigenous offenders are taken into account in the sentencing process. Fourth, it will reform the manner in which the chain of command administers summary trials.

Bill C-77 proposes the inclusion of a declaration of victims rights in the National Defence Act. The declaration mirrors the Canadian Victims Bill of Rights, which strengthens and guides how we support victims in the civilian criminal justice system.

Specifically, the bill would legislate four new victim rights within the military justice system. They are the right to information, the right to protection, the right to participation and the right to restitution.

In order to ensure that victims would be able to exercise these rights, they would be entitled to the support of a victim liaison officer, should they require it. These liaison officers will be able to explain how service offences are charged, dealt with and tried under the code of service discipline. They will help victims access information to which they are entitled, and they will remain available to assist the victim throughout their interaction with the military justice system. This would ensure that victims understand each stage of the process and how they can engage meaningfully throughout the process. The support that the victim liaison officer would offer will be comprehensive. It will be fair and it will always be offered in the spirit of preserving victims' dignity.

Bill C-77 also specifically addresses issues of gender-based prejudice and hatred in military service offences and infractions. The bill proposes harsher sentences and sanctions for service offences and infractions that are motivated by bias, prejudice or hate toward gender expression or identity.

Our men and women in uniform, and those who work and live alongside them, must feel welcomed and respected at all times. The

Canadian Armed Forces has zero tolerance for discrimination of any kind. This amendment will better align the military justice system with that principle.

On that note, through programs such as the positive space initiative, the defence team has been working hard to help create inclusive work environments for everyone, regardless of sexual orientation, gender identity or gender expression. I commend them for their work on this initiative, which provides training to ambassadors in support of the lesbian, gay, bisexual, transgender, queer and two-spirited community members who work with us every day.

The next change that I would like to focus on is how we propose to update the military justice system to better reflect the realities of historic injustices inflicted upon indigenous peoples.

In the civilian criminal justice system, the Criminal Code mandates that judges must carefully consider circumstances during sentencing. Specifically, for all offenders they must consider all available sanctions. This principle is to be applied with particular attention to the circumstances of indigenous offenders.

This particular bill is one that I am proud to support. As a member who represents a region with a military base and every day sees those who serve in uniform, I really believe that this legislation is helping to modernize and bring more transparency to the Canadian Armed Forces in Canada.

• (1725)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Is the House ready for the question?

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

(Motion agreed to, bill read the third time and passed)

**Mr. Kevin Lamoureux:** Madam Speaker, I suspect if you were to canvass the House, you would find unanimous consent to see the clock as 5:30 p.m.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

[Translation]

**MESSAGE FROM THE SENATE**

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-57, an act to amend the Federal Sustainable Development Act.



*Private Members' Business**[English]***ROYAL ASSENT**

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order, please. I have the honour to inform the House that a communication has been received, as follows:

Rideau Hall  
Ottawa

February 28, 2019

Mr. Speaker:

I have the honour to inform you that the Right Honourable Julie Payette, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 28<sup>th</sup> day of February, 2019, at 1632.

Yours sincerely,

Assunta Di Lorenzo  
Secretary to the Governor General and Herald Chancellor

The schedule indicates the bill assented to were Bill C-64, An Act respecting wrecks, abandoned, dilapidated or hazardous vessels and salvage operations—Chapter 1, 2019; and Bill C-57, An Act to amend the Federal Sustainable Development Act—Chapter 2, 2019.

It being 5:30 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

**PRIVATE MEMBERS' BUSINESS***[English]***BILLS OF EXCHANGE ACT**

The House resumed from February 26 consideration of the motion that Bill C-369, An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Day for Truth and Reconciliation), be read the third time and passed.

**Mr. Martin Shields (Bow River, CPC):** Madam Speaker, I am pleased to speak to Bill C-369, an act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code, regarding national indigenous peoples day.

As we spoke about this and had several witnesses come to the committee, it became evident that there was no consensus on this issue. There were a lot of differences of opinion and a lot of different ideas expressed. Not being able to reach consensus, one of the amendments I proposed was to just withdraw one of our national holidays as it is named and replace it with this particular one. That was not accepted and had to be withdrawn. However, let me say why I would suggest that.

The goal of the legislation is absolutely laudable for reconciliation with indigenous peoples as a national objective, but I am not sure that adding a different national holiday, as described in this process, makes sense because of the variety of opinions and reasons we heard discussed at the committee.

The residential schools were a dark chapter in Canada's history. We understand that. In 2008, Prime Minister Harper delivered a historic apology to former students, their families and communities for Canada's role in the operation of the schools.

Our former Conservative government also created the Truth and Reconciliation Commission as part of the 2007 Indian residential schools settlement agreement. That agreement recognized that the residential school system had a profoundly lasting and damaging impact on indigenous culture, heritage and language. I know there are several members in the House who had connections to those residential schools. I can only speak from the opportunity I have had to visit those residential schools in recent times.

My mother was a teacher who taught in a former residential school, after it had been changed from a residential school to a band-controlled school, so it was a different building at that time. I have had the opportunity to walk through residential schools with elders and listen to the stories they tell about the disastrous, horrendous things that happened to them as children in these particular schools. I have had that experience. Although that is nothing comparable, I have had a little insight.

We must remember this dark chapter in our history and do our best to achieve reconciliation. However, the government must also keep its promises to improve the lives of indigenous peoples. I sat in the committee for the last number of days, hour after hour, listening to great indigenous people talk about indigenous languages and what they need to do to deal with those languages, because it is such an integral part of their lives, their communities and their nations.

I think about the historic challenges we have with that piece of legislation as proposed, and we have had all sorts of members in the House bring up issues about clean drinking water for reserves, improved education and improved housing. When I think about a national holiday, we have to look at the cost of this if all federal employees were on a paid holiday. What does that do for reconciliation if those people have a paid holiday?

What if we were to take those hundreds of thousands of dollars, and some people would say hundreds of billions of dollars, up to a bigger number, and put that directly into the indigenous languages program? We do not have the funding in there now. Other than this term "adequate" and three commissioners, there is no funding and most of our witnesses talked about the issue of funding for indigenous languages.

If we were instead to take the money that would have given federal employees a holiday and put it into the indigenous languages program, which is so critical to the foundation of these particular bands, indigenous cultures, Métis and Inuit settlements and put that money into reconciliation, into something that would work for them, that would be a benefit for their culture because it would bring their languages more to life.

● (1730)

We could also talk about drinking water. If we took those hundreds of millions of dollars and put it directly into drinking water, that would also be a good move.

*Private Members' Business*

There have been many issues brought up and addressed with housing and the horrendous conditions of housing. If we took that money and instead of giving it as a holiday for federal employees, put it into housing, it would make much more sense. I suggested an amendment that we take one of our national holidays now and substitute this one in. Some indigenous groups came to see us. I understand totally that June 21, the solstice, the first day of summer, is an incredible day, one that is celebrated. Many heritage activities take place. Many schools are involved in it.

In many parts of the country there are many Remembrance Day activities that occur without a national holiday. Many of the witnesses at committee talked about the importance of June 21 as a celebration, a solstice, as the beginning of summer. We would all like to have it warm up a little here and spring to come soon, but the significance of June 21 was important to many of our witnesses.

The other important one is Orange Shirt Day. Orange Shirt Day is specifically for reconciliation for the residential schools. Many of our witnesses talked about the importance of recognizing Orange Shirt Day and many of the stories we heard from witnesses were about residential schools, the challenges and the horrendous things that happened and why Orange Shirt Day was important.

Again, there was a difference of opinion. Some of them would say we should have recognition on June 21 and other people wanted Orange Shirt Day as recognition. I proposed removing one of the statutory holidays we have now because there was no agreement between either date. Some would say if we cannot agree on one or the other, just do both. That is not quite what the witnesses wanted either.

It occurred to me that we had a very short time period trying to make a decision for other people again. When we talked to witnesses, the consultation was too short. It did not give them the time to look at this issue and discuss whether it was June 21, Orange Shirt Day or another day that could be used. They did not have the time to consult across the country and bring a voice back to us to say this is what they want. We have a piece of legislation telling them what they should do. Let us do more of what we thought we should have done in the first place. This is a very important issue, but if we set it out and say this is what they should do, we have not consulted on this in the right way.

Orange Shirt Day is a critical piece of reconciliation. June 21, the solstice, is celebrated now in many parts of the country. It is a learning experience in schools and in communities with indigenous people, but we should not be dictating the day for them. We should take the time to consult, work with it and get the answer from them that they would like, rather than passing legislation saying that this is what they should do.

We should not give a paid holiday to government employees when we could take that money and do something about indigenous languages, housing and water. Let us not waste it. Let us get something appropriate done.

• (1735)

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Speaker, I will begin my remarks by recognizing that we meet today on the traditional and unceded territory of the Algonquin Anishinabe people. I hope that one day we will begin all of our daily proceedings

in this place with this acknowledgement. I also wish to acknowledge the land on which my riding is situated. It is Treaty 6 territory and the ancestral homeland of the Métis people.

I am extremely proud to rise in support of my colleague from Desnethé—Missinippi—Churchill River. I wish to recognize her connectedness to community, her hard work, her humbleness and her humility, which are all qualities of a true leader. It is these qualities that have helped the House to soon realize the passing of her private member's bill, a bill that signals a step, one among many, that we must take. It is one important step on our collective and individual journeys towards reconciliation with indigenous people. The bill provides the House with an opportunity to acknowledge and, most importantly, own its settler history.

What is this history? In the summary report of the Truth and Reconciliation Commission of Canada, members will find these introductory words, which is a reminder of why we are where we are today as a country and why our support of the efforts and leadership of my hon. colleague are so important:

For over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada. The establishment and operation of residential schools were a central element of this policy, which can best be described as "cultural genocide."

We are in an era where politicians talk about how important it is that the rights of first nations, Métis and Inuit peoples are recognized, protected and most importantly enshrined explicitly into Canadian law. Some of us are actually acting on that talk. I speak of the work of my colleague, the member for Abitibi—Baie-James—Nunavik—Eeyou to implement the United Nations Declaration on the Rights of Indigenous Peoples into Canadian law with his bill, Bill C-262, and the work of my colleague from Edmonton Strathcona who tried so hard to insert into Canadian environmental law the rights of indigenous peoples as stated in Bill C-262. Today, I am able to add my colleague's efforts to this list of efforts in the House for reconciliation and justice for indigenous peoples in Canada.

The bill before us today is amended from the original bill tabled by my hon. colleague. The original bill was to make June 21, National Indigenous Peoples Day, a statutory holiday. Both in the House and in my community, my colleague, the member for Desnethé—Missinippi—Churchill River, articulated the many reasons for the proposal to designate June 21 a national statutory holiday. She spoke of her work as the mayor of La Loche on this issue. She listed the history of indigenous organizations calling for June 21 to be recognized as a national holiday. She told us of the spiritual significance of June 21, the summer solstice, for first nations, Métis and Inuit peoples, and she acknowledged the history for many communities of celebrations and special commemorative ceremonies on June 21.

My community of Saskatoon is one of those communities that has focused its efforts on June 21. In recent years, Saskatoon has grown, the community has expanded and we acknowledge reconciliation and the TRC's calls to action on this day.

For over 20 years, the Saskatoon Indian and Metis Friendship Centre has hosted National Aboriginal Day, now National Indigenous Peoples Day, on Treaty 6 territory, the homeland of the Métis people, and in my riding of Saskatoon West. Every year, thousands gather in my community, joined by indigenous leaders, elders, non-indigenous leaders, survivors of residential schools, provincial schools and day schools, survivors of the sixties scoop, and indigenous veterans, for activities and ceremonies to mark the day.

• (1740)

In recent years, the city of Saskatoon has marked the day with important ceremonies and commemorations honouring indigenous peoples.

Last year, the new name for the north commuter Parkway Bridge was announced at the Indigenous Peoples' Day event in Saskatoon. The new name, Chief Mistawasis Bridge, honours Chief Mistawasis, also known as Pierre Belanger, who was the head of the Prairie Tribe and signed Treaty 6 in 1876.

At the unveiling, Mistawasis Nêhiyawak Chief Daryl Watson said:

Today is a very momentous occasion for my nation. It's part of the whole process of reconciliation. Chief Mistawasis, 140 years ago, began that process when he acknowledged the territory by welcoming newcomers to share the land. Reconciliation began for us when treaty was signed.

In 2016, one of the national closing events of the TRC was held in Saskatoon on June 21. This event galvanized community members and indigenous and non-indigenous community leaders in Saskatoon to begin to formalize our reconciliation efforts and to respond to the TRC's calls to action as a community. Reconciliation Saskatoon, with organizational support from the Office of the Treaty Commissioner, is that community-wide response.

Reconciliation Saskatoon is a community of over 98 organizations, non-profits, businesses, faith communities and partners. They have come together to initiate a city-wide conversation about reconciliation and to provide opportunities for everyone to engage in calls to action.

The path to reconciliation in my riding, in my community, has embraced June 21 National Indigenous Peoples' Day as the day. We worked hard to make that day inclusive of all peoples, a day where we work, celebrate and remember and in so doing, help to build relationships and ultimately to build a better community for all.

Three years ago, we added a new event, a walk in my riding, called "Rock your Roots for Reconciliation", spearheaded by Reconciliation Saskatoon. Last year, over 4,000 people participated in that walk.

Today, the bill before us has a different day, September 30, to be designated as a statutory holiday, a day that honours the survivors of residential schools. This day is also observed in my community. I acknowledge creating a national day to honour residential school

### *Private Members' Business*

survivors is call to action 80 of the Truth and Reconciliation Commission.

Although this legislation started in a different place, it is here today after a parliamentary process that built support across political parties, and so it is a good day.

We are here today in this good way of co-operation because of the work of a Dene woman leader who kept us focused on something much bigger than partisan politics: a goal to build a better Canada for future generations. Today, I am very proud to be her colleague, to belong to a party and to sit in a caucus that backs words with action. As a caucus, we must work every day to honour her voice and leadership, a Dene woman from Northern Saskatchewan, the member for Desnethé—Missinippi—Churchill River.

Today, I remind all my hon. colleagues on both sides of the House that we all have to work together. We all have work to do to truly honour and respect the authentic voices of indigenous women in the House and in our communities.

• (1745)

[*Translation*]

**Mr. Dan Vandal (Parliamentary Secretary to the Minister of Indigenous Services, Lib.):** Mr. Speaker, I am very pleased to rise in the House today on behalf of the people of Saint Boniface—Saint Vital to talk about this bill, which is extremely important for our country.

[*English*]

It is a great honour to rise to speak to Bill C-369, a bill very close to my heart. It seeks to create a new federal statutory holiday for truth and reconciliation.

First, it is imperative that we acknowledge and thank the hon. member for Desnethé—Missinippi—Churchill River for bringing the bill to the floor of the House for debate, but, more important, for being an extremely strong advocate for indigenous rights and advocating for indigenous people not only in her riding but across Canada.

I have had the honour to speak in the House many times about our country's path toward reconciliation. It is quite clear to me that reconciliation does not belong to a single political party or an individual. Instead, it is a shared path for all Canadians. The pathway toward reconciliation is one that we must walk together, and this bill exemplifies the journey. It was honour to work with my colleagues from all political parties on the legislation.

I had the privilege to sit in on testimony at the Standing Committee for Heritage, which studied the bill. It was this testimony that we heard that ultimately shaped my views on the bill and solidified my belief on the importance of passing it into law.

In the greater conversation about reconciliation, it would be too easy to dismiss the bill and neglect to see its importance.

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First, we must recognize that the act of creating a new statutory holiday is not minor in itself. In fact, this day will be the first new holiday created at the federal level in over 60 years. It joins in ranks of importance with Canada Day and Labour Day, highlighting the significance and importance of this day.

Second, we must consider the importance that this day will have personally for indigenous people. Throughout the witness testimony, we heard from many organizations and groups that highlighted the significance of a day of commemoration, the important need to have a day to reflect on the harm that had been historically inflicted on first nations, Inuit and Métis people. The importance is reflected by its inclusion as a call to action by the Truth and Reconciliation Commission.

I was disappointed to hear my hon. colleague from the Conservative Party, in the House last Tuesday, say that the party would not be supporting the bill. The hon. member argued that rather than creating a new holiday, an existing holiday should be appropriated and transformed. Of course, I disagree with that.

The question would become this. Which other day should be appropriated? Would it be Labour Day, a day to celebrate the hard-won fights of the labour movement in Canada? Would it be Canada Day, a day meant to unite all Canadians in pride of this great nation? Would it be Remembrance Day, when we solemnly commemorate the sacrifices of our veterans, including our honoured first Nations, Inuit and Métis veterans? Which holiday would the Conservatives prefer to see reimagined?

Moreover, none of the existing holidays have any significance to the indigenous community relating to the legacy of residential schools. It is my belief that it is the survivors who should have the ultimate authority over which day should be chosen.

September 30 was a date chosen deliberately for its significance to indigenous people. Currently September 30 is the date of a grassroots movement, started by the formidable Phyllis Webstad, called Orange Shirt Day. It was named for the orange shirt that Ms. Webstad painstakingly selected for her first day of residential school only to have it ripped away from her upon her entrance into the school. Her orange shirt is symbolic of the culture, language and childhoods that were ripped away from the students of residential schools.

We heard at committee that September was a painful time for many indigenous people, as it was the month that their children were taken, year after year, to return to school, leaving their loved ones and communities behind.

● (1750)

It is appropriate to mark this pain with a solemn day of reflection and reconciliation in action. This bill represents that.

It has always been my belief that one of the pillars of reconciliation is education. The creation of a national day for truth and reconciliation is emblematic of education in action. Students still return to school each year in September. Beyond the great symbolic importance of this new date, it would also provide a magnificent opportunity for learning and education within our school systems.

I envisage a day when schools across the country mark the holiday with ceremonies and a day of learning. It is my hope that schools will invite elders to come into classrooms to teach both indigenous and non-indigenous children about the painful history of indigenous people across the country, but also about the hope all indigenous people have for the future.

I think of the way schools across the country use Remembrance Day as a learning tool for children of all ages to learn about the horrors and conflicts Canada has been involved in, and believe this new day for truth and reconciliation would be a perfect opportunity to be a learning tool for another important part of Canada's history.

Unfortunately only half of Canadians are familiar with the residential school system and its long-term effects on the indigenous population. This, frankly, is a devastating and unacceptable statistic. The key, in my opinion, is to fix this statistic through education.

I must emphasize the continued great work of our party and government on reconciliation and the advancement of indigenous rights.

In my home province of Manitoba, I am extremely proud to celebrate with the community of Shoal Lake 40 on the progress of Freedom Road. After many years, it was our government that stepped up and pledged the necessary funding to ensure this community was finally connected to the mainland, after the construction of Winnipeg's aqueduct in 1919 turned Shoal Lake into an island. The completion of Freedom Road will allow the community to build its own water treatment plant.

On the topic of access to clean water, our government has committed to ending all long-term boil water advisories by 2021, a task previous governments have neglected. Our government recognizes and affirms the right of communities to access clean and safe drinking water. I am proud to say we have been able to lift 80 long-term drinking water advisories since 2015.

It is my honour to serve as the parliamentary secretary for the Minister of Indigenous Services. Today, we tabled important legislation on the welfare of first nations, Métis and Inuit children in care. There is an ongoing crisis in indigenous communities. Too many children are being removed from their homes and communities. This crisis is particularly staggering in Manitoba. This legislation would reaffirm the inherent right of indigenous people over their own children. I look forward to the upcoming debate in the House on this very important legislation.

I have had the privilege to again attend meetings of the Standing Committee on Canadian Heritage as it undertakes a study on an act respecting indigenous languages, which also seeks to implement several important calls to action. My own indigenous language, Michif, is at risk of extinction. The bill would allow for its preservation, but also for more Métis across the country to learn and revitalize it.

There is much more work to be done, but we can be proud of what we have accomplished together in the last three years of government. I look forward to further advancing these files and continuing to work hard for indigenous people across our great country.

*Private Members' Business*

• (1755)

**Ms. Linda Duncan (Edmonton Strathcona, NDP):** Mr. Speaker, it is my absolute honour to rise today in support of Bill C-369.

It is also my honour to recognize that we are gathering today on the unceded territories of the Algonquin peoples.

This bill has been tabled by my colleague, the member of Parliament for Desnethé—Missinippi—Churchill River. I wish to share here that I witnessed how powerful it was for her to finally deliver her first speech on another bill in her Dene language, a language shared by many in her riding and across our northern communities. Having travelled with her in her northern Saskatchewan riding last summer, I can attest to how important it is that she can now finally speak in this place in one of the indigenous languages spoken by her constituents back home. What a joy it was to experience her in her community with her fellow community members, speaking their indigenous languages.

The intention of this bill is to create a statutory holiday on September 30 each year, starting this year. This delivers on call to action 80, issued by the Truth and Reconciliation Commission. The title of the report, "Honouring the truth, reconciling for the future", conveys the depth of the tragedy and the need for action.

It may be noted that the Prime Minister, early in his mandate, publicly committed to deliver on all 94 calls to action. Therefore, we need to be grateful that my colleague has brought forward the opportunity to deliver on at least one of them.

I want to read call to action 80. It states:

We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.

It is my understanding and my hope that there is now multiple-party support by members in this place for this bill. I noted that my colleague, in speaking to her bill yesterday, reminded us that we are all responsible for becoming actively engaged in reconciliation.

The intent of the bill is therefore twofold: first, to recognize the continuing need for support for healing for survivors of the residential school system in recognition of the continued impacts down through generations, and to recognize it as a cultural genocide; and second, to directly inform and engage Canadians in knowledge of the residential school system and the harm it caused.

I wish to honour the dedication of the commissioners, Justice Murray Sinclair, Chief Wilton Littlechild and Dr. Marie Wilson, in undertaking the momentous process of the Truth and Reconciliation Commission. It is important to honour the many residential school survivors and their families who came forward to share their experiences.

The report conveys the principle that reconciliation is a relationship. I would like to share what the report says. It states:

For many Survivors and their families, this commitment is foremost about healing themselves, their communities, and nations, in ways that revitalize individuals as well as Indigenous cultures, languages, spirituality, laws, and governance systems. For governments, building a respectful relationship involves dismantling a centuries-old political and bureaucratic culture in which, all too often, policies and programs are still based on failed notions of assimilation.

My hon. colleague spoke to this when she spoke to this bill previously, and we were very close to the place where the residential school was unfortunately created.

It also states:

Schools must teach history in ways that foster mutual respect, empathy, and engagement. All Canadian children and youth deserve to know Canada's honest history, including what happened in the residential schools, and to appreciate the rich history and knowledge of Indigenous nations who continue to make such a strong contribution to Canada, including our very name and collective identity as a country. For Canadians from all walks of life, reconciliation offers a new way of living together.

Canada already celebrates our first nations, Métis and Inuit cultures and languages every year on June 21, National Indigenous Peoples Day, which is during the summer solstice. My understanding is that initially, my colleague proposed that it be that day. However, she has very graciously agreed to change her bill, so we are going to have a day of celebration in June during the solstice, and then we would have a day of recognition and learning at the end of September each year.

• (1800)

I have had the delight of attending many of the events on June 21 in my riding, joining in the round dances and attempting a jig. Who can resist another bannock burger? It is wonderful to see all the schoolchildren joining in those activities.

The day proposed by Bill C-369 would be a more solemn day, however, to learn about the sufferings of those who were torn from their families, forced to travel far from their families and stripped of their language, beliefs and cultures. For far too many, this was for their entire childhood.

As was pointed out by my colleague, it will be necessary that the government commit well in advance of September 20 this year the necessary funds to ensure that the intents are achieved and that there are clear plans for the day. It is absolutely important that this be in direct consultation with the first nation, Métis and Inuit peoples, in particular in the communities where the activities would occur, which I hope will be every community across this country. The intention is to honour the suffering and provide opportunities for teaching.

My colleague has asked that this day also be recognized as a time for reconciliation for those children torn from their language and culture during the sixties scoop and those from the day schools and boarding schools not yet recognized.

I have been inspired by the initiative of many indigenous people to engage us in the process of reconciliation. My dear friends Hunter and Jacquelyn Cardinal, children of my friend Lewis Cardinal, have founded the Edmonton company Naheyawin, which is reaching out through theatre, through the arts and through round tables to teach people about the treaties. It is a very important action that has not been done across this country. It is so important to my province, where we are the land of the historic treaties and there have been constant calls by first nations leaders for recognition of those treaties.

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As Jacquelyn has shared, she wants people to move past feelings of guilt from past wrongs and focus on a better future. She wants people to get past the guilt many feel for the past and look forward to making things better. She hopes the round tables will be based on the Cree word *tatawaw*, which means, “There is room for you. Welcome.”

I am also very grateful that the famous Edmonton International Fringe Theatre Festival last year featured and honoured indigenous culture and incorporated many ceremonies to honour first nations, Métis and Inuit throughout the festival.

I am very grateful to my colleague, and I wish to thank her.

• (1805)

**Mr. Gary Anandasangaree (Parliamentary Secretary to the Minister of Canadian Heritage and Multiculturalism (Multiculturalism), Lib.):** Mr. Speaker, I would like to start by acknowledging that we are gathered here on the unceded lands of the Algonquin people and to give my thanks, first, to the member for Desnethé—Missinippi—Churchill River for bringing forward this private member's motion, and second, to the heritage committee, which worked very hard over the past several months to consult and discuss with many indigenous organizations as well as individuals who came forward to give their testimony. I also want to acknowledge the hard work of the committee members, including the chair, who is the member for Toronto—Danforth.

This bill would not be here today if not for the work of the members of the Truth and Reconciliation Commission. They worked very hard, and it is very timely that we have one of the commissioners, Grand Chief Willie Littlechild, in Ottawa today. He made an enormous contribution, as did the other commissioners. I am so honoured that he is here.

He spoke earlier at committee, and you could have heard a pin drop in the silence when he spoke, because he brings a lifetime of wisdom to issues of indigenous rights, both in the international context and with his work as a commissioner of the TRC. As well as being a jurist, he has played many other leadership roles within the legal community, in sports, and in many other aspects of life. It is very fortunate that he is in Ottawa today.

Today is, in fact, quite an important day. Earlier today our Minister of Indigenous Services tabled legislation, Bill C-92, on child welfare issues for indigenous peoples. I believe it is a transformational piece of legislation, one that responds in many ways both to the issues that are faced within communities and to many of the complaints before the Canadian Human Rights Commission.

Thus, it is a very important step forward by our government, as is the indigenous languages legislation, which was introduced by the minister of Canadian heritage several weeks ago. In fact, the committee completed a study today, and hopefully it will advance to the other place in the next few weeks. We are very excited to have two pieces of legislation moving along that can be linked to individual calls to action of the Truth and Reconciliation Commission.

With respect to this particular day, the national day for truth and reconciliation is a direct response to call to action 80. Over many

years, the commissioners spoke with thousands and thousands of survivors of residential schools and came up with specific recommendations for governments to follow.

There has been quite a bit of discussion, as the previous speaker mentioned, with respect to this particular day. Initially, June 21 was recommended as a celebratory day for indigenous peoples. While a lot of people agreed with that date, the general consensus leaned toward September 30, to keep in the spirit of the TRC calls to action, as well as to recognize that there are other injustices that took place relating to indigenous children. The sixties scoop is one of them. Another is the movement of individual communities in the north. There were a number of different harms that were caused by the Government of Canada in the name of the Crown.

• (1810)

Sadly, it is a legacy of the last 152 years that has put indigenous people in Canada in a very difficult and precarious situation, given the many social challenges we see, whether it be housing, education or water.

Fundamentally, however, with the leadership of our Prime Minister, the Minister of Crown-Indigenous Relations and the Minister of Indigenous Services, we are moving toward a path to redefine this relationship.

First and foremost is redefining the relationship based on the notion of inherent rights and self-determination. That is what our Minister of Crown-Indigenous Relations is undertaking. I believe there over 70 round tables where discussions are taking place to draw up specific rights.

Concurrently, we recognize that many of the challenges we speak of, whether related to water or otherwise, need to be addressed. As a government, we have invested close to \$16.8 billion over the last three years to address some of those issues.

Having said that, there is a long way to go. It is very important that we accept the 94 calls to action identified by the Truth and Reconciliation Commission. This would be an initial step toward fulfilling our obligations, and I think it is a very important step.

What does this proposal mean? It means that September 30 of each year will be a national statutory holiday. We expect that it will mirror Orange Shirt Day. Nationwide, many school boards and institutions have marked Orange Shirt Day and have started the process of education to let people know of the challenges, difficulties and pain faced by residential school survivors.

That is a starting point. However, it is important that over the years, we elaborate on and develop more educational programs and more support that will allow this day to be marked in a solemn way that will make every Canadian reflect. My good friend, the Parliamentary Secretary to the Minister of Indigenous Services, stated earlier that only 50% of Canadians know about residential schools. It is important that this national holiday be used as a tool to educate people. It would not be a day off for people. It would be for every community.

As members of Parliament, we have a presence in every part of this country. It is incumbent on us to take the lead and put on events and programs in our local communities to mark this day and make sure that the spirit of the TRC's call to action 80 is adhered to.

I have a couple of items to note before I conclude.

First, I understand that a private member's bill for a national day of truth and reconciliation was brought forward by the member for Victoria. Sadly, he announced today that he will not be seeking re-election. I want to acknowledge the work he has done and his extraordinary leadership and friendship. He is well regarded in the House.

Second, I want to thank all the witnesses, both individuals and communities, who came forward and supported this legislation.

As a government, we are very proud and very pleased to support this and commit to the full implementation of all 94 calls to action from the Truth and Reconciliation Commission. I thank the member for Desnethé—Missinippi—Churchill River for bringing this forward.

•(1815)

**Mr. Marc Miller (Parliamentary Secretary to the Minister of Crown-Indigenous Relations, Lib.):** Mr. Speaker, it is with great honour I rise today to speak about this significant piece of legislation. We can all agree on the importance of acknowledging the impact of Indian residential schools on first nations, Inuit and Métis people.

Bill C-369, an act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Day for Truth and Reconciliation), calls for a day of commemoration, but an essential part of this day would be about educating Canadians.

I represent an area of Montreal that is traditional indigenous territory. It does not have a reserve on it, but it has many indigenous people and was a meeting place for indigenous peoples well before my people arrived.

The challenges we face as non-indigenous people in understanding what has gone on in the past are great. Before the word "reconciliation" comes the word "truth", and that is perhaps the biggest challenge we face not only in this House but across Canada. What we still do not know is the truth. Often the truth is exceedingly painful.

I have had the privilege of starting on a very long path of learning an indigenous language, and not surprisingly, it has come with some surprises. As someone who was taught English and French, and has taken them both for granted, my conception of language is kind of a string on two soup cans between the people talking. It just vibrates, and that is what language is.

Naively, I embarked on this attempt to learn Kanyen'kéha, or Mohawk, thinking, like an idiot, "How hard could it be?" It is exceedingly hard. Having put perhaps an hour a day into it, I come out of these learning sessions, whether I am doing passive listening or working in my workbooks, with my brain completely fried.

One would think of it as if I were embarking on learning another Indo-European language that had some similarities with English and

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French. It is quite the contrary. It is a process of learning root words and piecing together ideas and images that are then conveyed onto other people. In this, one gains a very small glimpse into a window—

•(1820)

**The Assistant Deputy Speaker (Mr. Anthony Rota):** I am sorry to interrupt. I am having a hard time hearing, as there is a discussion going on. I am sure it is a very important discussion, but I would just ask hon. members to whisper rather than speak so loudly. While I am up, I will point out that we will cut the parliamentary secretary off in about four minutes.

The hon. parliamentary secretary.

**Mr. Marc Miller:** Mr. Speaker, this has allowed me to have a small window into what it means to understand certain concepts that were completely foreign to me, whether we are talking about creation stories or the connection of language to the land. This is something I would have entirely taken for granted two years ago had I not attempted to learn the language, however bad I am now.

When I talk to non-indigenous people about my learning experience, and I have received emails and phone calls, I have found that it pulls a deep emotional chord on people's heart strings, which I never realized at the outset.

In Quebec, we struggled with French in a sea of English. What it does for people is trench the deep emotional importance of who one is as a person. It is a core element of identity. It is why this government and the entire House supports the indigenous languages act.

My point is that as we recognize a day for truth and reconciliation, we have to come face to face with the truth before we can perfect reconciliation. That comes with a lot of emotional wounds and scars that will be reopened. We see that as we engage and go deeper in our engagement with indigenous peoples. This is not something that can be embodied in one day. However, that day would support a time of reflection for non-indigenous people.

When I speak to constituents who do not have any indigenous heritage, they tell me that they are very eager to learn, but the sources are not there. This would be a very small element in beginning to understand what indigenous people have gone through in this country, both the good and the bad.

There is a tendency, and it is an unfortunate tendency, whether one is an advocate for indigenous issues or not, to always draw to the fore the bad things, and that has the perverse effect of re-stigmatizing. There are some good things going on in this country. I had the opportunity to have the Minister of Crown-Indigenous Relations over to my house to speak to some very powerful indigenous voices from Colombia. They were shocked that she used the word "self-determination", because that is not something they hear from officials in their country.

As we take a step back and recognize what this government has achieved, there is a lot to be proud of. However, there is a lot to ask forgiveness for continuously to move forward, not for the sake of forgiveness itself.

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This would be a symbolic day. My hope is that non-indigenous Canadians will seize this as a moment of reflection to better perfect the relationship we need to have with indigenous people to move on as a country and to look at ourselves as we imagine ourselves to be but are not yet.

**Ms. Georgina Jolibois (Desnethé—Mississippi—Churchill River, NDP):** Mr. Speaker, there are elder teachings, and many elders teach throughout Canada. I am going to make a comment to reflect this very moment.

To not love is to be fearful, to not be humble is to be self-centred, to not be honest is to be dishonest, to not be courageous is to be cowardly. In my line of work, historically and until now, when I am in the circles with indigenous people in communities, elders are very significant. The use of a circle, the teachings and learning to be humble are very significant.

I want to thank all hon. colleagues in the House of Commons for their time and for sharing their thoughts on Bill C-369. How we will fulfill the Truth and Reconciliation Commission's calls to action requires an active, all-party effort from everyone, and I appreciate that we saw that effort for call to action no. 80.

We still have a little time before all members gather here to vote on my bill, and I want to take a moment to respond to some of the points of debate that came up.

First, as I said a few nights ago, I welcome the amendments to my bill that came from a multipartisan effort to make sure this holiday was done in consultation with survivors of residential schools, with elders, with regional chiefs and with the major national indigenous organizations. The committee was thorough and well-meaning and ultimately came to the correct decision.

June 21 will remain National Indigenous Peoples Day and be celebrated by all Canadians, including first nations, Métis and Inuit people from coast to coast to coast. September 30 will be known as the national day for truth and reconciliation and will serve as an opportunity for Canadians to reflect on the history of residential schools and how the impact of our national shame continues to live on in Canada.

I have expressed my concerns about how the government will be honouring this holiday. Yes, a holiday will be created, but it is only meaningful if the resources are provided for Canadians to truly understand what that holiday means. That means a comprehensive engagement process with federal government employees to understand how their offices can meaningfully work with first nations, Métis and Inuit people. That means providing funding for cross-country memorial ceremonies done in partnership with survivors and first nations, Métis and Inuit organizations. That means creating culturally appropriate learning materials for education systems across the country, so that generations of Canadians will never forget what happened to indigenous people in this country. We are still waiting for answers to all of these questions.

Second, there has been some conversation about replacing other holidays that already exist. That is a fair question, but a debate that should happen at a different time. Generations of indigenous people have been told time and time again that they are in the way, that their

concerns are secondary to everything else going on in Canada. For generations, indigenous people have been left out of political processes, left out of decisions that affect their ways of life, left out of decisions that say what languages they can speak and what gods they can pray to. If members of this House want to discuss the number of holidays in Canada, that debate should not be associated with the importance of this bill. The loss of a colonial holiday should not come at the expense of survivors and indigenous people gaining a holiday. I refuse to believe that this holiday will bear the weight of inconvenience to a colonial system.

As a final thought, I want to return to the positives of this bill, because far too many of our conversations rely on reliving trauma and discussing the problems in our first nations, Métis and Inuit communities.

This bill will not solve the housing crisis indigenous people live through and it will not fix the overrepresentation of indigenous children in foster care and it will not close the education gap that leaves indigenous children behind.

● (1825)

However, it will give Canadians the opportunity to fully understand why those problems exist. It would give space and time for the government to reflect on its failures and remind itself why it is so important to work for and with indigenous people every other day of the year.

Progress will take time, but through my bill, we are taking the time to make progress and are moving forward.

● (1830)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** It being 6:29 p.m., the time provided for debate has expired.

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 yeas have it.

*And five or more members having risen:*

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Pursuant to Standing Order 98, the recorded division stands deferred until Wednesday, March 20, at the expiry of the time provided for Private Members' Business.

[For continuation of proceedings, see part B]







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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Thursday, February 28, 2019**  
**(Part B)**

—

**Speaker: The Honourable Geoff Regan**

## **CONTENTS**

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# HOUSE OF COMMONS

Thursday, February 28, 2019

[Continuation of proceedings from part A]

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## EMERGENCY DEBATE

[Translation]

### ALLEGED INTERFERENCE IN JUSTICE SYSTEM

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The House will now proceed to the consideration of a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely the alleged political interference regarding a remediation agreement.

• (1830)

[English]

**Hon. Candice Bergen (Portage—Lisgar, CPC)** moved:

That the House do now adjourn.

She said: Madam Speaker, I will be splitting my time with the member for Wellington—Halton Hills.

We are currently facing an unprecedented crisis that strikes at the very heart of Canadian democracy and the rule of law. That is why Conservatives have called for an emergency debate tonight and why we are seized with this matter.

This is not a debate about remediation agreements; this is a debate about the very essence and the core of our democracy and the integrity of the Prime Minister's Office, the integrity of the Clerk of the Privy Council and the integrity of the finance minister.

Yesterday at the justice committee, we heard clear, concise, meticulously documented and detailed accounts of unwanted, sustained and coordinated pressure by the Prime Minister, the Clerk of the Privy Council, the finance minister and their staff on the former attorney general to give SNC-Lavalin a special deal. It was shocking testimony. It was riveting and believable. Let me, for a moment, recount some of the things that the former attorney general told us yesterday.

She said, "I experienced a consistent and sustained effort by many people within the government to seek to politically interfere in the exercise of prosecutorial discretion.... I spoke to [the Minister of Finance] on this matter...and...I told him that engagements from his office to mine on SNC had to stop—that they were inappropriate. ... They did not stop."

She went on to say, "Various officials also urged me to take partisan political considerations into account—which was clearly improper for me to do." She told us that Gerry Butts, who was then the chief adviser to the Prime Minister, said to her, "there is no solution here that doesn't involve some interference." Katie Telford said, "We don't want to debate legalities anymore." PCO clerk Michael Wernick said of the Prime Minister, "I think he is gonna find a way to get it done one way or another." The former attorney general said, "these events constituted pressure to intervene in a matter, and that this pressure...was not appropriate."

Where did this all begin? From our knowledge, it began about four weeks ago, February 7, when a story broke in The Globe and Mail about allegations that the Prime Minister and his office had exerted pressure on the former attorney general to give a special deal to SNC-Lavalin.

There were questions asked of the Prime Minister immediately. The media asked the Prime Minister what the former attorney general was talking about. Was there pressure applied to her? Of course the Prime Minister, in his typical way, said there was nothing to see here. In fact, what he said was, "The allegations in the Globe story this morning are false. Neither the current nor the previous attorney general was ever directed by me, or by anyone in my office, to take a decision in this matter." He then went on, as we will all recall, to blame the former attorney general. He said she had a different perspective. He said that if Scott Brison had not left, then none of this would have happened. His story changed over a number of weeks.

While the media and members in the House of Commons were trying to get answers from the Prime Minister, in parallel, Conservatives and NDP were also trying to get the justice committee to immediately undertake hearings on this issue so that answers could be found out immediately, and we were stonewalled.

First, we had to force the justice committee to meet. Then it did not want to call witnesses. Then it wanted to change the scope of what was being looked at. By the way, the Liberals on the justice committee were being directed by the House leader's office and the Prime Minister's Office, but after they were basically forced, kicking and screaming, into having these meetings, we then had to pressure them to invite witnesses who needed to be heard from, including the former attorney general.

*S. O. 52*

On one hand, the Prime Minister was denying that anything happened, saying that there was no pressure applied, that she was mistaken, that she should have gone to him, that it was all her fault for not telling him she felt pressured. Simultaneously, we were trying to get answers from the justice committee and trying to have the former attorney general attend and give full testimony.

• (1835)

This all culminated in what happened yesterday, where the former attorney general did appear. She was able to give a limited amount of testimony. She was able to speak up until the point when she was fired from her position as Attorney General and became the veterans affairs minister.

She was very clear, not yesterday but the day before, that she needed to be able to speak about what happened after she became veterans affairs minister, during the time when she and the Prime Minister spoke in Vancouver, and about why she resigned. When asked yesterday, she indicated there was additional information that needed to be provided.

This is where we find ourselves today. The Prime Minister is being accused of very serious things. We have a former attorney general who, may I remind everyone, is the Attorney General who was duly elected to this place and comes with a very impressive and solid career as a prosecutor. She was appointed by the Prime Minister because he had such faith and trust in her. Although we certainly did not agree with her politics, we would all be able to say that she certainly was a cabinet minister appointed on merit and is certainly an individual who, when she provides testimony and speaks, is incredibly believable.

However, we have a Prime Minister who even just yesterday said, “There are disagreements in perspective on this, but I can reassure Canadians that we were doing our job”. He quite likes the word “perspective”. He went on to say, “I completely disagree with the characterization of the former attorney general about these events.” In other words, she is lying.

I have to pause now, because it seems to be a pattern for this Prime Minister. When people, and it seems especially women, say no to him, there seems to be a pattern to his attack on them and then his patronizing characterization of what they recollect.

I want to remind everyone of what happened this past summer, when the allegation and story came out that, 18 years prior, the Prime Minister, who was a young man, an almost 30-year-old man, had groped a woman in the Kokanees at a festival. When this story was brought to light just this summer, he was asked about it. What was the first thing he said on July 1? He said that it did not happen. He said, “I remember that day” and “I don’t remember any negative interactions that day at all.” A few days later, he was pressed further, so then he said that often a man experiences interactions differently that may be inappropriate, but that we have to respect that and reflect.

A few days later, the Prime Minister goes on again and starts his social thought process. He said, “I think people understand that every situation is different and we have to reflect and take seriously every situation on a case-by-case basis.” It is just a lot of word salad. What he never says is that he did it, he was wrong and he apologizes

because it was the wrong thing to do. That seemed to be what his take was on that. The woman in that scenario was not interested in talking. I think she had had about enough of that Prime Minister.

Although we find ourselves in a somewhat similar situation today, we have a woman who is not going to back down and will have her story heard. She will speak truth to power. However, we certainly are seeing the same type of approach from the Prime Minister to what are not just allegations but to what are very credible recollections, which we have seen from the testimony.

First of all, the Prime Minister says that it did not happen. He then, in a roundabout way, degrades her and patronizingly says that it was just her perspective. What he does not do is take responsibility, clearly and openly and transparently take responsibility. If we line up everything we have heard the Prime Minister say to date against what we heard the former attorney general say, we have one individual, the former attorney general, who was clear, documented and kept records. When talking with this woman, people better know she is clearly somebody who is not thinking about something else. She is keeping track of what people are saying. People should not think for one minute that they are going to fool her or get past anything she is involved with. That was very clear yesterday.

Then we have a Prime Minister who is evasive every time he is asked a question, uses three or four words that are very legally precise and is far from transparent.

• (1840)

Where does this leave us? This leaves us at a crisis. We have a Prime Minister who cannot admit that he has done something wrong and cannot take responsibility for it. He should own up to it, say it was wrong and change it, although at this point that would be too little, too late. However, if we do not have a Prime Minister who can be truthful, we cannot trust him to get to the bottom of this.

There has been some discussion about having an inquiry. Frankly, I do not trust the Prime Minister to call one. I do not trust the Prime Minister to allow the right witnesses to appear.

This is why we are in a crisis at the very heart of our democracy. The Prime Minister does not have the moral authority to continue. He must resign.

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Madam Speaker, I thank the member for Portage—Lisgar for commencing this debate, as it is indeed an important debate to have. It is very critical because Canadians are asking questions through their parliamentarians about this very significant issue.

It was refreshing to see the former minister speak and to have privilege waived so that she was able to speak yesterday.

I want to underscore the important testimony she gave. Some of that testimony was recounted by the member opposite, although not in its entirety.

*S. O. 52*

First, the former attorney general stated that the Prime Minister told her it was her decision to make. Second, she noted that the PMO staff said they did not want to cross any lines. Third, she said that it was appropriate to discuss job impacts. Fourth, she said that nothing that occurred was unlawful. Fifth, she said she was never directed. Sixth, and perhaps most importantly, she indicated that the state of our institutions and the independence of our processes is indeed strong.

Given the record of what we heard, does the member opposite think it is important to allow the committee to continue its important work? It has called at least four witnesses thus far, excluding the academic witnesses. Just today, it decided that it will also call the former principal secretary and will ask the deputy minister and the Clerk of the Privy Council to return.

**Hon. Candice Bergen:** Madam Speaker, this is the problem we have. Anyone who watched the testimony would never characterize it in the way the member opposite characterized it. His characterization was that she said there was no problem, the Prime Minister said it was her decision, the staff members were not trying to pressure her and that everything was good. That was not the testimony I heard.

Members can bet it was her decision. She said to the Prime Minister and his people a number of times that it was her decision to make and she had made it. She basically said, “The lady’s not for turning”. Then the Prime Minister’s staff members said that they did not want to impose political pressure.

The PMO and the Prime Minister are very good at saying one thing and doing another. I have no doubt that is what the Prime Minister was trying to pull with her, but it was not about to work.

Her testimony was not refreshing. It was disturbing. It was sad. It was appalling. We do not need to hear words like “refreshing”, “wonderful” and “perspective”. We have a government that is being deceptive and that is not owning up to what it has done. This goes to the very heart of who we are as Canadians and of our democracy.

Could we establish right now—

• (1845)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I have to allow for another question.

Questions and comments, the hon. member for Timmins—James Bay.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Madam Speaker, the issue before us tonight cuts to the very heart of the independence of the judicial system in our country. The sustained interference and undermining by the key members of the Prime Minister’s Office at the direction of the Prime Minister crossed a line and went much beyond it.

I want to bring my colleagues’ attention to some of the most shocking news, which is the threats that were made by the Clerk of the Privy Council, who is supposed to be the independent, non-partisan voice.

I asked the former minister if she felt threatened. She said he threatened her three times and that she was “waiting for the other shoe to drop”. She referenced the Saturday night massacre, when Richard Nixon fired his special counsel. She was then removed from

her post. She said that the clerk phoned her former deputy and said they would put the new minister in and that the first order of business would be to get the SNC deal.

The current Attorney General must come clean. What conversations were had with him to force this deferred prosecution agreement? Was the prosecution agreement part of the reason he was put in as the new Attorney General?

**Hon. Candice Bergen:** Madam Speaker, I very much appreciate my colleague’s question and the work he has done on this.

There are still so many questions that have to be answered. Certainly the former attorney general wants to talk about why she resigned. She wants to talk about discussions that she had with the Prime Minister subsequent to her being the veterans affairs minister. I think what my colleague is talking about, the threats, is very important. We also have to talk about why the Clerk of the Privy Council referenced board meetings that SNC-Lavalin was going to be having and that they were connected to why they needed to get the deal.

We need to hear how in the world the current Attorney General can have any credibility, which I do not believe he has. I believe he needs to resign because he has already stated he believes whatever the Prime Minister says and he has already, from the testimony we heard yesterday, been instructed on what he needs to do on this deal. There are a lot of questions that have to be answered.

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Madam Speaker, I do not know where to begin tonight. What we heard yesterday was truly shocking, and shook me to my core. We have in front of us a crisis.

Every government has scandals. Every government has issues and mistakes it has to deal with. That is true of the previous government. It is also true of the current government. However, what we have in front of us today is a constitutional crisis that strikes at the very heart of our institutions and the principles on which they are based. It is a crisis about the division of powers in the country; the long held and sacred principles on which these divisions of powers are based; the division of power between the judicial and executive branches of government; and the principles that are enshrined in our Constitution, written and unwritten. They are enshrined in our statutes, like the justice act, and other acts of Parliament.

It is also a crisis about the rule of law, a foundational principle on which the country is based. In fact, it is so foundational that when we repatriated the Constitution in 1982 and when we adopted the Charter of Rights and Freedoms, that part of the Constitution led with the words that Canada was founded on the principles of a belief in the supremacy of God and the rule of law. If we do not consider this as a House of Commons, as committees of the House, as institutions of state, to be a crisis, then we have an even bigger problem: institutions that are incapable of regulating power and regulating abuses of power.

*S. O. 52*

What we heard yesterday at the justice committee was truly shocking, and shook me to my core. We heard casual and flip comments that certain laws were not as important because they were passed under a previous government. We heard casual comments that we should not concern ourselves about the legalities of a situation. We heard comments that we were not going to relent and let up on the interference.

It was clear through yesterday's testimony in front of the justice committee that there was a prolonged and sustained campaign to convince the most senior law officer of Canada, the attorney general, to change her mind in respect to a decision she had already taken, to put pressure on her in a sustained and prolonged fashion to change her mind and to interfere in a criminal prosecution.

This is so shocking it is hard to know where to begin. Our country is founded on these divisions of powers, and not just Canada. All western democracies, for a very long time, have been founded on the concept that we have three branches of the state, executive, legislative and judicial, and that these three branches are independent of each other and should hold each other in check and balance. What we saw yesterday was a complete violation of that fundamental principle in a way that was so casual and so flip that it shook me to my core.

What we also saw yesterday was a government that did not even seem to understand the principle of the rule of law, the idea that every person in our country is to be treated equally under the law and is to be afforded the same rights under the law.

● (1850)

[*Translation*]

I would like to say a few words in French to my francophone constituents.

Today's debate is about fundamental constitutional principles, such as the rule of law and the independence of our justice system. These principles are more important than any company or individual. They are fundamental. They are so important that they are enshrined in our Constitution, written and unwritten. In fact, part 1 of the Canadian Charter of Rights and Freedoms begins with the following words:

...Canada is founded upon principles that recognize the supremacy of God and the rule of law...

Our Constitution also protects the language rights of francophones across Canada. That is why we need to fight to ensure that the law and the independence of our justice system are respected and to meet our obligations to francophones across the country, both in Quebec and elsewhere in Canada. If we dilute the rule of law and the independence of our justice system, we are also threatening the other rights set out in the Canadian Constitution, rights that protect minorities and francophones across Canada.

● (1855)

[*English*]

That is why I am so shook to my core. What we heard yesterday is going to take some time to digest, but I know one thing beyond a shadow of a doubt. I have no confidence in the Prime Minister or the government.

My hope is that the institutions of our state, both judicial and legislative, can get to the bottom of this matter and hold people accountable for these abuses of power. Our institutions of state must be able to do that. They must be able to hold the Prime Minister accountable for what we heard yesterday. In our recognized parties of the chamber, in our committees of the chamber, on the floor of the chamber, he must be held accountable.

Our independent judicial system must also do its work. Otherwise I worry about the institutions that we will pass on to our children and grandchildren.

I implore all members of the House to work hard to ensure we uphold these fundamental constitutional principles about the divisions of power between the executive and legislative branches of government, that we uphold the principle of the rule of law, that we do our work here in the chamber and in its committees and that we hold the government accountable for its actions and not let it get away with these abuses of power. Otherwise, I truly fear for the institutions that we will pass on to our children and our grandchildren.

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Madam Speaker, I have a lot of respect for the member opposite for his contributions to improving parliamentary democracy throughout his career.

As a lawyer, as someone who practised constitutional law for 14 years, I share a concern about the primacy of the rule of law. It is absolutely fundamental.

What I would put for the member is that we heard from two witnesses about this very issue, and I want to quote what they said.

One said, "I do not want members of this committee or Canadians to think that the integrity of our institutions has somehow evaporated. The integrity of our justice system, the integrity of the Director of Public Prosecutions and prosecutors is intact."

The second person said, "I think Canadians should feel assured that they work in a democracy under the rule of law...Canadians need to be assured that their police and investigators with the power of the state operate independently and that the prosecution service, the state charging people with offences, are completely independent."

The former quote was from the former minister of justice, who testified yesterday, and the latter quote was from the Clerk of the Privy Council.

Given that testimonial record, is it clear by the tenor of what we have heard today that if we want our institutions, as he said, to get to the bottom of this and to do their work, that perhaps the best institution to do this in a non-partisan, apolitical manner is the ethics investigator who has more robust powers than the powers—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would ask members to keep their preambles short enough so they can fit within the timeline of five minutes for questions and comments, so we can get many questions and comments in.

The hon. member for Wellington—Halton Hills

*S. O. 52*

**Hon. Michael Chong:** Madam Speaker, I agree that the Ethics Commissioner should continue his work, but the Ethics Commissioner can only look at a violation in respect of someone furthering a private interest. He cannot broaden his scope to include the broader constitutional principles at play here, principles concerning the rule of law and the division of power between the judicial and executive branches of government. Therefore, this chamber is the one that ought to hold the Prime Minister accountable.

I have truly lost confidence in the Prime Minister and in the government. I have been shaken to my core about what I heard yesterday at the justice committee. It is almost too much to digest in a 24-hour period, but I know one thing. The Prime Minister should resign.

**Ms. Linda Duncan (Edmonton Strathcona, NDP):** Madam Speaker, I am participating in a committee review of how Canada can better share with the world, how it can deliver democracy, rule of law and human rights in a better way. Right now, we are listed among the top countries in upholding those. We are about to put a shadow over our reputation. I wonder if the hon. member could speak to that.

I have heard him share my view. As a woman who has legal training, who has been one of the most senior enforcement officers in the federal government, it was a privilege to hear such a clear testimony on the role of the attorney general and the responsibilities for upholding the rule of law. It was painful to hear the former attorney general's repeated attempts to try to explain that to the Prime Minister, to the Clerk of the Privy Council and to all their officials.

Surely there are only two things that could have occurred. Either the government of the day does not understand the role and mandate of the Attorney General and the discretion of prosecution or it is blatantly disregarding it.

• (1900)

**Hon. Michael Chong:** Madam Speaker, one of the things that has disturbed us all is the casualness of the remarks as retold by the former attorney general at the justice committee yesterday, casual remarks concerning some very sacred and foundational principles of the country.

We cannot always assume that this institution will stay here as strong as it has been in the past. It is only as strong as the occupants who stand in it and it is only as strong as the principles we uphold. If we fail to pursue justice in this case on the floor of the House of Commons, in its recognized parties and its committees, we will be passing along to our children a much weakened constitutional order and a much weakened Parliament.

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Madam Speaker, I would like to begin by reiterating our respect for and our confidence in the two independent processes that are currently under way. Members are already well aware that the Standing Committee on Justice and Human Rights is holding hearings on the issue and the Conflict of Interest and Ethics Commissioner's investigation will provide a non-partisan perspective.

At the outset, the member for Vancouver Granville has served her constituents and the country with distinction in her role now and also

in her role as minister of veterans affairs and formerly as attorney general of Canada.

With respect to the two processes, we firmly believe that these processes will be thoroughly and fairly conducted and that they will allow facts and multiple perspectives to be shared. The Minister of Justice and Attorney General of Canada already appeared voluntarily before the committee on Thursday, February 21, and he will continue to offer his full co-operation with that committee. We also know that these processes will ensure that Canadians get the answers and information they seek.

*[Translation]*

As we have seen, committee work provides detailed information to parliamentarians on issues of concern to the electorate and often provokes important public debate.

In addition, because committees interact directly with the public, they provide an immediate and visible conduit between elected representatives and Canadians. Committees can gather the information necessary for their studies in a number of ways. Most often, committees gather information on a particular subject by hearing from witnesses, as we saw with the meetings of February 21, 25 and 27, and accepting briefs and written opinions.

*[English]*

As we know, the committee in this case has already held three meetings on the subject of remediation agreements, the Shawcross doctrine and discussions between the office of the Attorney General and government colleagues. If I may, parenthetically, as a constitutional lawyer, to hear such robust discussion here in this chamber and at committee about such a hitherto relatively unknown doctrine as the Shawcross doctrine has indeed warmed the cockles of my heart.

On Thursday, February 21, the committee heard from the current Minister of Justice and Attorney General of Canada; the deputy minister of justice and deputy attorney general of Canada, Madame Nathalie Drouin; and the Clerk of the Privy Council, Mr. Michael Wernick.

On February 25, the committee heard from Mary G. Condon, interim dean of Osgoode Hall Law School, not my law school but a good law school in Toronto nonetheless; Maxime St-Hilaire, associate professor in the Faculty of Law at the University of Sherbrooke; Wendy Berman, lawyer and partner at Cassels Brock & Blackwell; Kenneth Jull, lawyer at Gardiner Roberts; and academic Mary Ellen Turpel-Lafond, senior associate counsel at Woodward & Company and professor at the Peter A. Allard School of Law at UBC.

On February 27, the committee heard from the former attorney general of Canada herself.

The committee has indicated that it is prepared to hear from more witnesses should that be deemed necessary, and just today, it made a determination, which is important, to recall Mr. Wernick and Madame Drouin and to call for the first time, the former principal secretary to the Prime Minister, Mr. Gerald Butts.

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The witnesses have, to date, provided helpful information to assist the committee and Canadians generally to understand remediation agreements, the Shawcross doctrine, as I mentioned, and the discussions between the office of the Attorney General of Canada and government colleagues, in addition to the roles and responsibilities of the Attorney General of Canada.

• (1905)

[Translation]

The Attorney General, for example, stated that it would be appropriate for the Prime Minister and officials to discuss the SNC-Lavalin case with the former attorney general and for her to discuss the matter with cabinet colleagues.

In her testimony, Nathalie Drouin explained that the director of public prosecutions is responsible for initiating and conducting federal criminal prosecutions on behalf of the Crown.

She added that while the director of public prosecutions is responsible for conducting federal criminal prosecutions, she can support the Attorney General and provide him with legal advice in exercising his powers under the Director of Public Prosecutions Act. In her role as a public servant and lawyer, she supports her department and strives to provide government decision-makers with all of the professional and non-partisan advice they need to carry out their duties.

Ms. Drouin also explained that her role is to provide legal advice on any acts, and she can provide legal advice to the Attorney General to make sure that he understands how the DPP operates and also give him advice if he decides to exercise one of his rights.

[English]

At the committee, Mary Condon, another witness, helpfully added, “It is now established by constitutional convention that the attorney general will make an independent decision to prosecute or not to prosecute. This requires making a two-step determination”, which we heard about but bears underscoring, “about, first, the sufficiency of the evidence and, second, whether the prosecution is in the public interest. Because of the necessity to consider the public interest, commentators often say that the prosecutorial decisions made by an attorney general are at the intersection of law and politics...”

“As Professor Edwards argues in his book, ‘The task of the attorney general or [the director of public prosecutions] is a difficult exercise of weighing a number of competing considerations.’ It’s in this context that the Shawcross Doctrine becomes relevant.”

With respect to what the Clerk of the Privy Council has said, during his testimony, Mr. Michael Wernick explained, “If you boil it down for Canadians as to what is going on here with the facts that we have and all of the facts that I know from my participation in meetings and conversations, we are discussing lawful advocacy.”

He went on to say, “I can tell you my view very firmly is that [the conversations with the former minister of justice and attorney general] were entirely appropriate, lawful, legal.”

In order to facilitate the work of ongoing investigations, we announced an unprecedented waiver that is intended to fully sweep

away obstacles. The exceptional waiver, which was passed by an order in council, addresses cabinet confidentiality, solicitor-client privilege and any other duties of confidentiality, to the extent that they apply. That waiver should remove any doubt as to the ability of any person who engaged in discussions on this matter to fully participate in the committee process.

We took this step because we know that it was important for Canadians that the former attorney general be able to speak openly at the justice committee. Importantly, that waiver also empowers others who had discussions on the subject matter, such as former principal secretary Mr. Butts.

As we have said many times, solicitor-client privilege is an important part of the Canadian legal system and should only be waived in the appropriate circumstances. It is an important protection that allows lawyers across the country to engage on the toughest issues and provide their clients with candid advice. That includes the Attorney General of Canada, who is the government’s lawyer. As the former attorney general has stated, the issue of solicitor-client privilege is complex and layered.

That being said, our government has been clear from the outset that we have been seeking to provide the utmost transparency in this matter without jeopardizing active court cases, of which there are two. Let me underscore: there is the prosecution of SNC-Lavalin, and there is secondarily a judicial review, which has been initiated by SNC-Lavalin. Two cases are currently before the courts in this country at this time.

We have delivered on our commitment by providing Canadians with the transparency they deserve and fairness to the former attorney general in a way that preserves, rather than undermines, solicitor-client privilege, the right to a fair hearing in cases that are currently active, the integrity of the position of the director of public prosecutions and the rule of law in our country more generally.

The integrity of judicial proceedings is a priority for our government, as it should be for any government. That is why the waiver does not cover any information shared by the director of public prosecutions with the former minister in relation to SNC.

Let us talk about the committee. This has already been the subject of some of the opening interventions in the House.

Committees of the House do very good work. In this case, the justice committee has heard from numerous witnesses. Just yesterday, it heard over four hours of testimony from the former attorney general herself, where not only the three recognized parties were able to participate but the Bloc Québécois participated, the Green Party participated, and even the Co-operative Commonwealth Federation of Canada participated in questions. That is a good day for parliamentary democracy.

The committee has indicated that it is prepared to hear from more witnesses, and indeed, it has already taken that step. I refute outright the opening statement made by the member for Portage—Lisgar in which she stated that the committee was somehow coerced into calling witnesses.

S. O. 52

●(1910)

At its opening meeting, the committee decided to call three witnesses. At its second meeting, it added to the witness list. At its third meeting, today, on procedural matters, it added a further three witnesses. What she said is simply wrong and needs to be refuted on the record.

We on this side of the House have confidence in the committee process. That is why we have empowered committee members. That is why we have resourced committees. We are confident that the committee hearings, at both this committee and other committees, will continue to be thoroughly and fairly conducted, and we will provide Canadians with the answers and the information they seek.

What I need to say at this point is that in the meantime, while the committee is undertaking this important work, we as a government remain keenly focused on Canadians and addressing their needs. I will cite just one example. We heard this week the numbers from Statistics Canada about who is living in poverty and who has been extracted from poverty in Canada. According to Statistics Canada, 825,000 Canadians have been lifted out of poverty since we took office, including 283,000 children. Those include children in my riding of Parkdale—High Park, where \$3.5 million is delivered tax free every month to 10,520 children to help them and their families pay for basic necessities. Those are some of the things we are focused on, in terms of Canadians' needs, while the committee undertakes its important work.

Let us talk briefly about the roles and responsibilities of the director of public prosecutions and prosecutors that are authorized to act on that director's behalf, which is set out in the Director of Public Prosecutions Act.

The Public Prosecution Service of Canada, the PPSC, fulfills the responsibilities of the Attorney General of Canada in the discharge of the Attorney General's criminal law mandate by prosecuting offences that fall within federal jurisdiction, criminal offences, and by contributing to strengthening the criminal justice system. The creation of the PPSC reflected the decision to make transparent the principle of prosecutorial independence, free from any improper influence.

To that end, in a statement published on February 12, 2019, in relation to a different matter, the prosecution of Mark Norman, the director of public prosecutions, Madame Kathleen Roussel, stated, "I am confident that our prosecutors, in this and every other case, exercised their discretion independently and free from any political or partisan consideration."

[Translation]

Under the Department of Justice Act, the Attorney General is responsible for the regulation of the conduct of all litigation for or against the Crown or any department. In the conduct of civil litigation, the Attorney General does not have exclusive decision-making power over litigation positions. In civil litigation, it is often very difficult to sift through the available and viable legal arguments to determine what position needs to be taken in a given case. In that sense, civil litigation is markedly different from criminal litigation. The work of identifying those who need to be prosecuted for a given crime, deciding whether proceedings should be initiated, and

determining sentences needs to be based on the evidence alone, to ensure that criminal justice is properly administered.

However, it is always advisable for the Attorney General to be informed of the relevant context, including the potential consequences of a given prosecution. As we know, the Attorney General can issue directives to the director of public prosecutions that may be general or pertain to specific prosecutions. When a directive is issued, it is issued through a totally transparent process. It is published in the Canada Gazette and accessible to all Canadians. What is more, a general directive must be preceded by a consultation with the director of public prosecutions.

The Attorney General may, after consulting the director of public prosecutions, assume conduct of the prosecution. This is also done through a transparent process in which the Attorney General must publish a notice of intent to assume conduct of a prosecution in the Canada Gazette.

With respect to third-party involvement, it is quite appropriate for the Attorney General to consult with cabinet colleagues before exercising his or her power to issue directives or initiate prosecutions under the Director of Public Prosecutions Act. Consultations are often important, since the Attorney General must hear perspectives that go beyond a particular case.

●(1915)

If the Attorney General decides to issue a directive or to assume conduct of the prosecution, he or she must make the final decision. It is important to note that the Attorney General has the final say.

To maintain the director's independence, all of the Attorney General's instructions must be in writing and published in the Canada Gazette.

The director must inform the Attorney General of any prosecution, or intervention that the director intends to make, that raises important questions of general interest. This gives the Attorney General the opportunity to intervene in proceedings or to assume conduct of a prosecution.

Furthermore, the Public Prosecution Service of Canada must provide an annual report to the Attorney General to be tabled in Parliament.

Prosecutorial independence is truly the cornerstone of our democracy, as shown by the relationship between the Attorney General of Canada and the director of public prosecutions. This builds confidence in the justice system and guarantees that prosecutions will not be perceived as being unduly influenced by politics. Instead, federal offences are prosecuted by experienced, qualified prosecutors across the country.

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[English]

I would like to refer to some of the testimony that we heard before the standing committee. First is testimony from the former attorney general, who testified yesterday. What she said specifically is that “I do not want members of this committee or Canadians to think that the integrity of our institutions has somehow evaporated. The integrity of our justice system, the integrity of the director of public prosecutions and prosecutors is intact.” That is a quote from the member for Vancouver Granville directly, from yesterday's testimony.

A second quote from a different witness reiterated the exact same point, saying “I think Canadians should feel assured that they work in a democracy under the rule of law.” The witness continued, “I think Canadians need to be assured that their police and investigators with the power of the state operate independently and that the prosecution service and the state charging people with offences are completely independent. There is a legislative and statutory shield around that which demonstrably is working.” That was the Clerk of the Privy Council.

That is important testimony, because it underscores the very important point that was introduced into this debate by the hon. member for Wellington—Halton Hills.

Our government is unwavering in its commitment to maintaining public confidence in the administration of justice and in the independence of the judiciary. The Prime Minister strongly maintains, as he has from the beginning, that he and his team acted appropriately and professionally. Our government completely disagrees with the former attorney general's characterization of events.

We will always stand up for Canadian workers and the importance of the rule of law. Here I want to just underscore the statutory basis for standing up for those workers. The statutory basis is in the Criminal Code itself. I am going to read into the record paragraph 715.3(1)(f) of the Criminal Code of Canada, which refers to the remediation agreement that we are speaking about tonight in this emergency debate. This paragraph talks about the purpose of remediation agreements, and it says their purpose is:

(f) to reduce the negative consequences of the wrongdoing for persons — employees, customers, pensioners and others — who did not engage in the wrongdoing, while holding responsible those individuals who did engage in that wrongdoing.

That is the point of these kinds of agreements. It is not some sort of *laissez-passer* for individuals. It is about holding corporate leaders responsible for their activities, making sure they are held accountable, but not de facto or actually in fact holding responsible workers on the front lines, pensioners who rely upon that corporation for their pensions, for actions that were not taken by them and decisions that were not made by them. They should not be the sacrificial lambs for this kind of policy.

That is what we are debating here today. That is what we are standing up for.

As I mentioned in the statement, and I will conclude on this point, on February 12 the director of public prosecutions stated, “I am confident that our prosecutors, in this and every...case, exercise their

discretion independently and free from any political or partisan consideration.”

That directly responds to the concerns about the rule of law, the independence of our processes and the independence of the judiciary. Those are important points that all 338 of us must share and do share. That is not being encroached upon here. What is being discussed is a specific case that does not touch upon the rule of law, which remains intact, thankfully, in this country.

• (1920)

**An hon. member:** Does he not need to pay attention to the rules?

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would remind members that they do not have to be in their seats during an emergency debate.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Madam Speaker, I appreciate the attempt at education for my hon. colleague.

I would also like to read something into the record: the witnesses whom we have attempted to have appear at the justice committee but who have been blocked by the Liberal majority. They include the director of public prosecutions; the senior adviser to the Prime Minister, Mathieu Bouchard; the senior adviser to the Prime Minister, Elder C. Marques, and the former chief of staff—

**An hon. member:** Oh, oh!

**Mr. Michael Barrett:** Is there a point of privilege? My hon. colleague seems concerned about the information that I am reading, but it comes from a notice of motion filed by my hon. colleague, the vice-chair of the Standing Committee on Justice and Human Rights, on February 15, which was not an in camera meeting, so I think we are all set there.

The Liberal majority on that committee has attempted to block the public airing of this issue. Canadians are rightly concerned about the administration of justice and they have lost confidence in the Prime Minister. Does the member opposite have confidence in the Prime Minister?

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** There have been some side conversations and some going back and forth and a bit of heckling. I would ask people that if they have questions and comments to please get up when it is time for questions and comments.

**Mr. Arif Virani:** Madam Speaker, what I would respond with is twofold. One is that in direct response to the member opposite, the witness list was not closed and has not been closed since the outset of this process. In that original Wednesday meeting during that constituency week, the decision was made to call three witnesses and to determine if other witnesses would be necessary. As I referenced in my opening comments, since that time, on two different occasions, including today, the witness list has indeed been expanded.

Also, I take issue with the member's suggestion that somehow on this side of the House we are not embracing the committee process. To the contrary, we are empowering committees, we are resourcing committees and we are ensuring that parliamentary secretaries do not whip committees.



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What we are not doing is what the previous government did in the past, when the Conservatives actually issued a rule book to committee chairs to instruct them on how to obstruct the committee process in 2006, which was then leaked to Don Martin at CTV, who exposed it for the nation to observe.

That is not our behaviour or our approach at committees. We believe in empowering committees, not undermining them.

• (1925)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Once again, I remind members that if they have other questions to pose, especially if they have just posed one, they should wait until it is questions and comments time.

**Mr. Murray Rankin (Victoria, NDP):** Madam Speaker, I listened with great interest to the parliamentary secretary to the minister of justice, and I wonder if people who might be watching this debate recognize what has happened.

First he talked about process and then he talked about poverty, but he never really talked about substance.

The process, he said, was that it is a great day for parliamentary democracy, and then he talked about poverty and what is going on in his riding. What he did not talk about is the testimony of the former attorney general. I never heard him once say that he did not believe her.

I was there. I am the vice-chair of the committee, and I say to Canadians to watch it and believe it.

What she said, among other things, was that people in the Prime Minister's Office do not believe that politically interfering is a problem and that there may be solutions and that although they are not lawyers, there has to be one—in other words, if the rule of law was not applied.

As a fellow graduate of the same law school, is the member not ashamed of what he saw yesterday?

**Mr. Arif Virani:** Madam Speaker, I will respond directly to the member for Victoria and say that I was actually quite saddened to learn that he will not be running again. He has made tremendous contributions to this House as a parliamentarian, and we are all better for having him here.

In direct response to what he said, yes, we do share the same alma mater, which is the U of T law school, and I was very interested in what I heard yesterday, but I was not ashamed by what I heard yesterday, because what I heard is: The Prime Minister instructed the former attorney general that it was her decision to take. I heard that the PMO staff said that they did not want to cross any lines. I heard the former attorney general say that it is appropriate to discuss job impacts. I heard her say that nothing unlawful occurred. I heard her say that she was never directed. Most importantly—and I will return to this again and again—she said that the state of our institutions, the rule of law and the independence of prosecutions are intact.

[Translation]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Madam Speaker, my colleague talked about remediation agreements and their provisions. The order in council currently

prevents the former attorney general from talking about the discussions she had with the director of public prosecutions.

That is the crux of the matter. We do not know why the director of public prosecutions refused to grant SNC-Lavalin a remediation agreement.

Can my colleague tell us why?

**Mr. Arif Virani:** Madam Speaker, the member raised a very important point.

Cabinet confidentiality is similar to solicitor-client privilege. It is crucial to our democracy and to our parliamentary process.

Waiving this privilege so that we may have a fuller discussion and hear testimony on this matter is extremely important. It is historic. The reason it remains limited is because there are two court cases currently under way. Like all members, the members opposite know very well that it is very important not to influence any matters before the courts.

[English]

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Madam Speaker, at the very beginning of this debate, it was mentioned by the opposition that this debate is not at all about deferred prosecution agreements, which I was surprised to hear, because, as the parliamentary secretary mentioned, deferred prosecution agreements require that public interest factors be taken into account. That is not the case in a normal court case, where we focus very narrowly on specific issues.

Points of view about the public interest are communicated in a democracy through democratic institutions, including through the Council of Ministers. Could the hon. parliamentary secretary tell me why he would agree or disagree that deferred prosecution agreements are very much at the heart of this debate?

**An hon. member:** Oh, come on—

• (1930)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order. As I mentioned, if individuals have questions and comments, they should wait for that time. The debate is between the person who just asked the question and the person who is answering it.

The hon. parliamentary secretary.

**Mr. Arif Virani:** Madam Speaker, deferred prosecution agreements or, as they are known, remediation agreements in Canada are central to this debate because they focus on exactly what the member has just mentioned, the public interest. That is not a concept that has been picked up in Canada alone. Five members of the G7 now have this regime in their countries: France, Japan, the United States, the U. K. and now Canada.

This is important because, as I mentioned in my opening comments, it ensures that corporate leaders are held responsible for their behaviour and that unwitting and innocent employees and pensioners are not. It does so by requiring them to forfeit assets. It requires them to admit their guilt. It requires them to participate in investigations to show responsibility for their actions.

*S. O. 52*

Those are important aspects that have not been underscored in this debate, and need to be, because the rhetoric from the other side is that some corporate leaders are being let off. That is exactly contrary to what the law says in section 715.31 of the code.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Madam Speaker, the member said that she faced sustained pressure and threats. She said that. What she also said is that Gerry Butts told her that nothing could be done without interference, and Katie Telford then said that she was not interested in legalities.

Therefore, either the former minister lied to the committee or we are confronted with the fact that the two key people around the Prime Minister are not interested in the rule of law. It is one or the other. Either the former minister lied or Katie Telford says she is not interested in legalities and Gerry Butts said interference was necessary.

He is gone. Why is she still in the Prime Minister's Office if she has such a disregard for the rule of law?

**Mr. Arif Virani:** Madam Speaker, the rule of law is sacrosanct, as it must be for all parliamentarians. The rule of law is the foundation of what defines us and separates us from other countries on this planet.

What we have is demonstrable respect for the rule of law in terms of what we have done to empower the committee process: to waive privilege to the fullest extent possible so that the committee can do its work and to participate fully, as the Prime Minister and all relevant parties have indicated they will, with the ethics investigation process. That is as much a part of the rule of law as the committee process, because that is part of the institutions mentioned by the member for Wellington—Halton Hills that make this democracy what it is: a vibrant one, a democratic one and one that respects our institutions.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I hate to interrupt during questions and comments because it takes time away from the other questions and comments that people want to ask. However, before we continue, I again want to remind members that when somebody has the floor, it is that person who has the floor. Therefore, I would ask people to hold back on their comments and questions until such time as the Speaker asks them to stand to be recognized.

Resuming debate, the hon. member for Victoria.

**Mr. Murray Rankin (Victoria, NDP):** Madam Speaker, I wish I could say I was happy to be here tonight but I am not. I am very disturbed and Canadians should be as well.

What are we talking about? There is a motion on the floor that we invite the Prime Minister to come to justice committee and answer questions under oath about this entire affair.

We just heard the parliamentary secretary in his attempt to defend the indefensible. How did he do that? He first talked about what a great day it was for parliamentary democracy yesterday. If anybody watched the same show I watched, if everybody attended the same hearing I did, I do not know how anyone could ever conclude that.

He did not talk about substance. He was happy to talk about process. Then he did something we have all seen before, it is called

the Liberal change the channel. He talked about poverty in his riding and so forth. What he did not talk about was what was on display for all to see, which was an attempt by an obviously credible witness, a person who took copious notes, texts and emails and demonstrated through careful, thoughtful, measured testimony that everyone would know to be credible, that an attempt was made at the highest level of our system of government to interfere with the decision of an independent attorney general.

My friend opposite talks about his interest in constitutional law. He talks about the rule of law. This is not a rhetorical statement rule of law. This is the foundation of our democracy. What we heard, if it is to be believed, and I say for the record with absolutely clarity that I believe her, was that an attempt was made at the highest level after she had made her final decision on a particular matter to try to get her to change her mind.

Let me be clear. There is nothing wrong with the Prime Minister changing his cabinet. That is his role and his prerogative. Therefore, getting rid of her as the attorney general is fully his responsibility. There is also nothing wrong with her as the minister of justice talking among her colleagues about the economic, political and other ramifications, even partisan ramifications, concerning a particular decision.

I have just been reminded, Madam Speaker, that I have the good fortune of sharing my time with the hon. member for Timmins—James Bay.

What we heard should shake Canadians' faith in our system. We should be concerned, and that is why we need to get to the bottom of this, and we will.

My friend had two defences when he did talk about substance ever so briefly. The first was that we had a process at justice committee, and I will come back to that. The other one, which we have heard the Prime Minister use in one of his many excuses, was that we had another process, which is the independent Office of the Conflict of Interest and Ethics Commissioner. He told us not to worry as a complaint was made by my hon. friend.

All of a sudden we are supposed to think that is a great institution, except for one thing. There is not a chance that the institution is going to find there is a problem here because it does not have jurisdiction over the issue at question.

Section 9, which is the basis of the complaint, goes like this, that public officers are prohibited from seeking to influence a decision of another person so as to improperly further another person's private interests. Guess what. The former Commissioner, Mary Dawson, made clear on I do not know how many cases that this only included economic interests, money, not private political interests. This smokescreen surely will not work, but it was a good try.

S. O. 52

Let us talk about justice committee on which I am honoured to be vice chair. I want to say at the outset that I have enormous respect for that committee and particularly the Chair. I admire the way in which the hon. member for Mount Royal has conducted our hearings. He has done so in a very fair manner in very difficult circumstances, and that is not a surprise. He is a very intelligent, well-meaning individual who has led us to unanimous reports on just about everything we have done in the years I have been on that committee. Canadians who watch and think we do not always get along and scrap and so forth would not understand that we have done some great work.

However, I have to say this. What I experienced at committee the other day was very disturbing. The hon. parliamentary secretary says that it is great that we have a process whereby we will hear from the former attorney general and then a couple of other witnesses will be dribbled out and maybe if we need them, we will get to the others.

• (1935)

How can a person listen to what the former attorney general said yesterday and not cry out for those 11 people she named to be put on the stand and be cross-examined? How can we not hear them? Maybe we will, and we should not worry. That is not good enough.

The Prime Minister made a great deal of waiving the so-called solicitor-client privilege. The lawyers I have talked to have great doubts whether that even applies. Let us say it does. Certainly, cabinet confidentiality applies.

What the Prime Minister did was quite interesting. He said that he was going to waive it up until that magic moment when she was going as attorney general. Everything after that, we could not go there. What happened after that? She resigned. Listening to her testimony yesterday, she was very careful to not tell us why.

We saw the principal secretary of the Prime Minister, Mr. Butts, tender a letter of resignation and mysteriously reference the former attorney general. Why? We cannot go there. We are not going to be allowed to know anything about what happened after she was removed from her job as the Attorney General of Canada. Why? Maybe someday the Liberals will waive it. I asked that yesterday at committee. Members may have heard that. The Liberals, to a person, voted me down.

I stood in the House today and asked the government if it would change that and allow us to get to the truth, so Canadians watching, who are concerned about our democracy, would have the opportunity to see it all, to learn it all and to hear the whole story. I am sad to say that was also refused.

Therefore, we have a Conflict of Interest Commissioner who has no ability to get at this at all. We have a justice committee that seems to want to vote against any effort to get at the truth. What are we left with? We are left with the imperative to have a judicial inquiry into this.

The Prime Minister has said that the best disinfectant is sunlight. People may remember, with sadness I hope, what happened when the Gomery inquiry shone a light into what happened in the sponsorship scandal. The government changed as a result because Canadians got to understand corruption at the highest level. We had the Charbonneau Commission. People were riveted to that because

we got to understand how that system worked. We have had inquiries in my fair province of British Columbia, which I am not very proud of as well, about corruption over the years.

If we cannot get these institutions to do their jobs, the Conflict of Interest Commissioner or the justice committee, because the government will vote with the majority to swat down our efforts to get to the truth, then we need to have a public inquiry. There is no other way around it. Canadians deserve it.

Again, if Canadians did not watch the testimony of the former attorney general yesterday, they must. They must hear her devastating, chronological, careful, sophisticated account of what she experienced. Among the things she experienced was an attempt to browbeat her to change her mind.

I said earlier and will say again. No one sang, "Please don't remind us that somehow it's not appropriate to talk in cabinet about the economic and political ramifications of a decision." The Shawcross principle, which we have learned so much about, says that once a decision is made, that is it. The former attorney general said as clearly and as often as she could that she would not interfere with her independent director of public prosecutions. She should have said, "What part of no don't you understand?" when the Clerk of the Privy Council threatened her. There were veiled threats, not just once, twice, but three times in one day she told us.

We have a sad story for which Canadians deserve to get an answer.

Do we live in a democracy, which I have been proud of all my life to be part of, where the rule of law means something, where we do not have politicians telling our law enforcement community what to do, or do we live in a system like in some other fledgling democracies in other parts of the world where politicians call the shots?

A line was crossed here, if one believes even a little of what the former attorney general had to say. We have to hear from the Prime Minister. I support this motion. Canadians deserve to know what happened.

• (1940)

[*Translation*]

**Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.):** Madam Speaker, as a father figure to all Canadians, it is the duty of any prime minister to find jobs for Canadians and to do everything in his power to protect and maintain those jobs, while obeying the law and protecting the independence of our justice system.

[*English*]

What our friends on the other side are doing is applying the principle exactly. They do not care about the thousands of people losing their jobs. They do not care about the thousands of pensioners who rely on this corporation for their pension in their senior days. This is a worthy company and we are proud to have it in order to do the impossible, which is to keep these people's jobs.

*S. O. 52*

My question to the member on the other side is this. If he has a wife, kids, a house, a mortgage and has to pay school fees for his children, will he stand now and have the courage to say the truth, that he will support the government in doing the right thing to protect the jobs of Canadians?

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I have to allow for other questions. I would ask members to keep their questions and comments short enough to allow others to ask questions and give comments.

The hon. member for Victoria.

**Mr. Murray Rankin:** Madam Speaker, when the government passed the law called the Corruption of Foreign Public Officials Act, it made it clear that we could not look at the national economic interest of Canada. Why? Because if one is bribing people in another country, in this case \$48 million to Libyan dictators, one cannot go home and say that it will shut down our economy if we do something about it. Not surprisingly, that is part of our law, so it is not relevant.

The current government loves to talk about coming to the aid of all the workers and so forth. I did not see that with respect to General Motors in particular. I did not see it with Rona. I did not see it with Davie shipyard. I have not seen it do anything with respect to the pensioners from Sears who have been ripped off. Therefore, I do not want to hear any lessons with respect to that.

• (1945)

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Madam Speaker, I honestly think that our colleague across the way, and I cannot even say “honourable” right now, should be ashamed of himself. This is a company that is not accused of but paid \$30,000 for prostitutes for Gadhafi’s son and he is okay with that. It is disgraceful.

Our hon. colleague down the way gave a great intervention. I too was saddened by the testimony yesterday. It was a sad day for Canada. As a matter of fact, that date will go down in history. It will be one of those days where the question will be asked, “Where were you when...?”

I want to ask this to our hon. colleague, who represented all of us on the opposite side so extraordinarily. Could he elaborate on what his feelings are regarding the testimony we heard, how stoic our former attorney general was and how wrong our colleague across the way is?

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Again, the preamble was quite long. I know there are a lot of people who want to ask questions.

The hon. member for Victoria.

**Mr. Murray Rankin:** Madam Speaker, I said this at the committee hearing and I will say it again. I taught constitutional and public law for almost a generation of students. I have been a lawyer for 40 years. When he said that people are going to ask, “Where were you when...?”, regarding yesterday’s testimony, I will always remember what I heard, because I was shaken to my core.

I cannot understand the spin operation on the other side of the House, acting as if there is nothing here so we should drive on. It is astounding. Why do the Liberals not fess up and understand that

Canadians have a right to be concerned, rather than trying to change the channel? I do not understand.

[*Translation*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** As I mentioned, members are taking more time than they should to ask their questions and share their comments. We therefore only have time for two questions, when we should have time for three.

The hon. member for Timmins—James Bay.

[*English*]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Madam Speaker, it is always a great honour to rise in the House and represent the people of Timmins—James Bay and the New Democratic Party on the ethics file. However, I am not proud that we have come to this point, because we are talking about a fundamental crisis that has occurred in our country, because the veil has been pulled back, thanks to the courage of the former attorney general, to show us how corrupt the culture of insiders is in Ottawa.

I want to preface this by saying there are two betrayals we are dealing with. One is the attempt to undermine the rule of law. I refer to a former Liberal attorney general, Michael Bryant, who said, we are dealing with “a constitutional crisis far worse than what I envisioned” and “a bald attempt by the Prime Minister to exercise his cabinet-making power over [the] quasi-judicial authority” of the Attorney General. He went on to say that he has never seen it used in such a “brazen, reckless fashion.”

That is the subject of why we are here tonight. However, for people who are watching there is an equally great betrayal. The Prime Minister gave people hope. He made people believe that politics could be different in Ottawa. We ran against him and we ran against his party, but I have to admit that I came in 2015 thinking that maybe he was serious about open government, maybe he was serious about reconciliation, and just maybe he was serious about the middle class he always spoke about. Many people and I know many of my friends in the Liberal Party share those values, and they are hurting tonight.

However, there is another Liberal Party, the old Liberal Party of corruption, insiders and cronies, and the Prime Minister had not even set up shop when the lobbyists began moving into town. What we have seen here is the power of the rich to call into the Prime Minister’s Office and get things moved.

For example, KPMG established an illegal offshore tax fraud system for billionaires. When it was found out, suddenly, miraculously, there were no criminal penalties. We all wondered how that could happen, but the fog on the Liberal side was that they did not know. An agreement was made. Then the Prime Minister appointed a KPMG executive as the treasurer for the Liberal Party, because that way of doing business is something he is comfortable with.

*S. O. 52*

We never got to see the raw exercise of power until yesterday, when the former attorney general spoke truth to power. She said that she experienced “a consistent and sustained effort by many people within the government to seek to politically interfere in the exercise of prosecutorial discretion in my role as the Attorney General”. What she experienced were the powerful men and women around the Prime Minister’s Office trying to intimidate her and to threaten her.

That was an amazing moment when she talked about the Clerk of the Privy Council, who has completely betrayed his obligation to the Canadian people to be the non-partisan voice of principle. He was the one used to be the thug. I asked her, “Did he threaten you?” She said he not only threatened her once but three times in that meeting. During that meeting she was concerned that the “other shoe” was going to drop. We will get to that other shoe in a moment.

I want to talk about the very first meeting, when she met with the Prime Minister about this, when the director of public prosecutions had made the determination that SNC-Lavalin was not eligible for this deferred prosecution agreement, a deferred prosecution law that was written specifically for SNC. SNC-Lavalin was so bad it could not even meet the criteria of a law that had been handwritten for it and stuffed into an omnibus bill.

What did the Prime Minister say? He was with the clerk and the clerk said there was going to be a board meeting on Thursday. How were they making those connections? They were talking about the shareholders they were meeting and they had to have that decision. The Prime Minister jumped in and said he was an MP from Quebec, the member for Papineau. The Prime Minister established that his main priority was saving his own political rear end. That is why this began.

Then we see the interference by the finance minister and his staff. She told him that it was unacceptable, and they continued.

I want to get to Gerry Butts and Katie Telford, who then met with her. Gerry Butts said he did not like the law. He called it a Harper law.

● (1950)

I do not like very many things Stephen Harper ever did. In fact, I do not know if I can count one or two. However, the rule of law is the rule of law. Liberals do not get to say, “Oh, that was a Conservative law so we are going to ignore it.” She told him, “It is the law of the land.” It was a good law to hold political corruption accountable internationally. That is what Gerry Butts did not like.

Then he said that there was going to be no solution that did not involve interference. For any member on that side to stand up and claim that this was just the normal activities, it may be the normal activities of the corrupt old Liberal Party, but this is not the normal activities of how the judicial system works, that it cannot be done without interference.

Then Katie Telford said that she was not interested in legalities. This woman still has her job. If there is a person in the Prime Minister’s Office who does not give a tinker’s darn about the rule of law, they have no business being there. What did Katie say? Katie said, “Hey, if you have any problems with it, we’ll just get some prominent, important Liberal people to write some op-eds to cover it off.” That is the corrupt old Liberal way of doing business.

However, they were standing up against an attorney general who said no, and who said that she was “waiting for that other shoe to drop”, which I spoke of before. She knew it was coming, and it did come. They told her she was being replaced.

The most damning testimony of all was that the Clerk of the Privy Council told her staff that the first order of business of the new Attorney General would be to put that SNC-Lavalin deal through. That is unconscionable.

I want to say personally that I have never made a secret of some of the major battles I have had with the former attorney general. The role of the justice department lawyers in suppressing evidence in the case of the St. Anne’s Indian Residential School has shaken me in my political life. I have never felt confidence in the judicial system for indigenous people because of the role of the justice department in suppressing that evidence.

I went to the Minister of Indigenous Affairs who landed the campaign against the St. Anne’s survivors, and I begged him to stop. I begged him to stop this attack on people who had suffered so much. I approached the Attorney General, but she was the solicitor of the client, Indian Affairs. I make no apologies for my anger about her failings then.

However, I learn now, thanks to the former attorney general, that what was going on behind the scenes was that she had come to Ottawa to deal with reconciliation, but what was she getting stuck with? She was getting stuck with looking after the rich friends of the Liberal Party.

We were very frustrated that the former attorney general was not moving on the indigenous framework. Then we find out, through this testimony, that she was not given the indigenous framework. The Liberal government was not interested in her doing the indigenous framework. It wanted her to cut a deal for their rich insider friends.

Last night, when I sat at that committee, I watched integrity. I watched someone who put her political career on the line, and maybe has finished her political career, but she was not going to be intimidated and she was not going to be silenced.

I urge my friends in the Liberal Party who are as sickened in their core as I am, and I know many of them are, do not go into the smear campaign, do not continue this attack on her, do not say it was her father pulling her strings, do not say that she could not take the stress, and do not, and I am calling on my colleagues over there, do not do the next step that the Liberal government is going to do, which is starting the attack on her credibility.

It is one woman who stood up to this Prime Minister, one woman who said what he was doing was unconscionable. This Prime Minister needs to be accountable. He needs to come to committee. He needs to stop hiding. He needs to show Canadians that he can explain why the people around him were involved in such a corrupt interference and obstruction of the work of the Attorney General on a matter of corruption. Until he does that, he has lost his fundamental moral compass and the Liberal Party is adrift.

S. O. 52

• (1955)

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** Madam Speaker, I have listened to the member for Timmins—James Bay give a passionate speech. I know he likes to play music. I know he likes to act like a rock star.

The member is blaming the Liberal Party for attacking the former attorney general. The Liberal Party or any member of the House has never attacked the former attorney general. It was that particular member who attacked the former attorney general.

Let me quote, “The failure of [the former attorney general] to show any leadership or direction on Indigenous justice has been one of the deepest disappointments of the Trudeau government.”

This is what he asked for for Christmas. He said, “For Christmas, I want [the Prime Minister] to fire [the former attorney general].”

The member is acting in sheer hypocrisy. He should be ashamed of himself. He should come clean with Canadians on the real reason he is politicizing this issue.

**Mr. Charlie Angus:** Madam Speaker, it is true that I play music, and what I want for Christmas is indigenous justice. We did not get it this Christmas, and we did not get it the previous Christmas or the Christmas before that. We got a Prime Minister who stood in the House and made a promise that he would move that indigenous framework, but he did not give it to the former attorney general because he wanted her to deal with the corruption and the insider friends.

I would like to point out that yesterday the Prime Minister was asked about SNC-Lavalin engaging in the sexual trafficking of women in Libya. The feminist Prime Minister stood and said that the Liberals do not make any apologies for defending jobs.

Is he willing to sell the bodies of women in Libya so that his friends at SNC-Lavalin can get a job? He could not even answer that question without showing complete disregard. This man has embarrassed our nation.

• (2000)

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Madam Speaker, I appreciate the interventions tonight by the member for Timmins—James Bay. There is one thing I would hope most of us agree on, and I hope my colleague and I can definitely agree on. If any one of us, particularly a prime minister, takes issue with a particular law, there should be a debate in the open. That person should have the people's representative come and say what is good and what is not good in a particular law.

However, that is not what the Prime Minister tried to do. He tried to use his position, the people in his office and those in the Minister of Finance's office. He even put to work someone who was supposed to be a non-partisan public servant, Michael Wernick, to get his friends in this company a get out of jail free card.

I would like the member to speak more about the use of power and how this kind of corruption can harm a system like Canada's. I would like to ask him specifically to speak on that note.

**Mr. Charlie Angus:** Madam Speaker, the exercise of power that was most shocking was that the Liberals sent the Clerk of the Privy Council to threaten the former attorney general. He said the Prime

Minister was going to “find a way to get it done, one way or another”. He went on, “He is in that kind of mood, and I wanted you to be aware of it.”

What kind of mood does the Prime Minister get in? Then Mr. Wernick said she would not want to be on a collision course with the Prime Minister. I saw in the House one night when a woman was in a collision course with the Prime Minister, so no, she did not want to do that, but she stood up.

I then asked her if she was threatened by Mr. Wernick. She said she wasn't threatened once; she was threatened three times. Let us imagine that. The first indigenous woman justice minister, and they are telling her the Prime Minister is “in that kind of mood”.

I think he is in that kind of mood tonight, but I would like to see him here and at least be accountable and have the guts to show up and be honest to Canadians.

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Madam Speaker, the NDP, the third party, initiated an ethics investigation. An ethics investigation allows the commissioner to summon witnesses to give evidence, put people under oath and produce documents. That is a robust mechanism that has the same powers as a court of law. Is that indeed an appropriate mechanism, and is that why they selected that to pursue this investigation?

**Mr. Charlie Angus:** Madam Speaker, given what we have found out about the ongoing, sustained interference and the fact that the new Attorney General's first order of business when he was given that job was to carry through this deal, the hon. member should understand that the Ethics Commissioner does not have the power, but Canadians need that right to know.

What deal was cut with the new Attorney General? That is why we need an independent legal investigation, end of story.

[Translation]

**Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.):** Madam Speaker, I will be sharing my time with my colleague from Glengarry—Prescott—Russell.

This evening's debate deals with something that I consider to be fundamental to the way I participate in politics. I became a full-time politician a number of years ago now. I am truly proud of that, because it gives me an opportunity to actually help resolve some of my constituents' problems.

However, it is in my role as a legislator that I rise to speak in this debate. I would like to go on the record as saying that my husband has worked for SNC-Lavalin for almost 30 years now. He too is very proud of his work and of the hundreds of work sites where he and his colleagues left their mark on behalf of this major Canadian engineering firm.

[English]

At a legislator, I take to heart my responsibilities of looking out for the best interests of Canada. I also take the respect of our Constitution very seriously, which means that not today and not ever will I take lessons in good governance from the party opposite.

Theirs was the first-ever Commonwealth government to be found in contempt of Parliament. They had a number of laws deemed unconstitutional by the Supreme Court, and muzzled and controlled committees to degrees never seen before or since.

[*Translation*]

Their government was responsible for serious breaches of senators' privileges. It ignored Parliament's responsibilities for 10 years and demonstrated complete disregard for judicial independence. It came very close to destroying our parliamentary democracy.

My mother often says that I have a memory like an elephant. I rarely forget things.

I will not be preached at by Conservative MPs, or by NDP MPs, for that matter.

Canada's governing institutions were strong enough to withstand the repeated assaults of three Harper governments. They will also withstand a fiasco wholly fabricated by an opposition looking for a leg to stand on.

In my opinion, if the Prime Minister's Office tried to get the member for Vancouver Granville to change her mind while she was a member of cabinet, it was completely justified.

No responsible government could ignore the significant impact of legal proceedings against SNC-Lavalin.

We are talking about close to 9,000 jobs across Canada, hundreds of active work sites, countless pensioners, and the construction of the magnificent Samuel de Champlain Bridge, which matters very much to the people of Brossard—Saint-Lambert, who waited so very long for the previous government to break ground on it.

● (2005)

[*English*]

The Prime Minister of Canada is accountable to all Canadians for his decisions and governing choices. He is also charged with making choices that best serve the interests of the largest-possible number of Canadians to the best of his abilities.

Our Prime Minister has an ambitious and forward-looking vision for our country. That means prosperity, stability, fairness, the rule of law and an environment worth leaving to our children. Will mistakes be made on the way? Of course they will. We are all fallible humans.

[*Translation*]

However, the matter before us this evening has absolutely nothing to do with mistakes. It is a hypocritical bid from an opposition with a very selective and very, very short memory.

The legal arguments in favour of a remediation agreement in the specific case of SNC-Lavalin are also, and most importantly, common sense arguments that will protect thousands of workers.

[*English*]

**Mr. Kelly McCauley (Edmonton West, CPC):** Madam Speaker, I have to note that despite all the political interference in our judicial system, the Liberals and the Prime Minister stand again and again and say it was right because they were protecting jobs.

*S. O. 52*

Where was this Prime Minister protecting or caring about jobs when we lost 100,000 energy jobs in Alberta? Where was the member for Edmonton Centre standing up for the jobs? What about the member for Edmonton Mill Woods or the member for Calgary Centre? Not once did they stand up for jobs.

Does the current government only care about jobs when it revolves around a company that pays it \$100,000 in illegal campaign donations?

**Mrs. Alexandra Mendès:** Madam Speaker, we were there more than the previous governments were, because we actually invested a lot of political capital in trying to save a pipeline to divert oil sales from the one line to the United States that was giving them \$10 a barrel. We tried.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Again I remind members to wait until it is questions and comments time in order to speak.

Questions and comments, the hon. member for Saanich—Gulf Islands.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, the patterns and the culture of the power brokers in this town have not changed all that much, although the faces have changed. We must get to the bottom of it and change the culture.

There is an unfortunate tendency to decide, in powerful organizations like the PCO and the PMO, that if there is a problem in the way, we can find a workaround. If there is a law we do not like, we can skirt it. If there are problems of ethics, well maybe we can write some op-eds. I do not find that the culture has changed from the Harper years until now.

We have an opportunity now to root out a big part of the problem. It is political, but it is also that the senior civil service in this country has become far too political. I would ask that in this House, in this emergency debate, we consider that the testimony of Michael Wernick and the testimony of the former attorney general provide a contrast in which she has all the credibility.

**Mrs. Alexandra Mendès:** Madam Speaker, for the record, is that a question or a comment?

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would ask the member to respond, whether it is a question or a comment. That is why it is called “questions and comments”.

**Mrs. Alexandra Mendès:** Madam Speaker, I was not sure if my colleague wanted an answer from me.

I absolutely agree that we have to always strive to do better as parliamentarians and to improve transparency in our way of legislating and governing.

However, I still do not understand what is wrong with something that was not illegal and was absolutely within the nature of a law that had been passed in the previous budget. I really do not understand why this is a big deal. That is my other comment.

*S. O. 52*

• (2010)

**Hon. Alice Wong (Richmond Centre, CPC):** Madam Speaker, the crisis here is about whether we believe the Prime Minister or the former attorney general. An appalling statement was made. It had a lot of details regarding all the meetings and the sustained, continuous pressure aimed at changing the mind of our former attorney general on a decision she had already made.

Why is it not possible for the Prime Minister to answer the questions all Canadians would like an answer to?

**Mrs. Alexandra Mendès:** Madam Speaker, I reiterate that nothing illegal was done. The normal pressure of being a high-ranking official in this country also includes some persuasion around different subjects. I do not expect we will find out anything different from what the Ethics Commissioner or the justice committee will find.

[*Translation*]

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** Madam Speaker, I am pleased to rise in the House, but I am not doing so to defend the Prime Minister, to speak on behalf of the former attorney general of Canada or because my colleagues keep attacking my government. I am doing so to stand up for my riding. That is what matters here today.

What would each member do if over 9,000 jobs in Canada were in jeopardy? This would be like losing 400 or 500 jobs in my riding. The largest employer in my riding employs 400 people. I have been asked whether I would be prepared to look those workers in the eye and tell them that they are going to lose their jobs, that their families are going to be affected and they are going to lose their pensions because three or four people within the company are corrupt. I can assure the House that I would work incredibly hard to protect those jobs, and I would not apologize for it. I would have no choice, because those workers are the ones who elected me, and that is my role as their member of Parliament.

At the end of the day, I want to ensure that the middle class is doing well, and that is what we are doing as a government. The Prime Minister has always focused on the middle class and those working hard to join it. We have seen that our policies are working. We targeted poverty. We know that our measures have lifted 825,000 families out of poverty. Ultimately, that is what matters.

Today, I know that we are seeking to determine whether there were misunderstandings between the former attorney general and certain employees of the Prime Minister's Office. However, all members of the House, whether or not they are ministers, would do the same thing.

I heard my colleagues opposite speak about Alberta. I know that they would do the same thing to protect jobs in Alberta, as would the four Alberta MPs on this side of the House. That is why we bought a \$4.5-billion pipeline. I never saw the former Harper government do that.

**An hon. member:** Oh, oh!

[*English*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I want to once again remind members that there should not be any heckling or

yelling back and forth. When somebody has the floor, they deserve respect. Members may not agree with what is being said, but if they have questions and comments, they will be able to raise them during the time for questions and comments.

• (2015)

[*Translation*]

**Mr. Francis Drouin:** Madam Speaker, it is not the first time I have heard dogs yapping in this place.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** That type of comment is not helpful. I appreciate you withdrawing your comment, but please choose your words wisely.

**Mr. Francis Drouin:** Madam Speaker, I also want to talk about transparency.

Before the 2011 election, the government had several ministers who are still here on the other side of the House. The Conservative government told Canadians not to worry because the fighter jets would cost \$10 billion. What did the previous government do to be transparent on that issue? It did not do anything special in terms of waiving cabinet confidentiality. It never waived solicitor-client privilege. It never did those things. Canadians had to wait for the Auditor General to table a report to learn the truth.

The Prime Minister has done something unprecedented, in recent history, by waiving cabinet confidentiality to allow the former attorney general to testify before the Standing Committee on Justice and Human Rights. Opposition members are still refusing to recognize that.

Last week, they wanted to hear from the former attorney general. She had the opportunity to speak before the committee, and that is what is important. That is the difference between us and the official opposition.

[*English*]

I want to get into the issue of the integrity framework, because it is an important issue. We have been attacked again by the opposition, which is saying that somehow we are conspiring with one company to change the integrity framework.

I have worked on the integrity framework, and we often talked about the 10-year ban on companies being allowed to bid for government contracts. I know this policy has continuously changed since 2012. I recall when the government of the day was the Harper government, and now a lot of MPs, including former cabinet ministers, now sit on the other side. At the time, the government of the day recognized that if affiliates were caught because of corrupt practices in other countries, employees in Canada should not pay the price because of that.

This is exactly what is at issue. The issue is whether employees, pensioners and shareholders pay the price because of a few corrupt individuals in a company.

I go back to my role as an MP. I would fight for those jobs any day.

Finally, I want to talk about the testimony yesterday.



This was not a question asked by members on this side of the House and it was not a question asked by the official opposition; it was a question asked by the member for Skeena—Bulkley Valley. He asked the former attorney general whether there was any illegal activity conducted in this activity, and she said no, absolutely not.

The Leader of the Opposition stood up yesterday at seven o'clock and did a big press release. He talked about interfering in the judicial process, while at the same time directing the police to investigate this particular issue, knowing full well that the former attorney general said that there was no criminal activity.

I will end my speech here, but any MP should fight for jobs. If those MPs on the other side will not fight for jobs, people can rest assured that on this side of the House, this Prime Minister and government will always fight for jobs.

[*Translation*]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Madam Speaker, I thank my colleague for his somewhat convoluted speech.

I would like to know what he thinks of the tweet posted yesterday by the member for Brossard—Saint-Lambert, who spoke just before he did. In response to a tweet from Patrice Roy, from Radio-Canada's *Téléjournal*, she said, "Just because she says it does not make it true. I am sorry, but part of being an adult is accepting that major responsibilities come with 'pressure' that is entirely legitimate."

Does my colleague, who is so pure and innocent, accept this kind of public comment?

• (2020)

**Mr. Francis Drouin:** Madam Speaker, I thank my colleague for calling me pure and innocent. My mother would beg to differ.

Let me come back to the important matters. I will not comment on what a colleague said in a tweet. I will comment on the process that allows us to get to the truth. The opposition members often say that they want to get to the truth, but they immediately start pointing fingers before even hearing all the testimony of the people concerned.

Today, we heard the former principal secretary say that he wants to appear before the justice committee. Before commenting on this story and pointing the finger at everyone, I would like to know if we are ready to hear the truth. Before we can get to the truth, we have to hear all the testimony. That is how things work in a parliamentary system.

[*English*]

**Mr. Erin Weir (Regina—Lewvan, CCF):** Madam Speaker, I think we would all agree that the minister of justice is part of cabinet decision-making within the government. I also think that everyone in the House would agree that the Attorney General often needs to play the role of an independent arbiter.

I would ask the member for Glengarry—Prescott—Russell what he thinks about the idea of the portfolios of the minister of justice and the Attorney General being assigned to different people in order to strengthen the independence of the Attorney General.

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**Mr. Francis Drouin:** Madam Speaker, I will wait for the justice committee, which is looking at that idea. I know that it is going to come out with recommendations.

The U.K. has a system that completely separates the Attorney General and the justice minister. I do not think it is a terrible idea, but I will let the justice committee come out with some particular recommendations. Perhaps, yes, it is something we should look at.

[*Translation*]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Madam Speaker, I agree with our colleague's suggestion that we should listen to witnesses at the justice committee. I remind members that, at the very beginning, we proposed a comprehensive list of witnesses we wanted to hear from. The list was completely rejected. Now, everything is happening bit by bit. As soon as one revelation comes out, another witness is called. One little revelation, and another person is called to testify.

Does my colleague agree that the next witness who should be invited to the justice committee is the Prime Minister himself? He should testify and answer all the questions we want to ask.

**Mr. Francis Drouin:** Madam Speaker, I would agree if we were talking about former Prime Minister Harper, because he never spoke to the media. Our Prime Minister always talks to the media and has always answered the media's question.

I do not want to tell the Standing Committee on Justice and Human Rights what it should do. My colleague sits with me on the Standing Committee on Agriculture and Agri-Food. He surely would not agree with my telling the Standing Committee on Justice and Human Rights what it should do. We should let the Standing Committee on Justice and Human Rights do its job. If, at some point, there are other questions, we will see what happens.

[*English*]

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Madam Speaker, it really is no pleasure to rise this evening in this emergency debate. I never would have thought to have heard the very disturbing testimony of our former attorney general.

I was there observing her in person as she came before the justice committee. Her testimony was disturbing and, frankly, explosive. It was compelling, and I have no doubt that she was telling the truth throughout. She was clear and unambiguous. She was methodical. She never wavered.

She painted a picture about the Prime Minister and his PMO. It is a pretty ugly one, a pretty sad one. We have a Prime Minister and his top officials who, at his direction, repeatedly put political considerations ahead of the rule of law. We have a Prime Minister who repeatedly attempted to obstruct justice through his top officials. We have a Prime Minister who has lost the moral authority to govern. If the Prime Minister had any honour—and I am not sure he does have any honour—he would do the right thing and resign.

It was truly astounding to learn of the concerted, coordinated campaign directed by the Prime Minister to obstruct justice. That is what happened. Let us not kid ourselves. Let us not dismiss the gravity of what has happened here.

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When our former attorney general met with the Prime Minister on September 17, he raised the SNC-Lavalin issue immediately. Fair enough. She, as Canada's Attorney General, explained to him that she had made a decision and that she would not be overturning the decision of the director of public prosecutions. She also advised the Prime Minister of her role as Attorney General and the independence of the office of the Attorney General and the independence of that office in terms of her prosecutorial discretion.

However, instead of respecting his Attorney General, instead of respecting the independence of her office, the Prime Minister could not accept the answer "no".

I will just say now that I will be splitting my time with my colleague, the member for Leeds—Grenville—Thousand Islands and Rideau Lakes.

The Prime Minister instead said that we need to find a solution for SNC-Lavalin—in other words, politically interfere—for certain friends who are connected in high places in the Liberal Party.

Then what happened was a coordinated campaign, with 10 meetings and 10 phone calls, involving the highest officials in this government: the Prime Minister himself, the Prime Minister's chief of staff, the Prime Minister's principal secretary, the Prime Minister's chief Quebec adviser and the Clerk of the Privy Council, among others. What took place over a four-month period was a concerted effort to try to change the former attorney general's mind, a concerted effort to alter the course of justice.

● (2025)

Not only is that highly inappropriate, it may very well be a criminal offence, because it smells of obstruction of justice, which is to, in any way, alter the course of justice, pursuant to section 139 of the Criminal Code.

I have been astounded that Liberal members opposite have had the audacity, and have been so shameless, to stand in their places and claim, with straight faces, that these discussions were all about doing what was in the public interest. Based on the evidence of the former attorney general, among the things that were discussed in an effort to pressure or coerce her to obstruct justice were included the Quebec election, which I am sure is in the public interest; the fact that the Prime Minister is from Montreal, which is really consistent with the public interest; the value of SNC-Lavalin shares; and that SNC-Lavalin's counsel is not a shrinking violet, as the Clerk of the Privy Council told her. Is that in the public interest?

Gerald Butts told the former attorney general that "there is no solution here that does not involve some interference." Does that sound like the public interest? How about Katie Telford? She said, "We don't want to debate legalities anymore."

None of those matters in any way have anything to do with the public interest. They are not factors that legitimately could be considered by the former attorney general in the exercise of her prosecutorial discretion when taking into account the public interest.

What those statements also demonstrate is the total lack of respect for the rule of law by this Prime Minister, by his chief of staff, by his principal secretary, by the Clerk of the Privy Council and others. They knew that what they were doing was wrong. They knew that

what they were doing crossed the line. However, they did not care, because they thought they could get away with it. They thought they were too powerful to obey the law. They thought they would never be caught. They thought that the former attorney general would succumb to the pressure, because in addition to all these totally inappropriate considerations, she was repeatedly threatened that she would be fired. Boy, did they ever underestimate the former attorney general.

The Clerk of the Privy Council called her immediately after speaking with the Prime Minister, what a coincidence, and threatened her not once, not twice, but three times and told her that the Prime Minister was going to get his way and that there were problems with the Prime Minister not being on the same page as the attorney general. When she did not cave, the Prime Minister, at the very first opportunity, fired her as the Attorney General, all because she would not succumb to the pressure, all because she had too much integrity to break the law.

We have a Prime Minister who has a lot, therefore, to answer. It is very clear that all along, he was up to his eyeballs in this sordid affair. This Prime Minister has repeatedly been untruthful. He has repeatedly failed to come clean with the facts. He has repeatedly tried to cover this up. Therefore, he needs to come before the justice committee, under oath, and answer the questions Canadians so desperately deserve to have answered. Before he does it, he should resign.

● (2030)

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Madam Speaker, I have a couple of comments at the outset.

First, there was no evidence of any criminal behaviour. That was actually the testimony from the former attorney general yesterday.

Second, let us be clear, for the record, that any attacks on the character of the member for Vancouver Granville are completely unacceptable. That was stated by the government House leader today. It was stated repeatedly by members and by me in this House last week, and I will state that again on the record.

Third, with respect to sex trafficking in Libya, that is obviously, clearly unacceptable to any member of Parliament.

The point I want to raise with respect to the speech by the member opposite is that he has again indicated that we are talking about the context of these remediation agreements. Let us be clear that what the remediation agreements seek to do is hold responsible those who have actually made decisions at the corporate leadership level and render not responsible those who were not responsible for wrongdoing, such as employees, customers, pensioners and others. I would put to him that this is exactly why these agreements have been incorporated in five of the G7 nations. Does the member agree that these are a useful tool for ensuring that those not responsible are not held accountable for corporate wrongdoing?

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• (2035)

**Mr. Michael Cooper:** Madam Speaker, I have to say that I am a little taken aback by the comments made by the parliamentary secretary. I happen to have some respect for him. I know that he is a lawyer. In that regard, I am taken aback that he does not seem to see what has happened here.

We have a director of public prosecutions who made a decision that it was inappropriate, having regard for the factors in the Criminal Code, to enter into a deferred prosecution agreement. A notice was sent to the former attorney general. She looked at the issues. She looked at the law, and she made the decision that the decision of the director of public prosecutions was the correct one and decided not to intervene. What happened from there was a concerted effort on the part of the Prime Minister to obstruct justice. That is the issue. That is corruption. That is breaking the law, and people do not get to do that in this country, because we are a country based upon the rule of law, something the Prime Minister clearly does not respect.

**Mr. Chris Bittle (St. Catharines, Lib.):** Madam Speaker, it is interesting that the member says those things in here. I highly doubt he would say them in the foyer.

The hon. member mentioned—

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

**Mr. Chris Bittle:** Madam Speaker, they are very excited about what I have to say.

There were 10 meetings over four months, four of them in person. I can say that when it comes to jobs in my riding, I would take 10 meetings over four months. I would listen to everyone who had an opinion. There are 9,000 families in this country that rely on this business.

My question is about the Shawcross doctrine. Lord Shawcross, in explaining his doctrine, said that it was the obligation of attorneys general to consult with their colleagues. Does the hon. member agree with that? Why would he not do that, when 9,000 families want to know the answer?

**Mr. Michael Cooper:** Madam Speaker, yes, everything I have said in this House I will say outside, and I have been saying it outside in the halls.

As far as the Shawcross doctrine goes, the member for St. Catharines is simply wrong. It does not say that attorneys general are obliged to consult with their cabinet colleagues. It states that attorneys general may consult with their cabinet colleagues in the direction of the attorneys general consulting with their cabinet colleagues, not their cabinet colleagues consulting with them.

However, what we saw was not consultation. At all these meetings, by the way, when the former attorney general said she had made her decision, what new information were the Liberals providing her? What new evidence were they providing her? Nothing. What they were doing was simply threatening her and talking to her about partisan political considerations. She kept saying that it was wrong and she was not going to change her mind. The Prime Minister said, "Fair enough", and she was fired so he could bring in a new Attorney General to be his lapdog. It is a disgrace.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Madam Speaker, like my colleague from St. Albert—Edmonton, it is troubling that we have to be here this evening on this subject. For Canadians watching, we are not talking about remediation agreements. We are talking about a constitutional crisis. We are talking about a crisis of leadership in this place and in this country. It is very concerning.

Across the country, on the editorial pages today, from many non-partisan sources, we heard great concern. We heard, in fact, from a former judge, who said, "It's fair to say it's a constitutional crisis." From the former Liberal Ontario attorney general we heard, "It opens the door to prosecuting enemies of the government and giving immunity to friends, which is despotic."

It is very disappointing that while we stand here and raise these very important issues, my colleagues across the way chuckle, snicker and laugh.

We are devoted to getting to the bottom of this very serious issue. The issue is the Prime Minister's coordinated campaign to undermine the rule of law and force the former attorney general to drop the criminal prosecution of SNC-Lavalin, to the benefit, as far as we can tell, of his friends, and to the protection of which jobs? It is his own job.

We have also heard from members opposite that it is about jobs. They should know that they can create jobs and an environment that is favourable for the creation jobs and that they can protect jobs without breaking the law.

The account related to us by the former attorney general last night was nothing short of shocking. Her account detailed 10 meetings, 10 phone calls, involving 11 senior government officials. It does not get any more senior than the Prime Minister, the chief of staff to the Prime Minister, the principal secretary to the Prime Minister and the Clerk of the Privy Council, to name a few. According to the former attorney general, the objective of these meetings was very clear. It was to influence her, bully her and convince her to stop the prosecution of SNC-Lavalin.

Not surprisingly, the Liberal members of the justice committee tried to paint her testimony as without merit because she did not quit cabinet right away. We have heard from members opposite that the system is still intact. The only reason the judiciary was protected is because of the integrity of the now former attorney general.

She said, "I resigned from cabinet because I did not have confidence to sit around the cabinet table. That's why I resigned." However, that was not in her role as attorney general, because when she refused to do the bidding of the Prime Minister, we know that she was fired. She said that directly to the Prime Minister. The new Attorney General was given a mandate letter, and it had just three letters in it: SNC.

Luckily for Canadians, the former attorney general's testimony came with a clear and precise timeline. The events surrounding the criminal prosecution of SNC-Lavalin are very clear. I would like to go over some of the key dates, for the benefit of Canadians.

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On September 4, the director of public prosecutions informed SNC-Lavalin that the trial would go ahead and there would be no deferred prosecution agreement. At that point, anyone would need lawful authority to stop that trial.

● (2040)

Yesterday, the former attorney general told us that lawful authority was not present. That began the months-long, unsolicited, coordinated and sustained attempts to stop the trial on corruption and bribery charges of that company.

A few days later, the chief of staff to the Minister of Finance, Ben Chin, contacted the chief of staff to the then attorney general. He said that if SNC-Lavalin did not get the deferred prosecution agreement, that it would move and that it was bad news because there was an election.

On September 11, that same chief of staff said to the former minister of justice's chief of staff that SNC-Lavalin was aware it was not receiving that DPA.

On September 16, Jessica Prince, the chief of staff to the former attorney general, received a call from Mathieu Bouchard and Elder Marques from the PMO. They told her that SNC-Lavalin made further submissions to the Crown and “there is some softening but not much.” They told her that SNC-Lavalin's board meeting was on September 20 and also mentioned the Quebec election. The former attorney general's chief of staff, Ms. Prince, told them that these concerns were bordering on interference in prosecutorial discretion.

As my colleague stated before, board meetings, share value, an election and a provincial election are not matters that can be considered in making a deferred prosecution agreement.

On September 17, the Prime Minister and the clerk met with the then attorney general to discuss the prosecution. The Prime Minister raised the issue immediately, and it was so inappropriate in the manner it was done that the former attorney general directly addressed the inappropriateness of the questions from the Prime Minister, but it did not end there.

On September 19, the former attorney general met with the Clerk of the Privy Council. He brought up job losses and that SNC-Lavalin's legal counsel was not a shrinking violet. Again, it is not a matter of public interest whether its legal counsel is a shrinking violet or not.

The attorney general then had to have a conversation with the finance minister, who wanted to browbeat her on the issue again. She told him that those engagements needed to stop, that those interventions needed to stop, and it went on and on.

It went on until December 19, and after a lunch between the Clerk of the Privy Council, Mr. Wernick, and the Prime Minister, the former attorney general received a phone call. The clerk said, “I think the Prime Minister is going to find a way to get it done, one way or another.” He said, “It is not good for a Prime Minister and his Attorney General to be at loggerheads.” She did not waiver. She did not allow that interference to occur.

On January 7, she received a phone call from the Prime Minister that she was being fired.

On January 11, the deputy minister was informed that the new Attorney General would be dealing with one issue before any other, which was the three-letter mandate he was given: SNC.

Canadians are rightly concerned with what has gone on at the highest levels of the Prime Minister's Office. We, at the justice committee and in the House have asked for the Prime Minister to appear. Those requests have been met with hisses, boos and laughter from the Liberal government.

The Prime Minister must appear and when he does, he must appear under oath and give Canadians a full airing of what has occurred.

Our leader has sent a letter informing the RCMP of our concerns and we hope there is an investigation. To restore confidence in government and independence of the judiciary, the Prime Minister should do the right thing and resign. Let us get under way with seeing what happened here.

● (2045)

**Mr. Frank Baylis (Pierrefonds—Dollard, Lib.):** Madam Speaker, I continue to hear the words “obstruction of justice” and “illegality” in the comments coming from the opposition, and this is based on the testimony of the former attorney general. However, her testimony was very clear. I will cite it exactly. She said, “In my opinion, it's not illegal.” She does say, “It is very inappropriate.”

I come to the House every day at two o'clock for question period, not because I want to but because I am forced to by our whip. I find all of the behaviour here very inappropriate, although not illegal. We all find some things appropriate and other things inappropriate.

My question is simple. How can members opposite rely on the testimony of the former attorney general, who is a very smart lady and lawyer, to say that the Liberals have done something illegal, even though she has said that it is not illegal? I want to understand how the members opposite can have it both ways.

● (2050)

**Mr. Michael Barrett:** Madam Speaker, I am very disappointed that the members opposite refuse to step away from the corruption that has occurred.

A former judge appeared at committee. The government House leader has stood in here day after day telling us to let the committee do its work. The committee did its work, and it heard from a judge who believed that the Prime Minister's attempt to stop the criminal trial of a company charged with bribery merited at least an investigation by the RCMP's integrity unit.

Those statements, in conjunction with the statements of the former attorney general, require further review by the RCMP.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, the member for Leeds—Grenville—Thousand Islands and Rideau Lakes referenced, as many have tonight, the role of SNC-Lavalin's lawyer. He was referenced, through hearsay, in something said by the Clerk of the Privy Council to our former attorney general and minister of justice.

Frank Iacobucci is not a shrinking violet. He is playing an interesting role here. I wonder if my friend finds it curious in any way that SNC-Lavalin's lawyer was the choice of the Prime Minister to run the indigenous consultations in the repairing of the flawed consultations on the Kinder Morgan pipeline. He is still playing that role while he is SNC-Lavalin's lawyer.

**Mr. Michael Barrett:** Madam Speaker, nothing surprises me at this point, but I continue to be more and more concerned with the tangled web that the Prime Minister and the Prime Minister's Office have woven on this issue. The intervention and involvement by SNC-Lavalin's lawyers and their attempts to intervene with the director of public prosecutions through the former attorney general is very troubling. The issue raised by my colleague should be a subject of that RCMP investigation as well.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Madam Speaker, I have a very short question for the member.

We care about the rule of law. The member mentioned this, as have several other members. Through the testimony given by the former attorney general, the Prime Minister has said that there is one rule for the people of Canada and then another rule for the rulers of Canada, who happen to be in the Prime Minister's Office.

The rule of law is important because it furthers the cause of justice. I want the member to comment on this. Does it further the cause of justice for the former attorney general to be fired for making the right decision on September 17 and upholding the rule of law?

**Mr. Michael Barrett:** Madam Speaker, that is perhaps the most troubling element of this scandal. For the former attorney general to stand up and insist on the protection and independence of the rule of law in Canada and to have the robust discussion with the Prime Minister's Office as it has been described is certainly one thing. However, once she was fired for doing the right thing, that is when the wheels really came off.

● (2055)

[Translation]

**Ms. Monique Pauzé (Repentigny, BQ):** Madam Speaker, I will share my time with the wonderful member for La Pointe-de-l'Île.

For the past two months, the Liberals have been completely embroiled in the SNC-Lavalin scandal. The former attorney general shared her version of the facts, what she calls her truth. Now I would like to share the facts available to us with the House.

SNC-Lavalin is a Montreal-based consulting engineering firm that employs thousands of Quebecers and Canadians. In 2015, the RCMP charged SNC-Lavalin with fraud and corruption in relation to its activities in Libya. A 2015 agreement with Ottawa enabled the engineering firm to keep bidding on federal contracts until the legal proceedings are complete.

If the company is found guilty, it will not be allowed to bid on government contracts anywhere in the world, including Quebec and Canada, for 10 years. In other words, it may as well close up shop. To prevent that from happening, to prevent SNC-Lavalin from closing its doors or moving its head office to some other country, the federal government created a tool known as remediation agreements. This tool was created for SNC-Lavalin in particular. The Minister of

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National Revenue made that clear in her February 19 interview on 98.5 with Bernard Drainville. He asked her this question:

Do you want a remediation agreement with SNC-Lavalin?

The Minister of National Revenue answered:

What I can tell you here is that the cabinet decision made for SNC-Lavalin is not just for SNC-Lavalin, but for large corporations, whether they are in Quebec or Canada. This decision has already been made by other countries. It is important to protect employees and all the people working for SNC-Lavalin.

In her very candid answer, the minister clearly said that the decision to amend the Criminal Code was made for SNC-Lavalin. I will repeat what she said:

...the cabinet decision made for SNC-Lavalin...

That is what she said. Remediation agreements came into effect in September 2018. That is when the Prime Minister asked his then attorney general to use remediation agreements for SNC-Lavalin. It was not a surprise. The government had amended the law for this particular case.

Before I go on, I want to review what a remediation agreement is according to the Department of Justice. The parliamentary secretary said previously that it is important to know what it is, so I will begin by quoting the section on the purposes of a remediation agreement.

The main purposes of a remediation agreement would be:

To denounce an organization's wrongdoing and the harms that such wrongdoing has caused to victims or to the community;

To hold the organization accountable for the wrongdoing;

To require the organization to put measures in place to correct the problem and prevent similar problems in the future;

To reduce harm that a criminal conviction of an organization could have for employees, shareholders and other third parties who did not take part in the offence; and

To help repair harm done to victims or to the community, including through reparations and restitution.

In the next section, "Potential benefits of a remediation agreement", it says:

A remediation agreement would hold organizations accountable for their wrongdoing and would provide an incentive to rectify their wrongdoing, while avoiding some of the negative consequences of a criminal conviction. It could help result in faster compensation to victims and protect jobs of innocent employees and investments of innocent shareholders. The possibility of being able to negotiate a remediation agreement may also encourage corporations to disclose wrongdoing and cooperate more readily with investigators.

One last excerpt:

While an agreement is in force, any criminal prosecution for conduct that is covered by the agreement would be put on hold [not withdrawn]. If the accused organization complies with terms and conditions set out in the agreement, the prosecutor would apply to a judge for an order of successful completion when the agreement expires. The charges would then be stayed and no criminal conviction would result. If the accused did not comply, the charges could be revived and the accused could be prosecuted and potentially convicted.

● (2100)

A remediation agreement does not mean that if a company breaks the law, it will not be prosecuted. A remediation agreement is a way to ensure that it will no longer break the law.

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SNC-Lavalin is a company that committed crimes, and it must pay for these crimes. The ones who should not pay are the thousands of people who work for the company, its retirees, clients, contractors and subcontractors, and Quebeckers, who are shareholders through the Caisse de dépôt et placement du Québec. Just because SNC-Lavalin broke the law does not mean that the company should be destroyed.

Criminals are the ones who should be punished. This means that we should prosecute the executives who broke the law. This means that the company should pay for the crimes it committed. A remediation agreement allows for this to happen, which is why many countries have this tool.

I want to get back to September 2018. The Prime Minister asked the former attorney general to sign a remediation agreement, which she has the authority to do by law, but she refused to do so. Yesterday the former attorney general spoke for hours, but we still do not know why she refused.

The Prime Minister's Office told her that without a remediation agreement, SNC-Lavalin might move to London. The former attorney general responded that she would not change her mind. The Prime Minister's Office told her that this could jeopardize thousands of jobs in Quebec and Canada. She replied that she would not change her mind.

Every possible argument was made. She was asked whether she would like to get other expert opinions, but she said no. She was told it could cost them the upcoming election, but she said she did not care. She was told commitments had been made, but she refused to budge. She was told the head office and thousands of jobs were at stake, but it made no difference.

Why did she refuse to enter into a remediation agreement, a measure she had voted for, with the company for which remediation agreements had originally been introduced? We still do not know. It is a secret. After four hours of testimony, we still do not know.

As a democratic party that loves democracy, we believe in the separation of powers. We believe that the judicial and executive branches should be independent of each other. We believe that this principle must be protected at all times, without compromise.

Was there any undue pressure? I am still not sure. Before the Prime Minister is taken away in handcuffs, I would like to hear all sides of the story. I would like to hear more than just the former attorney general's version of the facts. I want to know the truth, plain and simple.

For the moment, the truth is that thousands of jobs are at stake. The truth is that SNC-Lavalin could leave Montreal for London. The truth is that the Conservatives and the NDP would rather focus on a Liberal political scandal than on the human tragedy that would befall thousands of families if SNC-Lavalin were to leave. The truth is that the only way to save those jobs is a remediation agreement. The truth is that, if we want SNC-Lavalin to pay for its crimes, we need that remediation agreement. The truth is that there is still no such agreement.

Yesterday, we witnessed a settling of scores between the former attorney general and the Prime Minister. She did not answer the most

fundamental question: why did she decide not to sign a remediation agreement, which would prevent the loss of thousands of jobs and a head office in Quebec? She had the power to do so, yet she chose not to. Why?

Now, the new Attorney General needs to take responsibility. It will not be easy, but it is the right thing to do. If he does not sign an agreement, then thousands of SNC-Lavalin employees will be the victims of this settling of scores. For them, it was high time that we had an emergency debate on this issue.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I thank my Bloc Québécois colleague from Repentigny.

I think this is a really difficult decision. I think that everyone is concerned about the future of the jobs at that company. However, we still have a problem. If SNC-Lavalin is guilty, it is very serious.

There is work to be done. Other companies offer the same types of jobs building bridges, dams and roads.

Is it possible for the government to find another solution to protect the jobs, other than engaging in political behaviour that goes against our laws, our regulations and our Constitution?

● (2105)

**Ms. Monique Pauzé:** Mr. Speaker, I thank my colleague from Saanich—Gulf Islands for her question, although I was not really sure what she was getting at.

Should SNC-Lavalin be shut down and the contracts awarded to another company? Where would that company be from? Would it be from Toronto, the United States or somewhere else?

What we are saying is that this is collectively penalizing everyone, including the employees, suppliers, clients and the families of the workers. That is what needs to be stopped.

SNC-Lavalin has already cleaned house. Those individuals are no longer there and are being prosecuted.

Could we have a remediation agreement in order to ensure that the company can continue operating and families can keep paying their mortgage, paying their rent, paying their transportation costs and basically earning a living? That is what we want.

**Mr. Michel Picard (Montarville, Lib.):** Mr. Speaker, my colleague shares the same opinion as the Liberal members from Quebec. In fact, we think the major issue facing the employees from Quebec and Canada as well as the pensioners, and even the suppliers and other third parties that provide goods and services and employ other workers because they have contracts with SNC-Lavalin, is to increase the value of the company. They understand that and we understand that. A logo cannot be put in prison.

A logo cannot commit a crime. Only individuals can commit crimes. That is exactly the point of remediation agreements.

There is a slight nuance. Perhaps my colleague could help me explain something to my colleagues opposite, namely, the notion of what seems to be inappropriate and misunderstood? Everyone keeps using the word inappropriate without actually defining it.

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Would my colleague agree that entering into a remediation agreement requires a certain amount of dialogue and discussion with management, and that the complex files related to something like this probably require more than one meeting? This would help our colleagues opposite understand a little more about the reality of what constitutes appropriate dialogue.

**Ms. Monique Pauzé:** Mr. Speaker, the member wants me to define “appropriate”.

Here is what I have to say about that. What I find inappropriate in the House right now is that the opposition, Conservative and NDP alike, is dragging out this crisis for political gain because there is going to be an election in six months. That is what I find truly inappropriate.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I agree with many of the things my colleague said, such as the importance of getting to the bottom of this matter.

The government and SNC-Lavalin representatives discussed the possibility of a remediation agreement. The government included the remediation agreement clause in its omnibus bill. It seems odd to me that, when the opportunity arises to use that provision, suddenly the company is no longer eligible.

The question we need an answer to is this: Why did the former attorney general say no? If she said no because SNC-Lavalin is no longer eligible for the measure negotiated with the Liberals, that is a problem.

Does the member think there is a problem? When the Prime Minister wants to protect jobs—which I do not believe was his intention because he failed to do so on many occasions—that is a thin line. When the Prime Minister becomes the leader of the Liberal government and wants to salvage his election and his seat—

**The Speaker:** I apologize for interrupting the member, but time is up.

The hon. member for Repentigny.

• (2110)

**Ms. Monique Pauzé:** Mr. Speaker, I thank my colleague from Trois-Rivières for his question.

The NDP often speaks about the Prime Minister's rich friends. Are the 4,000 employees the Prime Minister's rich friends? I would like to ask him the question. Who does he think are the Prime Minister's rich friends? The Prime Minister intervened in an extremely inappropriate manner and he really mismanaged the file. What we want to do is stand up for the employees. They are currently the collateral damage of everything that is happening in the House to win votes.

**Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ):** Mr. Speaker, I thank my colleague from Repentigny for giving me the opportunity to speak on this matter that is vital to Quebec.

Over the past three weeks, Parliament has focused its full attention on what everyone is now calling the SNC-Lavalin affair. However, over the past three weeks very little has actually been said about SNC-Lavalin. It would seem that no one in Parliament really cares. We only hear about the Prime Minister, his entourage and the former attorney general of Canada. That is not the heart of the matter. The

heart of the matter is in Montreal and concerns the workers, who are just ordinary citizens like everyone else.

Let us review the facts. Charges have been laid against SNC-Lavalin for crimes of corruption committed by former executives who have been fired. It must be pointed out that these are serious crimes and those responsible should go before a judge and pay the price for their actions. SNC-Lavalin has more than 3,600 other employees, for the most part at its Montreal head office. These 3,600 employees did not commit serious crimes and are worried about their jobs. If the company is found guilty of crimes committed by a few individuals, the head office will leave Quebec with its employees. That is the situation at SNC-Lavalin, which was founded in Quebec and is one of the 10 biggest engineering firms in the world.

Everybody knows that. The Prime Minister, the former attorney general and the opposition parties, they all know that. In light of the facts, SNC-Lavalin has to pay for the crimes of its former directors. Everybody agrees on that. No one should escape justice.

There are two ways to prosecute SNC-Lavalin. Both are legal and the government can use both. The first is to do nothing, allow the current process to run its course, lose the headquarters and put 3,600 people out of work with everything that entails for their families.

The second is to reach a remediation agreement between the government and the company. That involves having SNC-Lavalin plead guilty, proving that it is cleaning house and paying hundreds of millions of dollars in fines. It means the company commits to being accountable and proving that it is above board at all times. If not, the charges will be re-filed in court. It means that 3,600 people in Quebec would keep their jobs and would not have to pay for the actions of their former bosses.

With a remediation agreement, it would be SNC-Lavalin that would be convicted, not its employees. The actual criminals would be individually taken to court. This brings us to the part of this crisis that the other parties care about, instead of caring about Quebec workers. Yesterday we heard brilliant testimony from the former attorney general. She provided a lot of detail about how the Prime Minister's Office pressured her and her staff. The Prime Minister pressured her to opt for signing a remediation agreement with SNC-Lavalin instead of standing by while the company moved to the U.K.

The Prime Minister himself asked several times for her to find a way around a trial, to prevent thousands of jobs from being lost in Montreal. I believe the former attorney general's testimony. I believe that she gave us her version of the facts and I thank her for that.

The Prime Minister's Office was clearly doing some arm-twisting to get the former attorney general to do what it wanted. The Prime Minister acted foolishly, which is how we ended up with a full-blown crisis. The Prime Minister was obviously unable to explain the situation to her and convince her that signing an agreement was the best solution for everyone. The Prime Minister was clearly incompetent and his entourage acted like a bunch of entitled amateurs.

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However, just because a handful of people, in this case, the Prime Minister and his entourage, act like amateurs, 3,600 others should not have to lose their jobs. Similarly, the crimes committed by a handful of individuals should not result in 3,600 people losing their jobs. The political bubble in Ottawa does not seem to get this.

• (2115)

That political bubble surrounds every non-Bloc MP who has forgotten that partisan jousting and news cameras are one thing and real people are another. Real people have jobs, mortgages to pay, cars, transit passes and families to support. Those are the people we are working for. Those are the people who vote for us to stand up for them. No honest person deserves to lose their job because their boss, the person in charge, the top dog, committed a crime.

The other parties here in Ottawa have chosen to ignore that reality. They know this crisis has already cost the company \$1.6 billion in the stock market. They know the company was downgraded. They know that if this company is going to survive, it will have to sell its subsidiaries at a discount and cut jobs. They know that if this goes on for much longer, there will be yet another foreign takeover of a Quebec-based company. They know all this, yet they choose the political bubble in Ottawa.

The reality here in the bubble is that we are in an election year, and slamming the Prime Minister looks good in the polls. The reality here is that none of the other parties are working to resolve this crisis to protect jobs. They want to drag out the crisis to make political gains at the expense of workers in Quebec. They are all playing a dangerous and cynical game, for a goal that has nothing to do with the public interest.

The Conservative Party, which claims to be the party for the economy, is willing to sacrifice a major head office to make the Prime Minister look bad. The NDP, which claims to be the party for the workers, is willing to sacrifice 3,600 jobs to win byelections in British Columbia. The Liberal government, which currently has all the powers to act to resolve the crisis, is hiding and hoping the storm will pass. It is afraid of paying a political price in the rest of Canada, because, yes, saving jobs in Quebec or a Quebec company will cost them in the rest of Canada.

Would the federalist parties bash a company based in Toronto, Calgary, or Vancouver like this? The truth is that the other parties in the rest of Canada are free to hammer on SNC-Lavalin. Let us not forget that the rest of Canada sees Quebec entrepreneurship as the Bonhomme Carnaval with a briefcase stuffed with cash, the image used by Maclean's. We know that in the rest of Canada, the only thing more popular than bashing the Prime Minister is bashing Quebec, even if that means misrepresenting thousands of honest workers as white-collar criminals.

The Bloc Québécois unequivocally sides with the workers, and we are very proud of that. Our priority is to keep the jobs in Quebec and the headquarters in Montreal. The government has all the power it needs to intervene to come up with a remediation agreement with the company without infringing on the rule of law in any way. The Attorney General can proceed through directives or simply take over the SNC-Lavalin case. The law is crystal clear on that, and we must make use of it before the inevitable job losses begin.

If the opposition parties want to behave so irresponsibly, that is on them. They will have to answer for that in the election. However, the Attorney General is responsible for what happens to the SNC-Lavalin employees. He has to put partisanship aside and behave like a statesman by fulfilling the primary duty of an elected representative in Parliament, which is to protect his constituents. That is our role. That is why we are here.

• (2120)

**Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.):** Mr. Speaker, I had the pleasure of listening to the two speeches from my Bloc Québécois colleagues. We all share the same love and affection for our province. We can also have some very intense discussions sometimes. However, we do not have to agree on how to fix issues in our province. The same is true in any group of individuals.

I have a question for my colleague. Does he think that if the SNC-Lavalin headquarters had been anywhere other than Montreal, for example, in Toronto, Vancouver or Calgary, our two colleagues in the opposition would have reacted the same way?

**Mr. Mario Beaulieu:** Mr. Speaker, I just covered that. If it was a company from Toronto, Vancouver or Calgary, the reactions would not be the same. There might be more of a hurry to fix the problem and save jobs.

However, we must not forget that there are even more jobs in the rest of Canada. This is not the only factor to consider, but I think we must stand with workers and focus this debate on signing a remediation agreement. It would be a huge blow to lose all of these jobs. We cannot forget that remediation agreements are designed for Canadian and Quebec companies.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I liked the beginning of my colleague's speech the best. He said that we are at a crossroads. I thought that was a very simple image that is easy to understand. We can either turn right toward a criminal trial or turn left toward a remediation agreement.

Here is the fundamental question: why did the former attorney general decide to turn right? She likely had legal opinions telling her that it was impossible to turn left. Perhaps SNC-Lavalin did not meet the criteria that the Liberals themselves included in the omnibus bill.

Does my colleague agree that the solution is to conduct a public inquiry as quickly as possible to shed some light on the situation, get some answers to that question and find out whether it was possible to turn left?

**Mr. Mario Beaulieu:** Mr. Speaker, we fully agree that there should be a public inquiry. However, I do not see why a remediation agreement would not be an option. There have been no arguments to support that. Remediation agreements were created to deal with this type of situation.



A public inquiry is needed to get answers and to determine whether there was inappropriate and undue pressure and proceed accordingly. In my opinion, there is an urgent need to sign a remediation agreement. I do not see why that would not be possible. In any case, if a remediation agreement is signed and the company fails to meet the conditions, then the company could still be prosecuted.

**Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.):** Mr. Speaker, I listened carefully to my Bloc Québécois colleagues, and I am pleased to know that they too want to save the Montreal head office and the jobs at risk in Quebec and Canada. I am also pleased to hear that they do not want to pit jobs in Quebec against jobs in the rest of Canada.

In my colleague's opinion, at what point did the Prime Minister go too far?

**Mr. Mario Beaulieu:** Mr. Speaker, it is difficult to say. I do not think we would be asking for a public inquiry if we knew that. However, according to what we heard yesterday, when Ms. Wilson-Raybould made her decision—

• (2125)

**The Speaker:** Order. I would remind the member that we do not mention other members by name.

**Mr. Mario Beaulieu:** Mr. Speaker, when the former attorney general made her decision, they continued to put pressure on her. I would say that it became inappropriate around that time. It is always difficult to determine when appropriate pressure becomes inappropriate. However, according to the attorney general, the pressure increased and did not stop after she made her decision.

[*English*]

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Mr. Speaker, I would like to say that I take pleasure in being here today, but the honest truth is that I take no pleasure in being here today.

I rode down in an elevator with one of our colleagues this morning at our apartment building, and he started off our conversation by saying, “Yesterday was a great day for the Conservatives.”

Yesterday was a sad day for Canada. I take no pleasure in being here. This is not about partisan politics.

I am not a lawyer. In Cariboo—Prince George, we speak from the heart, and Canadians from coast to coast to coast are tuning in today. Colleagues from the government side and from the Bloc side want to turn this into being about the jobs in Quebec that could be lost. No one wants to see anyone lose their job, but the blame falls squarely on the executives who broke the rules for those jobs.

I do not want to turn this into Quebec versus Alberta versus B.C. This is Canada, and yesterday was a sad day. February 27, 2019, will be a date referenced by Canadians for generations. It is going to go down in history as one of those “where were you when” days.

I have said this before and I will say it again throughout this speech: It was a sad day. Regardless of partisan politics, we must always respect the office of the Prime Minister, but what we have witnessed over the last four weeks has shaken the confidence of Canadians. We have seen corruption that has permeated our highest

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office. This is not a story about jobs; this is a story of a strong, measured first nations woman who spoke truth to power.

I will be sharing my time with my hon. colleague from Perth—Wellington.

Yesterday, for three hours and 40 minutes, the former attorney general took questions from all sides. Her former colleagues tried their very best to soil her character. She was stoic. She was straightforward. In the face of all that, we saw incredible strength.

Her opening line was, “I experienced a consistent and sustained effort by many people within the government to seek to politically interfere in the exercise of prosecutorial discretion”. Time and time again, over the course of the weeks and months after she said no and had made her decision, there was pressure put on her to change her mind. As a matter of fact, at one point the Clerk of the Privy Council said that the Prime Minister was going to “find a way to get it done one way or another.”

She told the agents of the Prime Minister's Office no multiple times. She told the Minister of Finance no multiple times. However, “no” does not mean no when it comes to the Prime Minister and his cabinet.

What happened? She paid for it. She was shuffled, demoted. There was a smear campaign.

I will tell another point that was absolutely shameful.

• (2130)

We all know how the Prime Minister's story has changed from day one when he first claimed it did not happen: Deny, deny, deny. Then he said he had a conversation with the former attorney general but he reminded her it was her responsibility. Then, standing before a bus, he said if she did not like it, she should have said so. This is unbelievable. Now we know she did.

It was just mere days into this session when a minister of the government was caught using a limo within her riding. Then there was the famous elbowgate incident just a few feet down from where I am standing. Then for the first time in the history of our country the Prime Minister was found guilty of an ethics violation. That was the Aga Khan trip. The finance minister seemingly forgot about a French villa. This is a finance minister who regulates the sector, putting forth legislation that would benefit one of his family's companies. Then just this past summer, allegations came forward about our Prime Minister being involved in inappropriate groping. Then the former fisheries minister was involved in a “clam scam”.

Every time the Prime Minister stands here, hand on heart, saying nothing to see here, claiming it is the same old Conservatives just playing divisive politics.

Now we have the SNC-Lavalin matter, where people tried to pressure the former attorney general to change the course of a legal action to benefit friends and family of the Prime Minister. When is enough enough? Seriously.

Liberal colleagues across the way are laughing. For those at home who are listening to this, Liberal colleagues think this is a joke. This is not a joke. We have a morally corrupt Prime Minister. This is criminal—

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**The Speaker:** I would obviously ask the hon. member to be judicious in the language he uses in the things we say about each other. We have to be very careful. I encourage him to be judicious in his comments and not use that particular phrase.

**Mr. Todd Doherty:** I thank you, Mr. Speaker, for asking me to toe the line, but this truly is one for the ages.

As I said before, it is a moment in time in our nation's history that we are all a part of. We all have a duty. We were all elected to be the voices of Canadians. We were all elected to protect the rule of law and the sanctity of this place. We must be able to trust that our Prime Minister and the agents around him are doing the right thing, and doing the right thing means doing the right thing at all times, not just when the cameras are on. Just because he is the Prime Minister does not give him free rein to make up the rules. As a matter of fact, I have one other quote I would like to give, which is that it was a law that Harper brought in and they did not like it. Seriously?

We get heated in this place. I am sad. Canadians deserve better and Conservatives' will always fight for better.

• (2135)

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Democratic Institutions, Lib.):** Mr. Speaker, I thank the member for Cariboo—Prince George for contributing to this evening's debate. I will say, at the outset, a couple of refutations and then ask him a question.

First, he mentioned criminality and the breaking of rules. There is no evidence from yesterday's testimony or evidence yet heard by the committee that anything unlawful or criminal occurred.

The member talked about the vigorous questioning by all parties yesterday at the committee hearing as attempts to soil her character. I would put it to him, in fact, that this was committee members doing exactly what they are empowered to do and should be empowered to do, to ask questions of witnesses that appear. I think it is unfortunate.

Mr. Speaker, you, in an intervention, said that language is important in this debate. The member used the term "demoted" and I thought we had gotten past that. Even yesterday the former attorney general said it was an honour for her to serve, however briefly, as Minister of Veterans Affairs.

What I would point out is that the narrative that the member seemed to weave into his comments was that there is an ethical issue. What I put to him is, if that indeed is his true core belief, if that is indeed why he is here at nearly 10 o'clock at night to bring this important motion forward on Thursday, and I salute him for doing that, but if that is indeed the issue, then would not the best forum for getting to the root of what is perceived to be an ethical lapse, the Ethics Commissioner? The Ethics Commissioner could do an investigation and compel witnesses and documents, swear individuals and actually get to the root of this very matter.

**Mr. Todd Doherty:** Mr. Speaker, our colleague across the way knows full well that the Ethics Commissioner can only investigate conflict of interest acts. It is stated explicitly that criminal matters are outside what the Ethics Commissioner can investigate.

I also want to reference the former attorney general's testimony. She said that the Criminal Code may not have been broken. However, there is a higher piece of legislation or higher power to that and that is constitutional law. That was clearly what could have been broken.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I was watching the members opposite and I just wanted to say that if he noticed someone laughing, and I am not saying he did not, but I certainly did not. I felt it was important to say that the members opposite in the Liberal benches appear to be taking this matter as seriously as we do. Although I deeply disagree with the tack they are taking, I do not see laughter.

To my hon. friend for Cariboo—Prince George, does he agree with me? I think the former attorney general answered my question clearly at committee that she did not think that the Criminal Code had been transgressed. However, until we get to the bottom of this, I think it is an open question, so I do not allege criminality in this matter. However, I think it remains a possibility and I would like to see the RCMP take over an investigation.

I disagree with my friend, the parliamentary secretary. The Ethics Commissioner has a very narrow mandate and it certainly does not allow the Ethics Commissioner to look into things, other than a member of Parliament's personal conduct for personal reward. These are public policy issues and the Constitution and they require, I believe, an independent investigation by the RCMP.

**Mr. Todd Doherty:** Mr. Speaker, I will say two things on the questions that my hon. colleague asked. The former attorney general said she felt that the Criminal Code had not been broken. However, I will offer that it was not broken because of her insistence and her fortitude in standing tall against this corrupt power. She is the only thing that stopped the law from being broken at that point. Again, as I mentioned earlier on, there is a constitutional law that I feel was broken on that.

Going back to the other comment of an RCMP investigation, I absolutely believe that is something that should be done. Our hon. colleague across the way wants to deflect and make this about jobs, and pit one part of our country against another, just because we are standing up for what is right and it does not go with their narrative across the way. He knows very well that the Ethics Commissioner is lacking the investigatory teeth to look at criminality, whether it is constitutional or the Criminal Code.

We have put a letter forward. Our leader has put a letter forward to the RCMP, calling on the RCMP to do an investigation. Under subsections 139(2) and 423(1), we believe that the Criminal Code has been broken and, therefore, the RCMP should put forth an investigation immediately.

• (2140)

**Mr. John Nater (Perth—Wellington, CPC):** Mr. Speaker, Hansard and the Journals will record this debate as having been on alleged political interference regarding a remediation agreement. I am not sure who decides the titles of these debates, but this is not accurate. This is not about a remediation agreement.

This is about the Prime Minister and his staff politically interfering in a criminal proceeding. The Prime Minister and his staff, over a period of a number of months, pressured, on multiple occasions, the Attorney General of Canada to change her mind, to change her mind and then to direct the director of public prosecutions to enter into a remediation agreement, to halt criminal proceedings.

The director of public prosecutions is independent for a reason. The Attorney General of Canada acts independently for a reason, because of the rule of law, because we as Canadians live in a country that is governed on the rule of law.

Yesterday, that belief was shaken. In her testimony the former attorney general said this, "I experienced a consistent and sustained effort by many people within the government to seek to politically interfere in the exercise of prosecutorial discretion in my role as the Attorney General of Canada in an inappropriate effort to secure a deferred prosecution agreement with SNC-Lavalin."

Last night, the Prime Minister, in his press conference in Montreal, said that he completely disagrees with the former attorney general's comments. He completely disagreed with what she had to say, only to say, in almost the same breath, that he had not actually seen the entire testimony yet, but disagreed with what she said. How could he have stated that, having not even seen the testimony?

Is it perhaps that he had landed on his most recent narrative and he was not prepared to let the facts and the truth get in the way of this current narrative, a narrative that we all know keeps changing, about whose fault it really is. At one point it was the fault of the former attorney general. It was the fault of the director of public prosecutions. It was the fault of the Conservative Party at one point. It was the fault of Stephen Harper in some way. Of course, it was the fault of Scott Brison.

I understand that the Prime Minister will be once again shuffling his cabinet tomorrow morning, because he seems to be so good at it. We have to wonder if the Liberals are not begging and pleading with Scott Brison to un-resign, to try to fix all this, but I simply do not see that happening. The fact of the matter is that the fault rests with one person, the fault rests with the Prime Minister of Canada.

The Prime Minister allowed a culture to develop that allowed this feeling of appropriateness. He allowed a culture to develop where it was okay to interfere with the course of justice. What is even more troubling is that he allowed this culture, this culture where it was felt that it was appropriate to interfere with the course of justice, to permeate the public service of Canada.

I wish I could say I am surprised, but from day one, the Liberal government has worked to undermine the neutrality of the public service. From day one, it booted the Clerk of the Privy Council, Janice Charette. The Liberals kicked her out. Then, just before Christmas, right after the Liberals were elected, hoping that no one would notice, they appointed Matthew Mendelsohn to a high-ranking position within the Privy Council Office, Matthew Mendelsohn of Dalton McGuinty fame.

Then, of course, we see the actions of the Clerk of the Privy Council, Michael Wernick. Public servants are guided by the values and ethics code for the public service, in which it states:

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Public servants shall serve the public interest by:

Acting at all times with integrity, and in a manner that will bear the closest public scrutiny, an obligation that may not be fully satisfied by simply acting within the law.

The Prime Minister allowed the Clerk of the Privy Council to fail in this duty. In fact, in her testimony yesterday, the former attorney general said this of her meeting of September 17, "Then, to my surprise, the clerk started to make the case for the need for a DPA. He said, 'There is a board meeting on Thursday, September 20th, with stockholders.'"

● (2145)

Why is the Clerk of the Privy Council concerned about the shareholders of a private corporation? This is beyond the pale. It was not simply a slip of the tongue. In the December 29 meeting, he once again spoke about the company's board and the possibility of it selling out to someone else. Again, why is the Clerk of the Privy Council talking about shareholders of a private corporation?

I, like many politicians, receive emails from Canadians across the country and earlier this morning I received one from an expert on parliamentary governments, a man whose name is associated with many texts and who, in this very House, is recognized as an authority in this place. He wrote to me via email and expressed the concern about how the Clerk of the Privy Council dealt with current deputy ministers. The questions remain. Has the clerk recused himself on this matter or is he still involved in overseeing the public service and deputy ministers on this very matter? What actions is the clerk taking today in relation to the deputy minister of justice and the deputy attorney general of Canada? This must be answered.

The Clerk of the Privy Council also informed the former attorney general, "I think he is going to find a way", he being the Prime Minister, "to get it done, one way or another. He is in that kind of mood, and I wanted you to be aware of it." The Prime Minister thought he did find a way. He dropped her as attorney general. He dropped her, but not before the deputy was informed by the clerk of this, "On January 11, 2019, the Friday before the shuffle, my former deputy minister was called by the Clerk and told that the shuffle was happening and that she would be getting a new minister. As part of this conversation the Clerk told the deputy that one of the first conversations the new minister will be expected to have with the Prime Minister would be on SNC Lavalin, in other words, that the new minister would be prepared to speak to the Prime Minister on this file."

Just moments ago, iPolitics reported, in fact, shortly after the current Attorney General was appointed, that he was briefed on the SNC-Lavalin case. This in spite of the fact that the Public Prosecution Service had already made up its mind. This after the fact that the former attorney general made up her mind. What is more, iPolitics is also reporting that the Attorney General met with unnamed members of the Prime Minister's Office on this issue.

The Liberals just do not learn. Interfering with the independence of the former attorney general and attempting to get her to interfere with the independent director of public prosecutions is wrong, and yet the Liberals are still trying to cover up. The Prime Minister is still holding cabinet confidence over the time that the former attorney general continued to serve in cabinet, which begs the question. What more are the Liberals trying to hide?

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The Liberals have shaken the belief of Canadians in the independence of our judiciary and on the rule of law.

I will conclude by citing what was reported yesterday as having been said by Katie Telford, the Prime Minister's chief of staff. She is reported as having said, "We don't want to debate legalities anymore." We on this side will debate legalities. We on this side will stand up for the independence of the judiciary. We on this side, in the Conservative Party of Canada, will stand on the side of the rule of law and ensure that we get answers from the Liberals on this unacceptable practice when it comes to interference in the course of justice.

• (2150)

**Mr. Frank Baylis (Pierrefonds—Dollard, Lib.):** Mr. Speaker, the member has made a point about interfering with the investigation. He has made that over and over again. We find ourselves right back in the same situation, where we are willing to take part of the testimony but not the other parts. Therefore, let us ask ourselves that question.

I will quote the ex-attorney general. She said that she vividly remembered she asked the Prime Minister "Are you politically interfering in my role, my decision as the Attorney General?" Then she said the Prime Minister said, "No, no, no". There we have it.

My question is simple. Does the member respect the former attorney general's testimony, yes or no, no, no?

**Mr. John Nater:** Mr. Speaker, let me throw it back to the member for Pierrefonds—Dollard, who seems to be willing to nitpick little parts of it, and yet his own Prime Minister is unwilling to accept the word of a distinguished parliamentarian, a distinguished former attorney general. She said very clearly that she was influenced in her role as attorney general in an inappropriate effort to secure a deferred prosecution. She was influenced by a concerted effort by the Prime Minister, the Prime Minister's Office and by the Clerk of the Privy Council to change her mind and to interfere with the independent director of public prosecutions. It is wrong.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I am struggling with trying to reconcile the behaviour, and I am grateful he raised the question of how a non-partisan Clerk of Privy Council is supposed to conduct him or herself.

Many years ago, from 1986-88, I worked in the office of the federal minister of environment in a majority Progressive Conservative government under Brian Mulroney. The behaviour of federal senior civil servants in those days bears no relationship whatsoever to the kind of thuggery that was reported yesterday. However, it is not that new to see this kind of contamination of our federal civil servants. It has been coming on for some time.

I wonder if the hon. member for Perth—Wellington would agree with me that we have a deeper cultural problem to restore a truly independent, expert, non-partisan civil service.

**Mr. John Nater:** Mr. Speaker, I had the great honour and privilege to study under Mr. Arthur Kroeger, a man who many may not know but was considered the dean of deputy ministers, someone of the highest esteem. I think if he were alive today, he would be disgusted by the actions that are undertaken today.

Integrity, respect, non-partisanship are the values of our public service. Those are the values that we as Canadians, we as parliamentarians expect from a non-partisan public service, from a public service that is fearless in its advice, but loyal in its implementation. Unfortunately, the Clerk of the Privy Council has failed in those duties, and he must resign.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, it is a great honour to have my colleague from Perth—Wellington serving in the chamber. His knowledge of parliamentary procedure and the law is impeccable.

Many times throughout this debate in the last couple of weeks we heard from the other side, the Prime Minister and the House leader from the riding of Waterloo, They talked again and again about saving jobs. That was their main concern, and yet in the conversation the former attorney general had, she said that the Prime Minister jumped in, stressing there was an election in Quebec and "I am an MP in Quebec, the member for Papineau". Does my colleague understand this to be about saving jobs in Quebec?

• (2155)

**Mr. John Nater:** Mr. Speaker, the only job the Prime Minister is trying to save was his own. That was it. Because of that, he and his office and the Clerk of the Privy Council undertook a sustained and an inappropriate effort to pressure the former attorney general of Canada to interfere in a criminal prosecution. It is wrong.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Mr. Speaker, I will be sharing my time with the member of Parliament for Davenport.

I have the utmost respect for the former attorney general and member of Parliament for Vancouver Granville, my colleague. I think this issue is about a difference of opinion and a difference in what one sees as appropriate.

I will begin with one of the most pointed questions the member of Parliament for Saanich—Gulf Islands asked the member for Vancouver Granville. Did the Prime Minister or others in the PMO break the law? The answer was unequivocally "no" by the former attorney general, the member for Vancouver Granville.

What is pressure? We are elected as parliamentarians, and some of us are privileged and tasked with also being part of cabinet. Dealing with pressure is subjective and not objective. As MPs, we are constantly pressured by constituents, stakeholders and departments. Our job is to take all things into account. Our job is to discuss them and sometimes repeat these actions again and again. We do things in balance. We take into account all the facts and then make the tough decisions.

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Many members of Parliament will face tough challenges when a permanent resident is facing deportation, but has children born and raised in this country. They have to make the choice of letting these kids be orphaned, be without parents or be forced to go to a country where they have no home or of intervening. These are tough choices and with those choices, we will have their parents, grandparents, neighbours, family members, soccer coaches and employers pleading with us. What constitutes pressure? We as parliamentarians have to decide at the time that even though the act was bad, the person served his or her time and probably should be deported, what about those children? We have to balance that. Those are tough decisions as parliamentarians we make.

This is no different for prosecutors and judges who take all the facts into consideration when they prosecute, when they judge and when they sentence. They take consequences already borne, they take consequences that may happen as a result of a sentence and they take mitigating factors.

Canadians want a transparent government and this government has shown that it will always be transparent, even when it is difficult, even when it may not be flattering for us.

Those members said that the justice committee would not invite the former justice minister, but the justice committee did. They said that the Prime Minister would not waive solicitor-client privilege. The Prime Minister waived solicitor-client. They said that the Prime Minister would not remove or waive cabinet confidentiality. The Prime Minister waived cabinet confidentiality. They said that there would not be enough time in committee for the former attorney general to speak or give her the time. The chair gave so much time and gave more rounds than I have ever seen on any committee. In fact, at the end, the member of Parliament for Vancouver Granville finally had to say that she thought committee members had asked all their questions and were being repetitive.

Then the members asked for the former principal secretary to the Prime Minister, Gerry Butts, to appear, and he is appearing.

Above all this, it shows a Prime Minister who is fearless, transparent, open, balanced and takes the lives of all Canadians into account.

I will remind Canadians what the Harper Conservatives did when committees requested people to appear, “men and women who did not sign up to be tried by a committee, to be humiliated and intimidated by members of Parliament.” Former Minister Paradis refused to appear about illegal lobbying by former Tory MP Rahim Jaffer. When Harper PMO director of communications, Dimitri Soudas, was asked to come before committee, the then Conservative Harper minister, John Baird, said, “The days when you call staffers into committee to beat up staff who can’t defend themselves are over.” The Conservative House leader confirmed that he insisted on political staffers not to appear.

Therefore, we will not let them decide if we are transparent. We will let Canadians decide which government is transparent and which is not.

● (2200)

Let me talk about my dad. My dad was an immigrant. He is a sawmill worker. He started in the chain and worked his way up to

being a lumber grader. He worked for a very large multinational B. C.-based company called MacMillan Bloedel, which was very similar to SNC-Lavalin. It was an iconic B.C. company employing thousands of employees, tens of thousands at its peak. He had a good job. He worked as a lumber grader before retiring.

If the executives of that company had breached laws and bribed and violated criminal codes, I would expect them to be prosecuted. I would want jail time, if necessary—period, full stop. Then if I found out that the entire company might be barred from working in Canada for 10 years, which would de facto shut it down and would even potentially have an impact on my father’s pension or job, depending on the time, I would be terrified. Would I be able to go to university? Would my father be able to pay the mortgage? What would I do?

Those would be the thoughts coming to my mind.

I would also be hoping—in fact, praying to God—that my prime minister would be looking into this situation. I would want to know that the government was making sure my father’s job and pension were secure.

I would also not want criminal acts to occur, and I would not want those responsible to be allowed to go on. I would want them removed, fined and put behind bars. However, I would also put pressure on my elected officials. I would put a lot of pressure through letter campaigns, email campaigns. I would have meetings with elected officials, the mayor and councillors of the town the mill was in. If I found out any MP was available, I would go to them. I would go to the prime minister if I could.

However, if I found out that the government would not listen, did not care or did not like pressure, I would be livid and disheartened. In fact, in the early 2000s, South Asian youth were being killed every week by gang violence. They were predominantly in south Vancouver, half of which is in the member for Vancouver Granville’s riding. I pleaded to my community leaders, senior police inspectors, sergeants and elected officials and asked them how we could stop this violence.

We went to the solicitor general of British Columbia, who was Rich Coleman at the time, and we lobbied him. We annoyed him. We called him to meetings and we used the press. We did everything we could, because young kids’ lives were at stake. Initially he said that his hands were tied and that the law would take its course, but the community persisted. It took more than 11 meetings and it took more than four months, but eventually the solicitor general agreed. He constituted the British Columbia Integrated Gang Task Force, which arrested and convicted dozens of people and made a major dent in the violence in south Vancouver among South Asian youth, but one thing I will tell the House is that the solicitor general never said that he felt too much pressure.

*S. O. 52*

Currently, this problem has increased in my riding of Surrey Centre. Do members want to hear about pressure? We had 5,000 people gather in a public square. We held 80-plus meetings with mayors, councillors, principals and ministers. I went to the public safety minister numerous times to tell him how imperative it was. He answered every time, and in fact announced \$326 million to fight gun and gang violence, with \$7.5 million for Surrey under the national crime prevention strategy. One thing he never said was that I put too much pressure.

To the NDP members, those are 10,000 union jobs. Those are people who work in British Columbia, Quebec and around the world, with over 1,000 in Ontario. There are even more pensioners. If they knew their leader, Jagmeet Singh, would never go to the Attorney General and go up to bat for them, I wonder how they would feel.

The justice committee is doing its great work, as is the Ethics Commissioner. Canadian citizens and constituents of my riding will decide whether this government is transparent, and there is no need for a public inquiry.

● (2205)

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, some members of this House have suggested that the former attorney general, in her testimony, said that nothing illegal was done. Some members of this House have suggested that the former attorney general said that no law was broken. That is simply not true.

What the former attorney general said in her testimony was this. In response to the question on whether the Criminal Code was broken when she was subject to all that pressure last autumn, the former attorney general said that she believed that the Criminal Code had not been contravened. She did not say that no law had been broken. She did not say that nothing illegal had happened. She made it clear that a constitutional convention had been violated, the Shawcross doctrine, and there is no law higher in this country than the Constitution of this country and the principles that it rests on.

**Mr. Randeep Sarai:** Mr. Speaker, let me reiterate that the former justice minister clearly stated there was no breach of the law. She clearly stated the Prime Minister never told her to with a “no, no, no.”

Let me remind you that this is what the director for public prosecutions, Kathleen Roussel, said just a week ago when she was asked if any undue pressure had ever come to her: “I am confident that our prosecutors, in this and every other case, exercise their discretion independently and free from any political or partisan consideration.”

**The Speaker:** I want to remind the hon. member to direct his comments to the Chair. It was not entirely clear when he said, “I want to remind you”. I guess he did not mean to remind me. That is fine.

The hon. member for North Okanagan—Shuswap.

**Mr. Mel Arnold (North Okanagan—Shuswap, CPC):** Mr. Speaker, what is truly disturbing tonight is seeing Liberal members across the way stand up, one after another, to defend corruption and political interference. Canadians from coast to coast to coast are

watching tonight. I know, because I have messages from members of my riding of North Okanagan—Shuswap, and they are absolutely appalled.

I want to ask this. How can these Liberal members stand up in this House of honour and clearly admit that they support putting jobs ahead of justice? Justice is what we are here for. That is what this House is about: justice in this country.

Can they defend that, or have they been too whipped themselves and are afraid they might suffer the same fate as the former attorney general?

**Mr. Randeep Sarai:** Mr. Speaker, I do not know what document or Hansard the member opposite has been reading, but the word “corruption” never came up once in the three-and-a-half-hour testimony of the former attorney general or anyone else. In fact, that has never been stated or even been alleged at all.

If the member opposite needs some assistance, I would be more than happy to read over the Hansard or any other transcript of the former attorney general or anyone else who has testified to see if the term “corruption” was ever used. Please do not put words in her mouth.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, that is the perfect segue for not putting words in someone's mouth. I know the hon. member was probably trying to paraphrase the question I asked yesterday at the justice committee, but the way I put it was very clear. I asked if there was a violation of the Criminal Code. I did not ask, as was reported here, if anything illegal had transpired. I agree with the interpretation of the hon. member for Wellington—Halton Hills. However, I want what I asked the former attorney general and how she answered to be clear on the record.

● (2210)

**Mr. Randeep Sarai:** Mr. Speaker, if the member felt that the Criminal Code had been violated or that any law had been breached, then the former attorney general had a duty to go before the RCMP and make that complaint herself. That was her duty. She was morally obligated to do so, and she has never done so. Even when she was asked, she said that none of that had been crossed. That was her job. If the former justice minister and attorney general thought that a law had been breached, then it was her job, her prerogative, to make sure that was enforced.

**Ms. Julie Dzerowicz (Davenport, Lib.):** Mr. Speaker, I appreciate the opportunity to speak in this very important emergency debate. This is an issue that is very important to the residents of my riding of Davenport, and indeed to all Canadians. I am glad we are here this evening. It is important for every member, for every party and for anyone who wants the chance to speak to be able to do so, because we are faced with a serious situation that concerns many Canadians.

*S. O. 52*

I am going to start by agreeing with something that the Minister of Foreign Affairs said so eloquently this morning on the radio. I agree with it completely. I believe that the member of Parliament for Vancouver Granville spoke her truth as she had wanted to at the justice committee yesterday. As an aside, I also want to personally very much say that I value the member of Parliament for Vancouver Granville. I value her as part of our caucus. I value her leadership on so many issues of importance to this government and I hold her in absolutely high regard.

Having said that, I am also in strong agreement that the Prime Minister would never have applied improper pressure, that the Prime Minister has always been very aware of and very clear on the unique role of the Attorney General and would never have exerted inappropriate pressure on the former attorney general. I also very much believe our Prime Minister when he says he completely disagrees with the characterization of events as stated by the member of Parliament for Vancouver Granville. I wanted to state this up front so it is very clear where I stand.

The rest of my time will be spent speaking to our government's efforts to focus on creating well-paying jobs for our families of today and tomorrow and also on how, even through the course of all of this going on over the last few weeks, we continue to remain focused on 37 million Canadians and making their lives better and making this country better. We will never lose sight of why we are here in this venerable chamber.

As our Prime Minister has said, our government will always stand up for Canadian workers and the importance of the rule of law. We will focus on jobs and growing the middle class and strengthening our economy.

In fact, our platform in 2015 set out our plan to create jobs and to help Canadians get the training they need to find and keep good jobs. Since November 2015, Canada has gained over 800,000 jobs, nearly three-quarters of which are full time. We know that job numbers fluctuate in the short term, and that is why we are focused on our long-term plan for economic growth and a stronger middle class, giving Canadians the support they need to find and keep good, well-paying jobs.

We are also proud that we have created over 70,000 Canada summer jobs. This is an enormous accomplishment that will give our youth the best start in their careers and their work life. This has amounted to a tripling of the amount of money we have spent on Canada summer jobs in my working-class riding of Davenport since we have come into office. It means a lot to the youth, and I know it will have a big impact on their lives.

Getting back to overall jobs, provincially the largest gains within Canada have been in Ontario, in British Columbia and also in Quebec over the last year. The three industries that saw the most growth in employment over the last year were utilities, with an 8.3% increase; transportation and warehousing, with almost 8%; and business, building and other support, with an almost 6% increase. The gains in employment were concentrated not only among youth aged 15 to 24 but also among men aged 55 and over.

Moreover, between January 2018 and January 2019, the average hourly wage among all workers increased by 2%. This is super-

important in ridings like Davenport in cities like Toronto, where the cost of living continues to increase. It is really great to see that we have success in terms of increasing wages.

There were of course discussions about the potential loss of 9,000 jobs in communities across the country, including the possible impact on pensions, in the SNC-Lavalin affair that has been dominating the news. It is the job of any prime minister to stand up for Canadian workers, and I would say it is the job of all parliamentarians to stand up for Canadian workers, for Canadian jobs and for our economy.

In her appearance before the Standing Committee on Justice and Human Rights, the former attorney general even confirmed that it is appropriate to discuss job impacts in this particular situation. There have been suggestions that this government only cares about jobs in Quebec, and this is absolutely not the case. We care about jobs right across the country, in every province and territory.

● (2215)

Indeed, it is important to note that SNC-Lavalin does not have offices only in Quebec. It has offices across Canada. In British Columbia, it has offices in Kelowna, Nanaimo, Nelson and Victoria. In Alberta, it has offices in Calgary, Fort McMurray, Edmonton and Grande Prairie. In Saskatchewan, it has offices in Regina and Saskatoon. In Ontario, it has offices in Sarnia, Toronto, London, Mississauga and Burlington. In Quebec, it has a number of locations: Gatineau, Laval, Longueuil, Montreal and Val-d'Or. In Newfoundland and Labrador, it has offices in Corner Brook and Mount Pearl. Finally, in Nova Scotia, it has offices in Antigonish and Halifax. The government rightly cares about any decision that impacts families, livelihoods, jobs and communities right across the country.

Let us not forget the impact of SNC-Lavalin on indirect jobs. We are not taking into consideration the many thousands of indirect jobs that are created by SNC-Lavalin in other industries that are at the heart of our economy.

Jobs matter not only as a way to ensure our livelihood but also as a way to contribute to our national tax base. This enables us to create programs like the highly successful Canada child benefit, which is the most significant public policy innovation since universal health care. It contributes to helping families with the high cost of raising their kids and to making a real difference in the lives of families in the middle class and those working hard to join it.

The new Canada child benefit, as we have said many times before, is simpler and tax-free, and it is targeted to income. It provides support to those who need it most. Nine in 10 Canadian families are better off under the new system, and receiving the single targeted benefit is helping to lift 300,000 children out of poverty. In addition, it helps middle-class parents buy their kids school supplies and sign them up for activities. We continue to hear from Canadians about the positive impact the Canada child benefit is having on their lives.

*S. O. 52*

Indeed, we have been hearing great news over the last few days from Stats Canada, which shows very clearly that in fact 800,000 Canadians have been lifted out of poverty since we came into government, with almost 300,000 fewer children living below the poverty line compared to—

**The Speaker:** The hon. opposition House leader is rising on a point of order.

**Hon. Candice Bergen:** Mr. Speaker, I would respectfully like to question the relevance to the debate of my hon. colleague's comments. At the very beginning of her speech, she very briefly mentioned what we are here to talk about, which is the interference at the highest levels of government by the Prime Minister to try to influence the former attorney general. Subsequent to that, she has not spoken about this important issue at all.

We are all here. It is late at night. This is an emergency. It is literally a crisis we are facing. I think she should be speaking to the topic at hand.

**The Speaker:** As the hon. opposition House leader knows, rules of relevance are not strictly enforced. Of course, I encourage members to try to bring their comments into relevance.

The hon. member for Davenport.

**Ms. Julie Dzerowicz:** Mr. Speaker, the health of our economy and the importance of jobs to this country is absolutely relevant to the issue at hand with respect to SNC-Lavalin. It is extremely important to understand the importance of SNC-Lavalin, how many jobs there are and what we are trying to do on the economy, which absolutely preoccupies this member and this government every single day. It is therefore important for Canadians to hear this.

Shifting back to why this is important for 37 million Canadians, a healthy economy is critical. Under our plan and all the initiatives our federal government has introduced, Canada is one of the best places to invest. Our corporate tax rate remains competitive. We have the lowest small business tax rate in the G7, and we have one of the strongest records of growth in the G7.

In our fall economic statement, we took further action to support business investment in Canada, drive innovation and encourage businesses to create more good, well-paying jobs for the middle class.

In the face of U.S. tax reforms, our government is taking action to support Canada's competitiveness and encourage businesses to create more good, well-paying jobs for the middle class. Our targeted, measured and fiscally responsible approach will support business investment in Canada; help make Canada the most globally connected economy in the world; make it easier for Canadian businesses to grow; help Canadian innovators add value, succeed and grow; and remove barriers to trade within Canada.

It is also important to note that given our government's focus on jobs, we have also taken a clear stance that unethical business practices should have no place in the Government of Canada's business dealings. We do not and we will not stand for it.

The fact is that corporate wrongdoing imposes significant economic and social costs. It also places barriers on our economic

growth and significantly increases the cost and risk of doing business. Additionally, it undermines public and investor confidence.

I want to assure Canadians that protecting the integrity of our public programs and services is one of our highest priorities. We have a robust and effective integrity regime that is run by Public Services and Procurement Canada. It helps foster ethical business practices, ensures due process for suppliers and upholds public trust in our dealings.

By ensuring that Canadian businesses continue to compete and succeed, we are building on our proven plan to grow the economy by investing in jobs for the middle class.

• (2220)

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Mr. Speaker, I, too, am disappointed to have to rise this evening to speak to this issue. When I arrived here in 2015, I attended the session for new members of Parliament. There were 200 of us who were new, and I was so excited, because everyone I talked to from every party said the same thing, that we were all here to work together collaboratively to make a better Canada. A better Canada is things like affordable housing, public pharmacare, affordable daycare and helping students with tuition fees.

My question for the member for Davenport, who I have a great deal of respect for, is this: Why will the government not just agree to a full public inquiry so we can get on with doing the business I know the people of Kootenay—Columbia sent me here to do and that the rest of us were sent here to do? Let us agree to a full public inquiry and let us get on with doing the things that are important to make a better Canada.

**Ms. Julie Dzerowicz:** Mr. Speaker, I have the great pleasure of serving with the member on the environment committee, and it is an honour to serve with him. He talks about transparency. I would say that we have done so in a number of ways. We have waived solicitor-client privilege and cabinet confidence so that the member for Vancouver Granville could speak to this issue at the justice committee.

I believe there is a very clear route for information to get out. We also have the Ethics Commissioner investigating this. He has absolute authority to compel witnesses under oath to speak as well as to have documents brought forward for the investigation.

Over the course of the next few weeks, we will have a lot of information. I think the best way for us to have a public inquiry is to have the public make a decision about the information they hear and make their own conclusions.

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, the member opposite gave a very long speech. I actually thought it was a budget speech in some parts, because she kept talking more about what the government has done rather than about the government intervening in the course of justice.



S. O. 52

It seems to me that the Liberal government has lost its moral compass, and it seems that many members are playing alongside. Men and women have fought and died for our Canadian way of life. They fought for democracy, and they fought for justice and the rule of law. They did not fight for jobs.

I would say to the government that if the thinking is that it is all about jobs, it is a moral hazard, because eventually, we are going to say which jobs. What signal is that sending to corporate Canada? It is saying that if they are big enough, they can do things that are wrong that contravene our international conventions, such as bribery of foreign officials and sex trafficking within this country. There is so much wrong with that.

The member has said in this place that it is okay, Canadians. We did it because we want to preserve those jobs. What is next? What signal does that send to Canadians? What signal does that send to our children? A government has to be grounded in values, and I am afraid that the government has lost all moral authority and that the member has lost her way. I hope she can find it again.

• (2225)

**Ms. Julie Dzerowicz:** Mr. Speaker, I believe that this government has very strong values that we continue to uphold every single day. We never forget why we are here. It is about 37 million Canadians. It is about making sure that we create a better life for them both today and tomorrow.

In terms of ethics and values in this case, our Prime Minister has steadfastly said that there has not been any inappropriate pressure ever applied. He has been very clear about the unique role of the Attorney General. The Prime Minister has disagreed with the characterization of the events as stated by the member of Parliament for Vancouver Granville.

In terms of jobs, I talked a lot about jobs, because it was important for me to state the importance of jobs in our economy in this debate. I do not think that is the only important element, but it is a key element that we need to keep in mind.

[*Translation*]

**Mr. Gérard Deltell (Louis-Saint-Laurent, CPC):** Mr. Speaker, I am pleased to say that I will be sharing my time with my hon. colleague, the member for Lakeland.

We are sitting until midnight this evening for an emergency debate because Canada is caught in a very serious constitutional crisis. Never before in recent history has a barely three-week-old scandal caused such turmoil in federal politics.

It started with the resignation of a high-ranking government minister and of the Prime Minister's principal adviser, and it is becoming increasingly clear that what happened was completely disrespectful and inappropriate in an esteemed parliamentary democracy like Canada. Unfortunately, the Prime Minister of Canada, the Prime Minister of all Canadians, literally jumped with both hands and feet into partisan political interference in a legal proceeding on a criminal matter. We are here this evening to speak out against these actions that are sure to offend anyone who believes in Canadian democracy.

What Canadians heard yesterday was not just a powerful testimony but a real political and judicial atomic bomb. The former attorney general of Canada lost her job barely a month and a half ago after being subject to four months of relentless, sustained and inappropriate pressure from the highest officials in the Canadian government, namely, the Prime Minister, the Minister of Finance, Canada's top civil servant and others. What happened is completely unacceptable. The former attorney general gave solid, straightforward, detailed and powerful testimony. I wish the best of luck to anyone who tries to contradict the specific details of her statements. Anyone who knows their history will remember John Dean. That is what this situation reminds me of. I will talk about him a little later.

Yesterday, the former attorney general, who lost her job for standing up for her principles, said that she was the target of consistent and sustained pressure. In her opinion, the government wanted to politically interfere with the office of the attorney general in the exercise of its power. She said that she was the victim of inappropriate attempts to obtain a remediation agreement and the victim of thinly veiled threats.

That was not some poor victim saying that; it was the former attorney general, the person responsible for this country's seals and the integrity of two legal systems. In a democracy like ours, words like those have serious consequences, all the more so because they were said by people who inappropriately and constantly pressured her for four months.

She said those people protested her decision not to proceed. She said no, her decision was made. Enough was enough and they had to stop.

Well, they did not stop.

She went on to say that various top-ranking individuals pressured her to take partisan political considerations into account.

The legal process must encompass everything but partisan politics. She began receiving thinly veiled threats relating to matters that had nothing at all to do with the public interest.

She was told that SNC-Lavalin would be moving six months before the election, that SNC-Lavalin was holding a board meeting, that a decision had to be made, that if the right decision was made, open letters would be released across Canada, that everything would be fine, that there could be informal contact if necessary.

To make things even more scandalous, Canada's highest-ranking public servant, the Clerk of the Privy Council, the country's top civil servant, spoke directly with the former attorney general, urging her to act and warning her that, one way or another, the Prime Minister of Canada would find a solution.

This is outrageous.

• (2230)

The most senior public servant made veiled threats against the former attorney general of Canada. That is indecent. I want to say this from my seat, right here in the House of Commons. Mr. Wernick has impugned the reputation of the senior public service. His part in this matter is appalling.

*S. O. 52*

The Liberals claim to be looking out for the workers but the truth is that the only job they care about is the Prime Minister's. The truth was revealed in one of the heavy-handed interactions with the former attorney general. The Prime Minister's senior adviser, Mr. Bouchard, told the former attorney general that they had to get re-elected. That is the horrible Liberal ugliness in all its wretched glory. All those people want is to be re-elected. They should be ashamed.

There was not just one meeting. A few days ago, I proudly stated how outrageous it was that the former attorney general had been pressured on three occasions. Now we learn that it was 10 times and that there were dozens of emails. There were 10 meetings and 10 telephone conversations where she was pressured. She also received dozens of emails from some very competent people. She nevertheless continued to uphold the law.

What happened? She was pressured hundreds of times by 11 people including the Prime Minister of Canada, the Minister of Finance, the top public servant in Canada, the chiefs of staff of all these fine people and their political advisers. These are all pretty smart people. If getting pounced on by the Prime Minister of Canada, the country's top public servant and the finance minister does not amount to inappropriate pressure, I do not know what does.

What is outrageous is that this happened so often in the Prime Minister's Office. If we had a real head of state as prime minister, and not a partisan leader, he would have put an end to those conversations immediately, indicating that they were in the Prime Minister's Office and not in the office of the leader of the Liberal Party, and that everyone must act correctly. However, that is not what the Prime Minister said. On the contrary, he added a partisan layer. He went on to say that he is the member for Papineau and that a provincial election was coming up in Quebec. The Prime Minister interfered, in a partisan manner, directly in the judicial process and in a criminal case. That is why we are calling for him to resign. What he did was unacceptable. He has disgraced the highest public office in this country.

I hear the Liberals saying they want to protect jobs, but there is a procedure for doing so, and they did not follow it. There are steps to follow and consultations and conversations to be had at the right time. Once the decision is taken, it is too late. Still, they continued to apply political pressure after the decision was taken. That is even worse. The decision was taken on September 4, and that is when the pressure began and it lasted until December.

I often hear people say that we have to think about the jobs. No one here wants people to lose their job. However, neither does anyone, not in Quebec or Canada, want these jobs to be protected illegally. There is a way of doing things, but the Liberal Party did their own thing.

When we talk about jobs I, am reminded of my time at the National Assembly of Quebec nine years ago. I was leader of the Action démocratique at the time. Along with colleagues like the late Sylvie Roy, current Minister Bonnardel, current Minister Caire, Marc Picard, Janvier Grondin, and others, we were the first to call for an inquiry into the construction industry. Some very high-ranking people called me to tell me to be careful because there were jobs at play and companies could go bankrupt over what I was calling for. However, we stood our ground because it is more important to do the

right thing than to engage in partisan politics. Sadly, this government chose the latter.

That is why this evening we are strongly condemning the Prime Minister's partisan actions as he interfered in the judicial process and in a criminal case just to get re-elected.

● (2235)

[*English*]

Shame on them.

[*Translation*]

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** Mr. Speaker, I listened to my hon. colleague's speech.

As a member of Parliament, I must say that I am surprised by what I heard today and what I have been hearing this evening. My hon. colleague says that he would not be prepared to fight tooth and nail if jobs were at stake in his riding. The Conservatives understand that, since they are not prepared to fight tooth and nail for jobs.

I must say that I am a little bit—

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

[*English*]

**The Assistant Deputy Speaker (Mr. Anthony Rota):** Order. I can stand here all night until you stay quiet, or we can continue. I will leave it up to all of you.

[*Translation*]

**Mr. Francis Drouin:** My hon. colleague spoke about political interference, but yesterday his own party leader engaged in political interference when he asked the RCMP to intervene in a matter for which it should be completely independent.

My colleague was a journalist in Quebec, and I want to ask him whether we should wait for all of the testimony to be heard before making a decision. Does he truly believe that a politician should intervene and call on the police to investigate?

**Mr. Gérard Deltell:** Mr. Speaker, the Liberals' hypocrisy has reared its ugly head.

First, I want to say that we are asking the RCMP to investigate so that we can get to the bottom of this matter. Then—

**Mr. Francis Drouin:** Politicians do not run the police.

**Mr. Gérard Deltell:** Running the police and asking a police officer to investigate is the Liberals' idea of this—

**Mr. Francis Drouin:** Mr. Speaker, I rise on a point of order.

The police in Canada are independent.

**The Assistant Deputy Speaker (Mr. Anthony Rota):** That is a matter of debate.

I will let the hon. member for Louis-Saint-Laurent continue. I am trying to listen to his answer.

**Mr. Gérard Deltell:** Mr. Speaker, if I were a Liberal member and I only had the opportunity to rise once every three months, I would find that unfortunate too, and I would make the most of it when I did get a chance to speak.

S. O. 52

For the past three weeks, the Conservatives and the NDP have been repeatedly asking for 10, 12 or 15 people to testify and give their side of the story. Every time, the Liberals, with their legendary hypocrisy, said that it was out of the question because it was a witch hunt. Now that they are in trouble, they are saying that it might not be a bad idea.

This morning, I heard the member for Shawinigan, an influential minister, say the most outrageous thing. He said that the last thing the government wanted was political interference. Unfortunately, there has been political interference for the past six months, political interference on the part of the Liberals.

• (2240)

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, the issue that we are talking about in the House this evening has to do with constitutional principles, which are more important than any company or individual. If we diminish any of the principles that are before us this evening, such as the rule of law in the Constitution, we risk diminishing the other rights and principles set out therein. We risk diminishing the rights and principles that protect minorities across Canada, that protect the French fact in Canada, that protect francophones across the country, particularly those outside Quebec. That is why the issue that is before us this evening is more important than a company or an individual. This is a constitutional crisis that has to be dealt with in the House and in committee.

**Mr. Gérard Deltell:** Mr. Speaker, I very much appreciate the comment, the speech and the science referenced by my colleague, who has a lot of expertise in this area and is helping Canadians better understand the situation.

This is indeed a constitutional crisis. It is unbelievable and unprecedented that the Prime Minister became personally involved, using partisan politics in its purest form, in the judicial process of a criminal case. There is a way to resolve this under the law, and the Liberals did not do that. They dragged their feet.

At the end of the day, it is important to respect the choices of people who have access to all the evidence and who, in their heart of hearts, without any partisanship, in an objective and neutral manner, assess a situation that must be subsequently approved by the attorney general. That is what happened in this case, and once the decision was taken, Liberal partisanship reared its ugly head and made the situation even worse.

If by some misfortune people lose their jobs, they should talk to the people from the Liberal Party who dragged their feet and did this all wrong. The law must be obeyed and jobs must be protected, but without flouting the law.

[English]

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, on February 12, the Prime Minister said he was “surprised and disappointed” in the former attorney general for resigning from cabinet. He also said, “The government of Canada did its job and to the clear public standards expected of it. If anybody felt differently, they had an obligation to raise that with me. No one, including [the former attorney general, whom he called by her first name], did that.”

The Prime Minister also publicly said, “At no time did I or my office direct the current or previous attorney general to make any particular decision in this matter.”

However, that stands in stark contrast to the former attorney general's testimony at the justice committee yesterday. She said, “For a period of approximately four months, between September and December of 2018, I experienced a consistent and sustained effort by many people within the government to seek to politically interfere in the exercise of prosecutorial discretion in my role as the Attorney General of Canada”. She said, “These events involved 11 people... from the Prime Minister's Office, the Privy Council Office and the office of the Minister of Finance.” She said there were “in-person conversations, telephone calls, emails and text messages”, and “approximately 10 phone calls and 10 meetings specifically about SNC” that she and her staff were a part of.

The timing is important. On September 4, the former attorney general was informed by the head of the arm's-length director of public prosecutions that the public prosecutor had decided to proceed with criminal charges against SNC-Lavalin.

On September 17, the Prime Minister brought up SNC Lavalin with the former attorney general. He admits this. She says she stated directly to him, “I had done my due diligence and had made up my mind on SNC and...I was not going to interfere with the decision of the director.”

She said that in response, the Prime Minister outlined concerns about the potential of SNC-Lavalin moving out of Canada if a prosecution proceeded, and that she was surprised when the Clerk of the Privy Council then started to make the case for a deferred prosecution agreement instead, which would require her to change her mind and interfere.

Here is where the former attorney general exposed the Prime Minister's real motivation. She said the clerk pointed out, “There is a board meeting on Thursday, September 20th, with stockholders,” and that “there is an election in Quebec soon”. She said, “At that point the Prime Minister jumped in, stressing that there is an election in Quebec and that 'I am an MP in Quebec, the member for Papineau.'”

The Liberals keep claiming that the Prime Minister's concerted pressure was a concern for jobs, but let us be real about what this is actually all about. It is that the Prime Minister will always put his political power and Liberal partisan interests ahead of principle, ahead of doing what is right and even, as we now all know, ahead of upholding the rule of law.

While hundreds of thousands of oil and gas workers across Canada, Albertans, auto workers in Oshawa and others, can be forgiven for asking why the heck he does not care about their jobs, his pressure on the former attorney general was not really about jobs in Quebec either. It was about his job.

Clearly, talking about the Quebec election and connecting his rationale to his riding, shows it is all about politics and power. I am pretty sure Quebecers do not really want the Prime Minister to use them and their jobs and their livelihoods as an excuse for his inappropriate behaviour and his lack of a moral compass, or as a spin tool for the crisis he has created either.

*S. O. 52*

However, his political considerations were repeatedly put to the former attorney general. The desk-book of the director of public prosecutions specifically excludes “possible political advantage or disadvantage to the government or any political group or party” as a deciding factor.

The former attorney general said that when she asked the Prime Minister directly whether he was politically interfering with her, he said, “No, no, no, we just need to find a solution.”

Two weeks after the decision was made by the arm's-length public prosecutor, the Prime Minister told the former attorney general that she needed to “find a solution”. What exactly is the Prime Minister's definition of direction if it is not telling his former attorney general, after she explicitly told him she was not going to interfere, that she still needed to “find a solution”?

The Prime Minister and all the Liberals acknowledge the pressure. They call it that themselves, and they do not dispute her accounts of these multiple meetings and calls and messages from multiple people. In fact, they all say it is normal, but the problem is that all those attempts are the violation. That is why all Canadians should be seized with the gravity of this unacceptable situation.

The Criminal Code says that everyone who wilfully attempts in any manner “to obstruct, pervert or defeat the course of justice is guilty”. It goes on to say that it is a crime to engage in any conduct with the intent to provoke “a state of fear” in “a justice system participant in order to impede him or her in the performance of his or her duties”.

While the former attorney general is clearly made of extraordinary mettle, she referenced her understandably high level of anxiety in the escalating barrage and veiled threats from the Prime Minister and powerful staff and the Clerk of the Privy Council, who all refused to take her no for an answer and repeatedly pushed her to reverse her own decision and to interfere with the public prosecutor.

• (2245)

Tellingly, none of these Liberals contradict the former attorney general's evidence, details or specifics. Over weeks, they suggested there were multiple versions of the truth. They blamed her, saying it was her perception, and she should have acted or said something differently. I guess she was wearing too short of a skirt. They demeaned her, they questioned her competence and they claimed she is difficult.

Even today, a Liberal MP said the former attorney general's concerns were from “a lack of experience”. I am sorry, but she is a lawyer and a former Crown prosecutor, so that is baloney, and that she is not “a team player”, which of course is a pretty standard job at any individual willing to go against a group covering each other's butts.

There's also this quote, “The way she's acting, I think she couldn't handle the stress”. Sorry, boys, but maybe he is going to accuse her of being on her period next. He said, “I think there's somebody else behind—maybe her father—pulling the strings.” I think we can all agree that she has demonstrated one thing for sure, she is nobody's puppet.

That member dutifully read an apology after he was forced to today, just like the Prime Minister's empty words that she should have said something about these kinds of attacks earlier, but let us call a spade a spade.

It is clear to all, except blind Liberal apologists, that the Prime Minister, the leader of these fake feminists, ganged up with others and spent four months, despite clear and repeated noes from the former attorney general to get her to say yes, and when she did not, he fired her, and then all the Liberals blamed her for it.

This whole awful spectacle is a pattern of saying one thing and doing another, of putting rich powerful cronies ahead of everyone else, of refusing to take personal responsibility and blaming others, of patronizing and attacking anyone who dares to question or disagree with them, of one standard for them and their fellow elites, and another for everyone else.

It is a culture set by the Prime Minister and it is pervasive. The SNC-Lavalin investigation is now the fifth Ethics Commissioner investigation into this Prime Minister, who is the first Prime Minister in Canadian history convicted for breaking Canada's ethics laws.

There is political interference on the Davie shipyard contract for Scott Brison's friend, and withholding documents in an investigation to try to scapegoat a senior distinguished officer in an attempt to cover it up.

There were attacks on the track record of, and interference in Canada's previously independent regulator to kill pipelines based on votes and politics in certain parts of the country.

The Liberals keep saying there is nothing to see here because the public prosecution is going ahead, and Canada's institutions are intact. However, that is not because of the Prime Minister. That is only because of the moral fortitude and the resolve of the former attorney general to defend the independence of those institutions, to uphold the rule of law and to resist the repeated, consistent attempts by the highest levels of the Liberal government to bully and intimidate her into interfering.

The former attorney general says the Clerk of the Privy Council told her, “I think he [the Prime Minister] is going to find a way to get it done, one way or another. He is in that kind of mood, and I wanted you to be aware of it.” He said that the Prime Minister was dug in, in a firm frame of mind, and he was not sure what was going to happen.

She said the Friday before the Prime Minister removed her as Attorney General, the clerk told her former deputy minister about the shuffle and that, “one of the first conversations the new minister will be expected to have with the Prime Minister would be on SNC-Lavalin, in other words, that the new minister would be prepared to speak to the Prime Minister on this file.”

This raises a fair question. What about the current Attorney General? What is happening now behind closed doors? Why has the Prime Minister blocked the former attorney general from talking about anything else that happened between when she was appointed veterans affairs minister and when she resigned?

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Today is February 28, and 35 years ago today, the Prime Minister's father, Pierre Elliott Trudeau took a long walk in the snow and made a decision.

The allegations against the current Prime Minister are very serious, shockingly so, and the entire senior leadership of the party is implicated in this culture of corruption: the Prime Minister; his closest two advisers, one who already resigned; the finance minister and his most senior advisers; even the Clerk of the Privy Council, the civil servant responsible for protecting and embodying the objective and non-partisan values and ethics for the entire civil service; and the current Attorney General.

The Prime Minister has lost the moral authority to govern. Canadians cannot have a Prime Minister who is willing to bend the law and bully others to bend the law for his own personal and political interest, and those of his rich, powerful buddies.

That is why Canadians need the police to investigate these serious allegations, and that is why the Prime Minister must resign.

• (2250)

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, the Leader of the Opposition and the leader of the Conservative Party has called for, if there is not already one, an investigation by the RCMP.

There have been a lot of opinions expressed from both sides tonight, but we need to appreciate the reason we have called for that investigation to be opened, if there is not one already. It is simply because if the RCMP discovers there is evidence of obstruction of justice, and an independent prosecutor agrees with that evidence and says it is in the public interest to carry forward, and in a court process that is independent of this place and independent of any power other than its own processes, a judge finds there to be an obstruction of justice, then it is a criminal offence, and those are the only people who should be saying it. I may have an opinion and lawyers may have a legal opinion, but until a judge actually gives a ruling, it will not happen.

Does the member support that verification through that process by an independent process?

**Mrs. Shannon Stubbs:** Mr. Speaker, that is exactly why the leader of Canada's Conservatives called for an independent investigation and for the RCMP to investigate exactly what has gone on.

It is not just the leader of the official opposition and Conservatives who are calling for this on behalf of all Canadians who care about the rule of law and the integrity of our institutions. In fact, five former attorneys general right across the country are asking for an investigation to commence. They say:

We, the undersigned, have served Canada as either federal or provincial Attorney General.

In our shared view, ordinary Canadians, who do not benefit from political connections, have been charged under these sections with much less evidence.

We are aware of media reports that the RCMP is seized with this matter. However, we write today to urge you to ensure that you use all resources at your disposal to fully and fairly investigate any potential criminality and provide Canadians with the truth in this crucial matter, as it strikes at the core of the rule of law and independence of our justice system.

Every single one of the Liberals who ran in the last election who go on and on about their respect for institutions and openness and transparency should all be ashamed. Every single one of them should be standing up and calling for the exact same thing.

• (2255)

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, Irwin Cotler, the well-respected former justice minister and attorney general spoke on the radio today, by way of analysis. I will quote him and it may take a little while, so please, bear with me.

It states, "There is an inherent tension between the two roles. As Minister of Justice, you are a member of cabinet with other ministers. You're bound by cabinet secrecy and cabinet solidarity, but as Attorney General you have to speak, to use her words, 'truth to power', and it may contradict with what some of the other ministers might feel. They then speak to you out of their political hats, but they don't always realize when they speak to you that you are wearing not only a political hat but that you are wearing also a legal hat. When it comes, as in the matter of prosecutions, there is another dimension of independence and the rule of law all bound up, so there are these psychological dynamics and you can have a situation where the people whom she spoke with, each of them may have felt that when they were speaking to her they were giving her information that they felt was important for her to know or to help her make up her mind. Yet when she experienced it coming from 10 different people, then she experienced it as being a concerted and sustained pressure, which she deemed to be inappropriate. So they may have felt they were acting in a proper manner from the point of view of intention, but the consequence ended up being felt by her as being inappropriate."

This points to a potential difference of perspective and I think the member should take it into account. If she's—

**The Assistant Deputy Speaker (Mr. Anthony Rota):** The hon. member for Lakeland.

**Mrs. Shannon Stubbs:** Mr. Speaker, I am confident that when Canadians observe all of this and, in their final judgment, decide whether they believe the Prime Minister with a pattern of interference, obfuscating, evasiveness, blaming others, changing a story over three weeks, and contradicting himself on nearly a daily basis, against the calm, concise, detailed, recorded, substantive testimony of an experienced lawyer, a well-known indigenous leader, the former attorney general, they are going to believe her. I think they are getting sick and tired of the Liberals blaming everybody else's perceptions and experiences for their own inappropriate behaviour and inability to do what is right.

[Translation]

**Mr. Rémi Massé (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, I will share my time with the member for Spadina—Fort York.

Under the Department of Justice Act, the Minister of Justice is also the Attorney General of Canada. The two positions are distinct, even though they are held by the same person.

*S. O. 52*

As the holder of both positions, the Minister of Justice and Attorney General of Canada has four main roles. First, the minister is the official legal adviser to the Government of Canada. Second, the minister is responsible for laws and policies relating to the justice portfolio. Third, the minister represents the Crown in all civil litigation. Fourth, the minister is the attorney general for all federal prosecutions.

The Minister of Justice is the official legal adviser to the Governor General and the legal expert in cabinet. As such, the minister of justice is responsible for ensuring that the administration of justice under federal jurisdiction is in accordance with the law. As Attorney General, that same minister is responsible for advising the heads of the several departments of the government on all matters of law connected with the departments.

Legal advice is always given independently. The legal advice of the Minister of Justice and Attorney General is based solely on the law, doctrine and applicable jurisprudence. The principles of law are the only relevant considerations when providing legal advice. That is part of the unique experience of the minister's mandate and of the department supporting him or her. Although the constitution of the client departments, agencies and sometimes other departments may be required to establish the facts, the context and underlying political objectives of the request for advice and the legal advice itself must be provided without partisan or political influence.

The Minister of Justice is also responsible for laws and policies relating to the justice portfolio. Like other ministers, when the justice minister creates a policy, he or she works closely with certain cabinet colleagues or the Privy Council Office to ensure that these initiatives are aligned with the government's legislative agenda. In accordance with the Department of Justice Act, the Attorney General of Canada is responsible for any litigation involving the Crown or the departments.

In the conduct of civil litigation, the Attorney General does not have exclusive decision-making power over litigation positions. In civil litigation, sifting through the available and viable legal arguments to determine the position to take in a given case often involves a high level of policy. In that sense, civil litigation is markedly different from criminal litigation.

The entire government is elected to determine what is in the public interest. The Attorney General is responsible for defending cabinet's public policy decisions before the civil courts, thereby helping the government to meet the objectives it was elected on. Provided these decisions seek to adopt a valid legal position, it is appropriate for the Attorney General to adopt such a position. If not, this could be perceived as a lack of solidarity with cabinet, an important aspect of the constitutional convention of collective ministerial responsibility to Parliament.

However, as far as his role in prosecutions is concerned, the Attorney General must act independently, not taking any orders from anyone, as an attorney general in England declared in 1925. More precisely, the Attorney General must act independently of partisan considerations. The Supreme Court determined that this was a fundamental constitutional principle of our democratic government.

Identifying those who need to be prosecuted for crimes and determining sentences should be based on evidence alone and on the proper administration of criminal law. However, it is advisable for the Attorney General to be informed of the relevant context. Let me repeat that because it is important: it is advisable for the Attorney General to be informed of the relevant context, including the potential consequences of a given prosecution. This may give rise to a need to discuss matters with colleagues.

In 2006, the Director of Public Prosecutions Act created an independent entity known as the Public Prosecution Service of Canada. The act enshrined the role of the Attorney General in federal prosecutions by giving the director of public prosecutions the power to initiate and conduct prosecutions. The director acts as the deputy attorney general of Canada when initiating and conducting federal prosecutions on behalf of the Attorney General.

● (2300)

In most cases, the Attorney General will not be involved in the decision-making process with respect to prosecution. However, the Director of Public Prosecutions Act requires the director to inform the Attorney General of any prosecution that raises important questions of general interest. The act therefore guarantees that the Attorney General will be informed of any important criminal matters, and nothing prevents the Attorney General from discussing them with his or her cabinet colleagues.

The Attorney General can issue directives to the director of public prosecutions that may be general or pertain to specific prosecutions. When a directive is issued, it is issued through a totally transparent process. It is published in the Canada Gazette and accessible to all Canadians.

As an aside, I would like to thank the public servants who work for the Canada Gazette. It is an important institution that has existed for 178 years. During my many years as a federal public servant, I had the good fortune of heading up the Canada Gazette for a few years. I am particularly proud of all the public servants who work there and who ensure that that institution remains vibrant and crucial to our democratic system.

**Some hon. members:** Hear, hear!

**Mr. Rémi Massé:** Mr. Speaker, they will be especially proud to hear this applause. I will go on.

A general directive must be preceded by a consultation with the director of public prosecutions. The Attorney General may, after consulting the director of public prosecutions, assume conduct of the prosecution. This is also done through a transparent process in which the Attorney General must publish a notice of intent to assume conduct of a prosecution in the Canada Gazette.

As far as obtaining comments from other individuals in the exercise of his or her power to issue directives or assume conduct of a prosecution under the Director of Public Prosecutions Act, it is appropriate for the Attorney General to consult his or her cabinet colleagues before exercising these powers. These consultations are often important, because they help the Attorney General understand points of view that are not limited to a specific case. However, the final decision to issue directives or assume conduct of a prosecution is up to the Attorney General. In any case, it is important that the Attorney General be able to consult his or her cabinet colleagues on matters related to prosecution, but that he or she not receive instructions on criminal matters from cabinet colleagues or anyone else.

The Supreme Court found that, in the course of his or her duties, the Attorney General acts in the public interest and is protected from the influence of political and other undue aggravating factors by the principle of independence. From the beginning, the Prime Minister has clearly stated that he and his staff always acted appropriately and professionally. As the Prime Minister said, we completely disagree with the former attorney general's characterization of events.

Our government will always focus on jobs, growing the middle class and strengthening our economy. That is an important aspect of this discussion, because we, on this side of the House, will always stand up for Canadian workers and job creation. That is what we are accomplishing with the agenda we have put in place. Over 800,000 jobs have been created over the past three years, and the unemployment rate is the lowest it has been in 40 years. In my riding, over 221 jobs have been created, which has created an important economic dynamic. We are very proud of that. Our objective has always been to defend jobs.

Obviously, the possible loss of 9,000 jobs in communities across Canada has come up in today's discussion, and it is the Prime Minister's job to always stand up for the interests of Canadian workers.

From the beginning, the Prime Minister has clearly stated that he and his staff always acted appropriately and professionally. As the Prime Minister said, we disagree with the former attorney general's characterization of events.

• (2305)

[English]

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Mr. Speaker, over the course of the evening we have heard about the varying levels of worthiness of former attorneys general. The member for Glengarry—Prescott—Russell exclaimed that the opinions of former attorneys general were not worthy to call out this scandal for what it was.

I would like to quote Michael Bryant, the former Liberal attorney general, who said in today's *Globe and Mail*, "Her testimony disclosed a constitutional crisis far worse than what I envisioned." He went on to say:

She says it was a bald attempt by the Prime Minister to exercise his cabinet-making power over her quasi-judicial authority. I am personally very familiar with the tactic, but have never seen evidence of it used on an attorney-general in this brazen, reckless fashion.

S. O. 52

Having heard from another attorney general and hopefully having been a Liberal worthy enough for recognition by the Liberal members opposite, does the member now believe that an RCMP investigation should be called?

[Translation]

**Mr. Rémi Massé:** Mr. Speaker, I want to tell the member opposite that in a democracy, it is important to engage in consultations and discussions before any decision is made.

Sometimes, on this side of the House, we have robust discussions, but these are important so that we can look at all of the facts and make an informed decision.

I think this is part of our job as members of Parliament, parliamentary secretaries or ministers to get a wide range of opinions. Some opinions are often more insistent than others, and this is how we are able to make informed decisions.

The answer to me is clear. In a situation like this, it makes sense to hold consultations and discussions to arrive at an informed decision. The former minister of justice and attorney general was clear when she testified before the Standing Committee on Justice and Human Rights. We never did anything illegal. Nothing illegal was done here.

• (2310)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I have a question for my colleague.

During our former attorney general's testimony, it was clear that she had made a decision based on section 13 notices. As members of Parliament, we do not have access to this notice, but our former attorney general clearly thought it was rational, clear and reasonable.

I do not see how anyone could expect her to act otherwise, given the independence of the attorney general at the Department of Justice. Her main role is to make decisions, and it is also up to her to determine whether it is reasonable.

This evening's debate raises a lot of concerns for me. How can anyone think she should hold broad consultations with Canadians? That is a legal question that falls under the purview of the Department of Justice and its officials.

**Mr. Rémi Massé:** Mr. Speaker, I would like to begin by saying that my colleague's French is excellent. She expresses herself very well in French and I would like to congratulate her.

As I was saying earlier, when the former attorney general testified, she stated that the Prime Minister told her that the decision was hers to make. That is important because it was up to her to make it.

She also stated that the staff of the Prime Minister's Office said that it did not want to cross any lines. She even added that it was appropriate to discuss any job impacts and to consider a series of factors. Ultimately, the former attorney general made the decision not to move forward and, in our view, it is clear that the law was obeyed at every step of the process.

*S. O. 52*

[English]

**Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.):** Mr. Speaker, I want to start by paying my respect to the member for Vancouver Granville. She is a colleague, a friend and someone whose principles I admire and whose determination to do the right thing we all can respect. We saw that on display yesterday. We have certainly seen it inside caucus for the time we have been in government and worked together.

It is important that in this process she be respected. She has fulfilled her duties and done them well. While the member for Vancouver Granville may have some new converts on the other side, those of us who have worked with her have known she has these principles and she has acted on principle throughout this entire situation.

I also want to note that we are discussing a matter which is in front of the courts still. SNC-Lavalin has been brought to court, as the public record shows, on some very serious charges. It is proper that those charges be adjudicated through the process in which it currently finds itself. It is important to note that those criminal proceedings are still happening. We often hear from the other side that somehow something has been suspended or something untoward has happened, but the reality is that the company is being held to account for practices for which it will have to answer.

When it comes to deferred prosecution agreements, the law that governs the use of these agreements is very clear. They are there to ensure that for people unassociated with the charges, damage is not done to them accidentally through a verdict and sentencing and that people are protected. It is important to protect people in the justice system, especially innocent people. The lives of thousands of people could be impacted by whatever decision is rendered in that court.

As part of the legal framework that governs the way in which courts have to respond to these charges, there is provision for the minister to intervene, once the public prosecution office has rendered a path forward. That is permissible under our laws, and we have had many members here stand today and talk about when and how that aspect of the law should be applied.

It is there because there other considerations. Responsible governments have to balance impacts at times. It is not that the Constitution and jobs are at conflict. It is that both have to be held with equal weight and in their proper place as the government moves forward.

Therefore, when we look at these cases, the other thing we know is that as the evidence is put on the record, as discovery is pursued, as lawyers talk, it is a fluid process. As we heard yesterday in the testimony from the former attorney general, even the lead prosecutor and the chief prosecutor all the way through this process were talking about what was the right course of action, based on evidence and offers from the other side. It is not a simple sequential thing where, once the chief prosecutor makes a decision, everything just falls into order. There are negotiations. There are conversations. There are moments in court. These things happen.

At the same time, the impact of a decision can also be measured differently as circumstances change around the case, as shareholder

meetings are held, as economic conditions and other court cases are rendered, as the health and strength of economies ebb and flow, as contracts are let and, in this case, as new infrastructure programs move forward. Therefore, it is not unusual for lawyers to talk back and forth. Nor is it unusual for government officials to talk back and forth about what the implications and the circumstances are and what the possible outcomes might be and the impact that they might have on Canadians. We have a responsibility to the Constitution and we have a responsibility to the law, but we also have a responsibility to ensure that the lives of Canadians are kept safe, especially the lives of innocent Canadian that could be impacted by a court decision like this.

Therefore, there is no final decision in this process. There is a series of evaluations that have to happen and those evaluations are right and proper, provided they are done within the framework of the law that governs deferred prosecution agreements.

● (2315)

It is not wrong for a government to be concerned about people's lives, about pensioners and the impact a decision might have on the viability of their pensions, and about municipalities that have contracted with the company involved and whether the projects they are involved in may stall, such as a water plant or, as we have in the case of Ottawa, an LRT that is being built. The people on those job sites also have a right to make sure that their innocence is protected through the decisions and impacts this government has carriage of, and the government does have carriage of it.

When we look at that, and we heard from some members from Quebec who were very eloquent about this, we have a responsibility to measure outcomes, to predict possibilities, to explore various outcomes and to make sure that the proceedings are kept within the boundaries of the law but at the same time are measured and thoughtful. That requires, from time to time, checking in with the Minister of Justice. It also requires the Minister of Justice checking in from time to time with cabinet colleagues, caucus colleagues and I would say members of Parliament. I do not think that is unexpected, unwarranted or wrong.

The issue then becomes how we balance this within the law. I think some of the members opposite have contributed to the debate and have deepened our understanding. I look to the member for Wellington—Halton Hills, who has had very reasonable and well-articulated arguments presented on the floor. The member for Saanich—Gulf Islands has done the same, as has our esteemed colleague from Victoria. We are being tested to make sure that we are doing the right thing in the right way, in the same way that the former justice minister assured us that she was trying to do the right thing in the right way.

Through all of this, the issue that now has been presented to us by the opposition is whether the Prime Minister should resign. Of course, he should not, because he too is doing his job. He is making sure that every outcome, every possibility and every impact is understood and that all decisions are being made in a fluid situation, in a very dynamic situation. That is what I expect of a prime minister in a country like Canada. I also expect those decisions to be tested by the opposition. They have been tonight and probably will be for days to come.



*S. O. 52*

However, in the end, the issue that I think defines this is the fact that the court case continues. Even if a deferred prosecution agreement is offered or materializes, if that is the decision of an independent prosecution office not directed by our government, because that is still an option for an independent prosecution office to make if that is the best way forward in its independent judgment, it is not a get-out-of-jail card for SNC-Lavalin. For an agreement to be entered into, there is still an acknowledgement of guilt. Otherwise, it cannot move forward. There are still punishments afforded that acknowledgement that must be lived up to. Otherwise, the deferred prosecution is no longer deferred and it is re-engaged. In other words, the criminal charge hangs over the accused company until such time as proper penalties have been paid, penalties that do not impact innocent Canadians, do not rob them of their jobs, take away pensions, collapse critical infrastructure, hurt communities or disrupt good, strong investments that have been made right across this country.

The issue that stands at the heart of this conversation is how we respect the law, how we balance the interests of innocent Canadians and protect them and how we are held to account by Parliament while we do that. I am confident that the government has done the right thing, that the former attorney general has done the right thing and that the Prime Minister has done the right thing. I agree that the opposition is doing its job holding us to account and making us explain the circumstances we find ourselves in.

The final point I will make is this. The former attorney general has done what she was asked to do, which was to make the decision she had to make and come to committee to be held accountable for it and explain it. This Parliament and this government are now in a position to figure out what the next steps are. I am prepared to be held to account as a member of this government, but I am also prepared to stand in support of my Prime Minister.

• (2320)

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, I have two points I would like to make.

The first is that while the pressure that was applied to the former attorney general this past autumn may have not crossed the line of the Criminal Code as she has indicated, it certainly is clear that it crossed a line of a much higher order and that is the line as it is embodied in our constitutional law, both written in the Constitution Acts of this country and the constitutional law as it is outlined in the unwritten conventions that govern the division of powers and the rule of law in this country. It is clear that this higher law was contravened over the course of the autumn as this relentless, sustained and prolonged pressure was put on the former attorney general.

The second quick point I want to make is that we in the House, on all sides, care about Canadian companies and care about Canadian jobs whether they are in Quebec or in Alberta. That is not the issue here at hand. The issue here at hand concerns the fundamental constitutional principles that govern this country. If we diminish those principles like the rule of law, we also diminish the other principles and conventions in the Constitution, principles that protect minorities in this country, principles that protect the French fact in this country, principles that protect French language minority rights in the rest of Canada and the rights of Francophones in the province

of Quebec. That is why the issue in front of us is so serious and so great.

• (2325)

**Mr. Adam Vaughan:** Mr. Speaker, I respect the argument that the member opposite is presenting but I disagree with two parts of it.

The first is the characterization of the conversations and the exchanges between members of this government and the former attorney general. Those characterizations, not necessarily in his speech but across the night tonight, have been exaggerated to extraordinary lengths. They are not the way she described them. They are the way the member's party has described them and they are different. Because they are different, I do not share them.

The second one is that the member opposite has offered an opinion and it is an important subject that he is offering an opinion on, but it is his opinion of the legal circumstances in this situation.

A member was speaking to me once about our caucus and the fact that we have 45 lawyers in our caucus who suddenly upon getting elected as MPs all became constitutional lawyers and experts in the Constitution. I appreciate that most lawyers are given that course in law school but the reality is that a legal opinion is a legal opinion. It is not a finding of fact. You may have come to a conclusion but that does not mean it is the right conclusion.

**The Assistant Deputy Speaker (Mr. Anthony Rota):** I just want to remind hon. members to make their questions or their comments through the Chair. The Speaker being perfectly neutral does not come to any conclusions other than what is in the books.

Questions and comments, the hon. member for Elmwood—Transcona.

**Mr. Daniel Blaikie (Elmwood—Transcona, NDP):** Mr. Speaker, I did listen attentively to the hon. member's speech. The main crux of his argument I think it would be fair to say is that the Prime Minister has a responsibility to look out for Canadian jobs. That is fair enough. I do not think anybody would dispute that the Prime Minister of Canada should be concerned about Canadian jobs but there are also other important principles at play, even in the legislation that lays out the possibility of establishing deferred prosecution agreements of the type that someone suggested SNC-Lavalin should get.

The legislation has a section "Factors not to consider" and that section reads:

Despite paragraph (2)(i), if the organization is alleged to have committed an offence under section 3 or 4 of the Corruption of Foreign Public Officials Act, the prosecutor must not consider the national economic interest, the potential effect on relations with a state other than Canada or the identity of the organization or individual involved.

Beyond that, it is up to the independent prosecutor to make that decision. The prosecutor made that determination. The former attorney general was clear that she had made a decision not to interfere with that, and the Prime Minister and his officials continued to pressure her to reverse that decision. That is the problem here and it goes beyond the Prime Minister's responsibility to be a defender of Canadian jobs.

*S. O. 52*

**Mr. Adam Vaughan:** Mr. Speaker, I was very clear that the considerations were innocent people and the consideration of those innocent people is a primary responsibility of the Prime Minister.

I also was, I hope, clear in saying that while there was a constant conversation, a series of conversations, 10 in person and 10 by email, about reconsidering, rethinking, getting different legal opinions and making sure that all of the information that was possibly there was there to be considered. That is not improper, and it is not improper for the Prime Minister to have to balance these competing interests.

Absolutely obey the law but considering all the options available under the law is equally an opportunity and responsibility given to the Prime Minister and to this government to make sure that a good decision is made in the right way within the boundaries as spelled out by the hon. member opposite.

**Mr. Daniel Blaikie (Elmwood—Transcona, NDP):** Mr. Speaker, we are here tonight to talk about a serious charge made by the former attorney general at committee yesterday. At committee she said, “For a period of approximately four months, between September and December of 2018, I experienced a consistent and sustained effort by many people within the government to seek to politically interfere in the exercise of prosecutorial discretion in my role as the Attorney General of Canada in an inappropriate effort to secure a deferred prosecution agreement with SNC-Lavalin.”

It is a pretty serious charge. At the heart of the charge is a company that employs many people—and we are grateful for good jobs in Canada—but that is not a free pass to do whatever the company would like.

This is a company whose boardroom has a checkered past. For instance, SNC-Lavalin has been banned by the World Bank from bidding on contracts for 10 years, after investigations revealed that it undertook bribery schemes in Bangladesh and Cambodia. As well, a former SNC-Lavalin executive recently pleaded guilty to breaking election laws to funnel tens of thousands of dollars into the coffers of both the Liberal and Conservative parties. It is a company that in 2011 was able to buy Atomic Energy of Canada's commercial operations for only \$15 million, including the plans to the CANDU reactor, and at the same time got a guarantee of \$75 million worth of contracts for the work, which more than pays for the price it paid for an important Canadian asset, the plans for the CANDU reactor.

Currently, SNC is part of a consortium that stands to benefit from a multi-billion-dollar capital project right here in downtown Ottawa, with the privatization of the operations of the heating and cooling plant that serves many buildings downtown, including the very building we are in right now.

Now we hear of political interference by the Prime Minister on that company's behalf—not for the workers, but to help SNC-Lavalin executives escape these criminal charges. I will have more to say on that further on in my remarks.

In response to the testimony we heard from the former attorney general that there was a sustained effort to pressure her inappropriately into changing her position, the NDP has called for the Prime Minister to waive cabinet confidence for the period after she was fired from the position of Attorney General but was still in

cabinet, because that was not waived and she was very clear at committee that there are elements to the story that bear on her ultimate decision to resign from cabinet that she is not able to tell because they continue to be covered under those confidences.

We have also asked that the justice committee hear from the 11 people the MP for Vancouver Granville named as part of the pressure campaign, who include the Prime Minister. Certainly he has details about what went on that Canadians would like to know and that are essential to being able to understand the nature of what transpired, so he ought to appear before committee.

We also called for a full public inquiry when the story broke some time ago, and we renewed our call because there are a lot of moving parts to this story. I do not think that comes as a surprise to anyone here. It seems there are new revelations almost every day. The scope of the current investigations is simply not adequate for the task of understanding the entirety of what is going on. Each investigation may bear important fruit in terms of figuring out a piece of the puzzle, but by no means can any one of the existing investigations tell the whole story. That is why it is important that we have a public inquiry.

Why is it important to get to the bottom of this? Anyone who has ever been pressured or bullied into doing something they thought was a bad idea probably has a sense of what is wrong with this picture, and anyone who has been pressured or bullied by someone in a position of authority over them will have an even better idea. Perhaps it is a supervisor at work who can terminate someone's position and take away their salary or a landlord who governs whether or not one someone can stay in an apartment unit. It could be a parole officer or a team coach. These are people someone in positions of authority. By and large, people who occupy those positions do a good job and are leaders in our community, but when people in those kinds of positions decide to abuse that power and authority, it is an awful feeling to be subject to it. It is ugly and it is wrong.

● (2330)

The allegation is that the Prime Minister, his principal secretary, his chief of staff and the Clerk of the Privy Council, who all have a lot of authority and power, did just such a thing. According to the former attorney general, as I said, they used that power to inappropriately pressure her to reverse a decision of the director of public prosecutions in order to get a corporation charged with bribery of public officials out of facing criminal charges. The Prime Minister wants to chalk that up to a difference in perspectives and he wants to put his word up against hers.

However, I think anyone who watched the testimony yesterday would have seen that the member for Vancouver Granville offered a calm, consistent, well-documented testimony and she embodied everything one would expect in a credible witness. I believe her testimony, and I encourage any Canadians listening at home to watch it for themselves if they have any doubt. While she and I disagree on a number of policy matters, and we have had disagreements in the House, I do respect her integrity. She has set an example for us all in the way she has conducted herself in a very difficult situation, and that example stands for all of us, whatever our political stripe.

The former attorney general was taking decisions that were hers to take. It was a decision not of the Prime Minister but of the former attorney general whether to negotiate a deferred prosecution agreement. When she said that she had made up her mind, the decision was taken.

It was not inappropriate initially for the Prime Minister to have some conversation with her about the economic impact of these things. That is part of good policy-making and good decision-making, frankly. However, when she said that she had considered those things and had made up her mind, that ought to have been the end of it.

However, we did not hear in her testimony that when the Prime Minister and various officials at the top levels of government kept coming back at her and her staff to try to convince them to change this decision, that they were presenting any new information. Perhaps if the Prime Minister would like to come to committee and testify, then he could tell us what new information he was offering her, but that is not what we have heard. We have heard that they were coming with similar arguments and veiled threats to get her to change her mind.

She stood up to the Prime Minister and his team for the sake of an important principle, which is the rule of law. Why is that important? The rule of law gives us rights. It is what protects us from egomaniacs and bullies that sometimes make it into positions of power.

As Canadians, we are entitled to a fair hearing and equal treatment before the law. We can contrast that with other places in the world today or in times past where people live or lived in fear of the whims of people at the top. We passed laws over time to build a system that protected Canadians from that kind of arbitrary treatment, but there is no law we can pass that can guarantee that forever. Protecting our rights, just like protecting our democracy, is a job that is never done and it is why moments like this are so important.

The rule of law and democracy also have an important cultural component. We have to build a culture of respect for rules and due process in our institutions if we want to safeguard democracy and the rule of law. The higher up the food chain one goes, the more power one has, the more important it is for democracy and the rule of law that one conducts oneself according to the highest ethical standard and in respect of those rules. The member for Vancouver Granville lived up to her duty in that regard, but based on her testimony yesterday, the Prime Minister and his team fell far short of that mark.

On December 5, in a meeting with the former PMO principal secretary, Gerry Butts, he is alleged by the former attorney general to have talked to her chief of staff about how the statute was set up by Harper and that he did not like the law, as if that were relevant. In a December 18 meeting, Gerry Butts and the PMO chief of staff, Katie Telford, told Jessica Prince in the former attorney general's office that a resolution to the DPA situation was necessary. He stated, "Jess, there is no solution here that does not involve some interference." Telford stated, "We don't want to debate legalities anymore." That is from the member for Vancouver Granville's testimony yesterday.

*S. O. 52*

In a December 19 phone call between the former attorney general and the Clerk of the Privy Council, the Clerk stated that "I think he", the Prime Minister, "is going to find a way to get it done, one way or another. He is in that kind of mood, and I wanted you to be aware of it." He also told the former attorney general that she did not want to be on a collision course with the Prime Minister.

For some reason, the Prime Minister felt that he could override the independence of the attorney general. Perhaps that should not come as a surprise. He was, after all, the first Canadian prime minister to be found guilty of ethics violations by the Conflict of Interest and Ethics Commissioner.

● (2335)

What about when KPMG ran into trouble? The Liberals were willing to cut a secret deal when KPMG was found to have devised a tax-dodging scheme. All KPMG had to do was pay the taxes it owed, without penalties. It got amnesty, and there was secrecy around most of the terms of its settlement.

This is the government that made a science out of cash-for-access fundraising, which has a whole world of ethical problems in and of itself, and it is something we have to watch out for, because a culture of entitlement like this can easily slip into habits of corruption.

That is why it is important to be vigilant. It is also why it is important to get to the bottom of what happened. It is why it is so important that the former attorney general be able to tell her full story. It is why it is important that the Prime Minister waive the rules of cabinet confidence not only for the period when she was the Attorney General, which has been done, but also for the period when she was the veterans affairs minister.

She made it clear in her testimony that there are things she cannot say about her ultimate decision to resign from cabinet because of something, presumably, like a conversation or something else, that happened between the time she took the job as veterans affairs minister and the time she resigned from cabinet.

It is also why it is so important that we have a full public inquiry and get to the bottom of what happened.

Having established the importance of the issue, I want to take some time to address some of the arguments I have heard from Liberal members in the chamber today.

They have said that the opposition should not be concerned about this because an investigation is happening at the justice committee. I respect that the justice committee has a job to do. However, I believe the scope of the study it has selected is already too narrow to capture everything that is going on. Within the scope of the study the committee selected, we will not get to the bottom of all the allegations that have come out from the testimony.

*S. O. 52*

As well, it needs to be said that there is a fundamental political conflict of interest in leaving that investigation to a committee that is dominated by Liberals, who have a clear political interest in ensuring that the problem goes away so that it does not ultimately hurt the Prime Minister. The fact that so many Liberals seem to be blind to that fact or do not really see a problem with that or understand why people would have legitimate concerns about the justice committee being the principal forum for getting to the bottom of this is very telling in terms of how the government got into this kind of trouble in the first place. Liberals do not seem able to identify these kinds of obvious, or at the very least apparent, conflicts.

When we pursue the highest ethical standards, as the Prime Minister told his ministers in his mandate letters he wanted to do and as he told Canadians he wanted to do in the 2015 election, apparent conflicts of interest are just as important as actual conflicts of interest. There is certainly an apparent conflict of interest when six Liberal members of Parliament are going to be the final adjudicators on what has happened in this case.

The Liberals have also said that since the Conflict of Interest and Ethics Commissioner is running an investigation, we should not be concerned. They say we should not have any extra questions, as he is going to decide everything. We are quite aware of that. In fact, it was the NDP Party that requested that investigation.

It is not that we do not have confidence in the commissioner and therefore want a public inquiry and it is not that we do not think there is some value to the investigation that is going on; it is that the commissioner's investigation is also limited in scope. It is limited by the very rules that set up the office of the commissioner and gave him his powers and responsibilities.

As such, there is no way his report is going to get to the bottom of all of what we have heard. These allegations of political interference fall outside the narrow scope given to the Conflict of Interest Commissioner, who only looks into conflicts of interest as they pertain to the direct financial interests of a member of the House. We will be interested to hear the conclusion of his investigation, but there is certainly a lot more going on here than that.

The Liberals also say that another reason we should not worry is that the director of public prosecutions has said that she made an independent decision. No one has ever doubted that she made an independent decision. The problem was not that somehow her decision was not independent; the problem was that after that decision was made, political actors, including the Prime Minister and those in his office, sought to reverse that decision. Furthermore, they did not just do it with a one-off conversation with the former attorney general. They coordinated a pressure campaign in order to try to reverse that decision.

That is the problem. Let us not see anyone get up to say that the director of public prosecutions made her decision independently. Of course she did. The question is whether someone else sought to overturn that decision for political reasons.

• (2340)

I have heard the Liberals stand up today and say that the Prime Minister told the former attorney general that it was her decision at the time, so there is nothing to see here and not to worry. I do not

doubt that he did. That is a pretty good way to cover his behind. I can believe that she even took him at his word at the time, which is what she said in testimony. When she was fired from the position, that probably changed her point of view about the conversation they had when she was told that it was really her decision and hers alone. When she made the decision the Prime Minister clearly did not want, she lost the job. That cast a whole new light on the conversations they had had up to then, which she reasonably may have thought were sincere.

We have also been told that we should be quiet, because the Prime Minister gave her a waiver on solicitor-client privilege and cabinet confidentiality. The thing that leaves out is the fact that the waiver on cabinet confidentiality does not cover the period when she was in cabinet between the time she was fired from her job as attorney general and took the job as the veterans affairs minister and when she chose to resign. She was very clear at committee that there are aspects of the story she is unable to tell. Presumably something happened in that period that made her change her mind. If we are going to get to the bottom of this, we need to know exactly what that was.

My colleague from Victoria presented a motion yesterday at committee simply asking that the justice committee request of the Prime Minister that cabinet confidentiality be waived. It does not have any power to compel the Prime Minister to waive it. I watched as each Liberal member of that committee voted the motion down and refused to at least ask the Prime Minister to take it upon himself to liberate the former attorney general to tell her full story.

I know I only have a few minutes left. I want to talk about the principal argument we have heard in this place in terms of the Liberals' defence, which is jobs, jobs, jobs and that they want to save the jobs. Everyone here has an interest in seeing Canadian employed, but that does not mean anything goes. It cannot be a get-out-of-jail-free card. It cannot be that if a company is big enough and employs enough people, it can bribe public officials and get off the hook. That is completely inappropriate.

Was it about the workers? Was it about the jobs? When we heard from the former attorney general that the Prime Minister was raising political concerns about the fact that he was the MP for Papineau and there was a Quebec election and something had to be done about this, it was not about the workers or their jobs. It was about the political interests of the Prime Minister and the Liberal Party. That is what it was about, and it had very little to do with the workers.

What could have been an option, which is something the Liberals are also pursuing, was reforming the integrity regime with the 10-year ban on contracts. In fact, it is an option they are pursuing. I dare say that this is the appropriate option, not looking at inappropriate pressure to abandon criminal charges but looking at the sanctions regime and maybe changing it. That is where the conversation should have happened. They have prejudiced and sullied that conversation, because no matter what they do now, it is going to look like they are exercising all the options and pulling out all the stops to help get SNC-Lavalin off the hook.

*S. O. 52*

The Minister of Public Services and Procurement was at committee yesterday. I asked her a simple question many times. I asked if she would say that the bribery of public officials is a serious offence and would be treated as a serious offence in the new integrity policy. She told me that the government does not have a position on the hierarchy of offences. That is what she said. As the minister who oversees the largest capital budget in government, she refused to say that she thought the bribery of public officials was a serious offence. I could not believe it. It is a testament to how deep the desire to help out this company goes in the government and how fearful people on the other benches are of doing anything that could undermine the interests of that company.

I hope I get a chance in questions and answers to talk a bit more about workers and the record of the government when it comes to workers. One of the first bills I saw passed in this place was Bill C-10, which was under time allocation and everything else. That was a bill to change the law to allow Air Canada to outsource its maintenance work for the aerospace industry out of the country. I have a few more examples, so hopefully I will have a chance to address them in questions and answers.

• (2345)

**Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.):** Mr. Speaker, I appreciate that when the focus is put on saving jobs instead of protecting people, it is an inappropriate way of phrasing the argument. I think we all understand that from the reading of the law.

I also categorically reject this phrase “get out of jail free”. A deferred prosecution agreement does not suspend a criminal charge. It defers the prosecution if the penalties are not adhered to. In other words, the charge stays and a settlement is negotiated. It is tantamount to a plea bargaining situation in a court, except that the difference here is that the charges are not discharged. They stay on the record. Every single one of the punishments that the party must submit to and admit to because of its guilt is part of the process.

There is no removal of the criminal process. There is no get out of jail free card contemplated in a deferred prosecution agreement. The member opposite has a responsibility to reflect that law properly, not to confuse Canadians.

• (2350)

**Mr. Daniel Blaikie:** Mr. Speaker, I also have a responsibility to represent the views of my constituents, who often find that when big companies and rich executives face criminal charges, whenever they get some kind of plea deal, while it may sound like a lot of money to people who are making \$30,000 or \$40,000 a year, everybody knows that what they get charged is a drop in a bucket. As far as they are concerned, it is a slap on the wrist, and in some cases they go on, continuing to do exactly the same kind of behaviour.

That is why the integrity regime was brought in. It was brought in to give teeth and meaningful consequences to corporations that, until then, were paying fines and getting slaps on the wrist. It was a decision to try to get serious about this kind of stuff, which we have to do if we want Canadian corporations to go out in the world and conduct business in the way that I think all Canadians expect and in a way that does not put the jobs and lives of the workers on the line.

That was a decision that was made at the corporate board table, and Canadian executives need to know that there is going to be punishments for that. If they know that and they start behaving, then we are not going to have situations where their bad behaviour puts the lives of others in jeopardy.

**Mr. Mel Arnold (North Okanagan—Shuswap, CPC):** Mr. Speaker, I appreciate the intervention from the member for Elmwood—Transcona tonight, and also the intervention, previously, from the member for Spadina—Fort York.

I want to combine the two of them actually, because the member for Spadina—Fort York initially started his intervention giving quite a bit of praise to the former attorney general, her credibility and the work she had done, and believed in what she had done. Then he also stated that he supported his Prime Minister. Then we turn to the member for Elmwood—Transcona, and he is talking about things being unbelievable here tonight.

I want to combine those two interventions, and ask the member for Elmwood—Transcona who is to be believed here. Is it the former attorney general or is it the Prime Minister who denies everything that she said in her testimony, very calmly, very collectively, with credibility and with backup? Who does the member think we should believe?

**Mr. Daniel Blaikie:** Mr. Speaker, I am always pleased to get up and speak in this place on behalf of the people in Elmwood—Transcona.

I watched a considerable amount of the testimony yesterday. I went down to the justice committee room because I was interested, and in part because I wanted to get a feel for the credibility of the witness. I have to say I was impressed, not just with her delivery but this is a person who is citing text messages and other documentation, who took copious notes, who is not flying by the seat of her pants on this, at all, but acting as we would expect of a professional of her calibre. It was an interesting contrast to see the Prime Minister at a press conference this morning, just kind of saying that he totally disagreed with her characterization of the events.

What I would like to know is what the Prime Minister can tell us that is different about those conversations. What are the other facts that she missed? He did not say, in such and such a meeting, he actually also said this, or he did not say that, or he said it with this tone. There was no effort at all to try to give Canadians any idea as to what was different about those events, such that we would prefer his account. In fact, we really do not have an account of those events from him, which is part of the problem, and why we want to see him appear at the justice committee and give his account of events so that they can be compared.

In the absence of the Prime Minister providing that, we have a really credible witness who was well prepared and gave a very believable story. I do not see any reason to believe the Prime Minister over her until he offers us a lot more.

*S. O. 52*

• (2355)

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Mr. Speaker, for the last five hours tonight, everyone has been expressing their disappointment at having to be here to discuss this. What Canadians really want to know is the truth and they want a process they can believe in that leads us to the truth. We have heard a lot of interpretations of testimony depending on which side of the floor we are sitting.

What is the best way to get at the truth and give Canadians a sense of confidence that the process will lead to the truth?

**Mr. Daniel Blaikie:** Mr. Speaker, I think the answer is pretty obvious. It is to have a full public inquiry. We need someone who is independent to investigate these matters. We have the Ethics Commissioner who is doing some of that, but under a very limited scope. We need an independent investigator who has a broad mandate to chase down all the different leads, corners and twists and turns that this story has taken. Only if we have that are people going to be satisfied that we are getting to the bottom of what is going on and that we are getting the truth.

Trying to distract from the need for a public inquiry to get to that truth, using jobs as an excuse not to get to the bottom of what happened is a mistake and it is a little hard to take from a party that I watched ram through a bill to help outsource the maintenance work of Air Canada workers. It is a party that railroaded workers with back-to-work legislation. They were on a simple rotating strike, going out just a few days a month. The Liberals said that it was a crisis and they had to legislate them back to work.

This is a government that has done damage to workers not just by commission, but by omission, by rolling over when GM said it was going to shut down an award-winning productive plant and move that work out of the country. It is a government that stood silent while a Crown corporation ordered a whole bunch of railcars from a German company to be produced in the United States instead of requiring any percentage of Canadian content.

It is a government that still, after years of promising, has refused to change the legislative regime to protect the pensions of workers when their company has gone bankrupt. I am thinking of Sears, of Stelco workers and others who have watched their pensions disappear.

If we want to talk about jobs, I would be happy to have a whole other debate about jobs and what the government could do to save a lot of jobs and save the pensions of a lot of Canadians. The fact is

that it is not happening and these jobs came up to cover what Liberals were doing for their corporate buddies in a board room.

[*Translation*]

**Mrs. Eva Nassif (Vimy, Lib.):** Mr. Speaker, thank God that we live in a country governed by the rule of law.

I am not a lawyer, but after everything I have heard from the members opposite, I find that it is healthy to listen to debates in our democratic institutions.

Having said that, I have a question for the member from Elmwood—Transcona.

Does he not think it would be wise to wait for what the Conflict of Interest and Ethics Commissioner has to say? Should we not wait to hear the testimony of witnesses who appear before the Standing Committee on Justice and Human Rights before jumping to conclusions or making assumptions about what they have to say?

SNC-Lavalin is one of the most renowned engineering firms in the world. It provides 9,000 direct jobs in Canada. I said “direct” because there are also 30,000 indirect jobs, with 3,500 in Quebec. In my riding, Vimy, which is in Laval, hundreds of jobs will be lost if we do not entertain a remediation agreement for SNC-Lavalin.

Does he not think that makes sense?

**Mr. Daniel Blaikie:** Mr. Speaker, the concerns I talked about were raised to justify a public inquiry.

A public inquiry will give us answers to these questions. I do not think we should wait for the commissioner to complete his investigation because we already know his mandate is too narrow to cover all the issues. We want to know what he has to say, but we already know he will not be able to answer all the questions due to his limited mandate. We therefore want a public inquiry to get answers to all the questions.

Testimony that may be given before the Standing Committee on Justice and Human Rights, though it is not guaranteed, can also be given in the context of a public inquiry.

• (2400)

**The Assistant Deputy Speaker (Mr. Anthony Rota):** It being midnight, the motion that the House do now adjourn is deemed to have been adopted. Accordingly the House stands adjourned until later this day at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 12 a.m.)







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