



HOUSE OF COMMONS  
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CANADA

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OFFICIAL REPORT  
(HANSARD)

**Monday, May 6, 2019**

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**Speaker: The Honourable Geoff Regan**

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# HOUSE OF COMMONS

Monday, May 6, 2019

The House met at 11 a.m.

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*Prayer*

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## PRIVATE MEMBERS' BUSINESS

• (1105)

[*Translation*]

### CANADA ELECTIONS ACT

The House resumed from February 21 consideration of the motion that Bill C-406, An Act to amend the Canada Elections Act (foreign contributions), be read the second time and referred to a committee.

**The Speaker:** Before we resume debate, I will inform the hon. member for Mégantic—L'Érable that he has six minutes and 15 seconds remaining for his speech.

The hon. member for Mégantic—L'Érable.

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Mr. Speaker, I would like to start with a little background. Bill C-406, which was introduced by my colleague from Red Deer—Lacombe, seeks to prohibit foreign companies, organizations and countries from participating in Canada's electoral debate. It complements Bill C-76, which has been studied by the House and by the other place.

I think everyone can agree that Canada's elections need to be decided by Canadians. Voting is important. It gives Canadians a means to express themselves and choose their leaders for the next few years as well as their vision for the country.

Sadly, over the past few years, we have seen a growing trend of foreign entities attempting to influence the electoral process in Canada. It happened in 2015, and it will happen again in 2019 unless something is done. That is why I salute my colleague from Red Deer—Lacombe for his foresight in introducing Bill C-406 to counteract that foreign influence.

Jean-Pierre Kingsley, Canada's chief electoral officer from 1990 to 2007, was very clear. He summed up nicely why we must not allow foreign organizations to influence our elections in Canada. He said:

We simply cannot allow any kind of money that is not Canadian to find its way into the Canadian electoral system... A general election is a national event, it's not an international event and foreign interests have no place and for them to have found a back door like this, that is not acceptable to Canadians.

Former Canadian Security Intelligence Service director and national security adviser Richard Fadden confirmed that it was very likely that foreign countries had attempted to influence the 2015 general election.

Here are a few examples of what happened. The Tides Foundation, which is based in the United States, donated more than \$1.5 million to numerous different third party organizations in Canada. Leadnow, one such third party organization that was one of the most active third parties in the last election, attributes more than 17% of its funding to foreign sources. That is unacceptable. How can we tolerate people doing indirectly what they are not allowed to do directly? That is exactly the kind of foreign influence that Bill C-406 seeks to prevent.

Recently, the Minister of Foreign Affairs commented to the media about the risk of foreign interference in the upcoming election:

We are very concerned. Our judgment is that interference is very likely and we think there have probably already been efforts by malign foreign actors to disrupt our democracy.

She noted that various foreign bodies have attempted to interfere, and we know of several examples. The Prime Minister himself said that, over the past number of years, we have seen an increase in the interference or the implication of foreign actors in democratic processes using divisive social media campaigns. He added the following:

The election that's coming up in six months will be decided by Canadians. We're going to work very hard with all the intelligence communities and our partners around the world to ensure that our democracies stay strong for all the different voices that express themselves within it.

The government has an opportunity to work not with security intelligence agencies but with the official opposition to make a decision about eliminating the possibility of foreign actors interfering in our system.

It is great to see what is happening on social media and to fight fake news, but Bill C-406 gives us an opportunity to take direct and immediate action before the next election and to make sure that money raised outside the election period will not be used during the upcoming election campaign. This is an urgent matter because we do not want the outcome of our country's election next October to be swayed by foreign interests.

*Private Members' Business*

At the request of one of our colleagues, the member for St. Albert—Edmonton, the Commissioner of Canada Elections did investigate the matter of foreign entities trying to influence our elections. My colleague noted that pursuant to subsection 359(4) of the act, there is no requirement for a registered third party to report to Elections Canada funds used for election advertising if those funds were received outside the period beginning six months before the issue of the writ and ending on election day.

This is a serious loophole that must be corrected, and that is why I am reaching out to the government, just as it reached out to security intelligence agencies, to ensure that we can all work together to prevent foreign entities from exerting any influence whatsoever on the upcoming October 21 election.

I urge the government to help move this bill through for further study at committee. Once again, I thank my colleague from Red Deer—Lacombe for his excellent work in identifying this loophole, on behalf of all Canadians who believe in our democracy.

• (1110)

[English]

**Mr. Chris Bittle (St. Catharines, Lib.):** Madam Speaker, I am pleased to rise today on the second reading of debate of Bill C-406. This bill was introduced by the member for Red Deer—Lacombe in June 2018, and seeks to amend the Canada Elections Act to prohibit foreign contributions to third parties for election advertising purposes.

This bill is no longer necessary, as our government has taken important steps in solving that issue that Bill C-406 seeks to address. For context, in June 2017, the Standing Committee on Legal and Constitutional Affairs in the Senate issued a report entitled “Controlling Foreign Influence in Canadian Elections”, which expressed concern that the Canada Elections Act “does not sufficiently protect [Canadians] from improper foreign interference” and argued that the third party election advertising regime needed to be modernized to ensure transparency and fairness.

Additionally, the Communications Security Establishment has a new report entitled “2019 Update: Cyber Threats to Canada's Democratic Process”. It concluded that it is “very likely that Canadian voters will encounter...foreign cyber interference [ahead of and during] the 2019 general election”.

Bill C-406 is part of a broader conversation regarding the role of money in Canadian politics and the potential for foreign actors to influence Canadian elections. Our government takes this issue very seriously. We understand the importance of ensuring a level playing field in our elections and protecting Canadians from foreign interference.

We are taking a whole-of-government approach to protecting the integrity of Canada's democracy by implementing initiatives to defend the Canadian electoral process from hacking and malicious cyber-activities. That is why our government announced, on January 30, the Government of Canada's plan to safeguard Canada's 2019 election. This plan is built on four pillars: combatting foreign interference, strengthening organizational readiness, encouraging social media platforms to act and enhancing citizen preparedness.

Furthermore, we have three world-leading front-line security agencies that constantly adapt to an evolving threat environment.

Canada has a robust political financing regime informed by decades of reform and regulation, but we recognize that we are not immune to these threats and have made it even stronger. Our government has taken further steps to protect our elections by passing Bill C-76, Elections Modernization Act, which received royal assent late last year. The act is a generational change to Canada's electoral legislation and draws on inspiration from the recommendations of the Chief Electoral Officer, the commissioner of Canada elections, studies by the Standing Committee on Procedure and House Affairs and the Standing Senate Committee on Legal and Constitutional Affairs, as well as stakeholder engagement.

As part of her mandate, the Minister of Democratic Institutions reviewed spending limits for both political parties and third parties. This review also examined third party financing and the potential impacts of foreign contributions and interference in Canada. As such, Bill C-76 already addresses many of the same issues that Bill C-406 is trying to solve, which makes the measures proposed by the member for Red Deer—Lacombe unnecessary.

With the passage of Bill C-76, foreign entities will no longer be able to spend any money to influence federal elections, and third parties are now prohibited from using foreign funds for their partisan activities and advertising, irrespective of when it is taking place. This is key. It means that even outside of the pre-writ and writ periods, no one is allowed to use foreign funds to support partisan activities and advertising.

Bill C-76 goes further, as all registered third parties are now required to have a Canadian bank account, and any organization, online or offline, that sells advertising space is now prohibited from knowingly running advertisements paid for by a foreign entity. The investigatory powers of the commissioner of Canada elections have also been enhanced so that he has more tools to do his job of ensuring the integrity of our elections.

This is a bit self-serving, as I am a member of the Standing Committee on Procedure and House Affairs, but I would like to thank the members of that committee for their study of the Chief Electoral Officer's recommendations and Bill C-76. Our electoral system, because of that work, is more secure, transparent and protected from undue foreign influence.

Furthermore, while the spirit of Bill C-406 is laudable, the mechanisms outlined in this legislation would largely be ineffective.

• (1115)

Instead, we took a more pragmatic approach. Bill C-76 would prohibit Canadian third parties from using foreign contributions. With Bill C-76, we developed a more comprehensive and workable regime to support our common interests, which is to ensure that Canadian elections are for and by Canadians.

*Private Members' Business*

In a previous session, we noted drafting errors in Bill C-406 that make the provisions difficult to enforce. Bill C-406 refers to subsection 363(1.1) of the Canada Elections Act, which is a provision that does not exist either in the act or in Bill C-76.

Bill C-406 would also create two new prohibitions on foreign contributions but neglects to enact corresponding offences, which would lead to significant enforcement difficulties. The two must go hand in hand, and they are absent in this legislation.

Additionally, Bill C-406 misplaces the new rules regarding third party election advertising, putting them in part 18 of the Canada Elections Act, the part that deals with financial administration of political entities, and not in part 17 of the act, which deals with third party election advertising.

Bill C-76 better addresses the problems Bill C-406 is trying to resolve.

I want to thank the member for Red Deer—Lacombe for his continued efforts in addressing the important discussion of foreign interference in our elections.

As a side note, I hope he takes these concerns to the office of the Leader of the Opposition, because we have heard troubling reports of secret meetings behind closed doors with big oil and reports of the Conservatives' ties to the United States and to the Koch brothers. We do not hear that in the speeches by the hon. members on the other side.

Now there is a lot of discussion. I think I have touched a nerve in expressing the concerns from Canadians that the Conservative Party is engaging with foreign actors. That should be worrisome to all Canadians.

I hope members on the other side will take the opportunity to speak to their leader's office and condemn those actions. There is laughter, and I do not know why, as this is a serious issue. I guess the hon. members enjoy their relationship with the Koch brothers.

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

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would like to remind members of the official opposition that someone else has the floor. When they have the opportunity to make their speeches, they will be able to put their points and comments forward.

The hon. member for St. Catharines has two minutes left.

**Mr. Chris Bittle:** Madam Speaker, I was at committee during the lengthy deliberations of the bill, and we heard about the actions of Leadnow, but it was interesting that the Conservative members never brought up the NRA, oil companies in the United States or the association of petroleum producers in the United States. They also never mentioned the Koch brothers, whom they seek to tie themselves with. This is, again, a shocking development.

**An hon. member:** Enjoy it while it lasts, because you're going down.

**Mr. Chris Bittle:** The members opposite are trying to shout me down. It is disappointing to hear that they do not take this threat seriously. They will tell their donors that they condemn Leadnow, but they are involved in foreign entities.

**An hon. member:** You're misleading the House right now.

**Mr. Chris Bittle:** Madam Speaker, this is unfortunate—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order. I just want to remind members of the official opposition one more time that somebody else has the floor. They will have an opportunity to make a speech in this debate. I hope they will wait until it is their turn to make a speech and allow the member to put his points across without any disruption.

The hon. member for St. Catharines.

• (1120)

**Mr. Chris Bittle:** Madam Speaker, apparently I have touched a nerve. It seems that the Conservatives themselves are concerned about this practice within their own party, which is why they are heckling.

I know that the hon. members sitting here want to do right by the Canadian people and want a fair election. Again, I call upon them to ask the Leader of the Opposition to condemn these actions and distance themselves for the Koch brothers. That would be best for Canadian democracy.

**Mr. Ziad Aboultaif (Edmonton Manning, CPC):** Madam Speaker, in light of the words of the member for St. Catharines, always when we open fire on others, we have to understand that if people have a house made of glass, they do not throw stones. This is what happened with the government side. The Tides Foundation's fingerprints are everywhere in the last election and that situation continues now. This is not a time to start pointing fingers at one another.

Bill C-406 is a great example addressing the need to strengthen our system and our democracy in order to be able to protect our system from any manipulation and any interference from the other side. I was hoping that the member for St. Catharines from the government side would have taken this opportunity to appreciate the notion of the bill and what it intends to do as it is coming from the official opposition, our Conservative Party.

I am very pleased to rise today and speak to the legislation of my colleague, the member for Red Deer—Lacombe. Bill C-406, an act to amend the Canada Elections Act with regard to foreign contributions, which, if passed, would prohibit foreign entities from contributing funds to Canadian third party groups for election advertising.

This legislation is not only vitally important but is also very timely. With the next election just around the corner, this legislation is a way that we can take a tangible step to safeguard our democracy from foreign actors looking to insert themselves into our democratic process for malicious and self-serving reasons.

The world has been changing rapidly, and we now know without a shadow of a doubt that there those who are trying to undermine the political systems of democracies across the world. There are people and organizations out there that want to attack our political system and the freedom that it represents. With all the technologies that have been developed over the past decade, their access has been greater.

*Private Members' Business*

The time when only complex state actors can interfere is over. Small organizations can have a significant impact. The Minister of Foreign Affairs and the Minister of Democratic Institutions have made it clear that they are expecting foreign actors to try to interfere.

As Canadians, we have a duty to combat this, but I believe that the onus on us as parliamentarians is even greater, and I look forward to voting in favour of this legislation and encourage my colleagues on all sides of the House to support it. This is a call to the government to stop playing politics with useful bills and start supporting those bills that are going to enhance our democracy and our democratic systems.

We all know why this legislation is important. Canadian elections should be decided by Canadians. It is fundamental to our political system. Bill C-406 would change the Canada Elections Act to prohibit foreign entities from donating to third parties for the purpose of advertising.

In terms of who it prevents from contributing, it uses the criteria already previously established in the act. If those contributions are made to a third party for political advertising, the official representative of that third party will have an obligation to return contributions, unused, to the contributor. If that is not possible, the same amount of the contribution or the equivalent value of it, if it is not monetary, must be paid to the Receiver General. All these things must be done within 30 days of determining that the contribution was ineligible.

This is very reasonable and will prevent a repeat of what occurred in the last election, when money was funnelled in from outside the country, largely the United States, to swing ridings in an attempt to affect our election outcome and put in place a government that these groups felt would better advance their interests.

• (1125)

Regardless of which party was the beneficiary of such underhanded efforts in the past, all members of the House have a responsibility to ensure that they do not occur again.

As an Albertan, I must admit that I am particularly outraged by this sort of tactic, as our province has been harmed by these types of tactics in the past. We know that corporate actors in the United States have been having long been funding anti-resource development groups in Canada to try to prevent responsible resource extraction in Canada. While I believe that many of the people here in Canada benefiting from this arrangement are generally engaged and concerned Canadians whose opinions are valid and important in increasing the quality of the national dialogue on these important issues, the fact is that millions are being pumped in by our international competitors to derail our industry and increase the profits of foreign corporations, which has been an issue for years.

We often hear people question why certain activists target the Canadian oil sands but remain silent on the industry in places like Saudi Arabia, Iran or Venezuela, where there are concerns about not only the environmental impact but also about labour rights and the complete lack of commitment to fundamental human rights more broadly. I believe that this is one of the main reasons, because behind the scenes, backers do not necessarily have much common ground with the groups they are funding. They are merely using them as a

means to an end to advance their business interests, and they are far more concerned about preventing us from getting fair value for our resources than in addressing the issues of climate change or the denial of human rights by the world's worst offenders.

What they have been doing to attack the resource industry is not unlike what they are doing to our elections. Foreign funds have already had an impact on the last election. Some organizations have bragged about flipping dozens of swing ridings in 2015, despite the fact that they received funding from abroad for their activities. It has been well documented, and we have a duty to combat it. Therefore, I believe Bill C-406 is an excellent next step.

The first steps have been taken by the government in Bill C-76, and there are some who have suggested that Bill C-76 makes this bill redundant, such as the member for St. Catharines, who suggests we reject it completely. However, while Bill C-76 prevents the use of foreign funds for advertising, Bill C-406 would prevent a third party from accepting the funds in the first place. This is an important distinction between the two bills.

When we have potentially malicious organizations trying to undermine our electoral systems, the standard should be strengthened. Canada has weak prohibitions on foreign interference, and it is time to change this situation. Changing the standard to not allow organizations to accept funds in the first place will help prevent any uncertainty about compliance for domestic third parties here in Canada and for foreign entities elsewhere.

Protecting against this sort of uncertainty and confusion is important not just because of the value that we place on our democratic institutions and the integrity of our elections, but also from a national unity standpoint. We do not have to make the same mistakes as our allies and other established democracies in order to learn from them. Our friends and neighbours to the south continue to have an extremely important conversation and continue to investigate various levels of interference in their recent elections.

As many members in the House well know, the interference ranges from alleged direct Russian interference with the president's campaign to social media troll farms and shell organizations creating competing events in close proximity to each other with the hope of sparking conflict. We must learn from these serious matters and implement safeguards in our system in order to help prevent divisive problems of that magnitude in our society and the erosion of confidence in our institutions that would come from them.

• (1130)

We have a prime example of how harmful these types of incidents can be to our national unity and respectful public discourse. I think we can all agree that it is better for us to work to prevent them in the first place than to try to sort it out afterwards.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, I begin this debate with a slight bias, because the author is a friend from Red Deer—Lacombe and my wife is from Red Deer, so initially I started off wanting to support the bill, because all good things come from Red Deer, generally speaking. This might unfortunately be the exception to that rule. I am unable to support the bill, for a couple of important reasons.

*Private Members' Business*

I hope my Conservative friends who worry about foreign interference can understand how foreign interference, in its full measure, impacts our democracy and how it fully involves itself in the hearts and minds of Canadians over such important issues. Big pharma is certainly involved, as are multinational oil companies, the banking sector and so forth.

Let us start with what this bill attempts to do, which is to minimize or eliminate the effects of foreign money on Canadian elections. It is a laudable goal, in part accomplished by the government's much-delayed and much-amended election bill, Bill C-76, yet there is a conspiracy the bill is trying to address, which is the following.

As the former prime minister of Canada, Stephen Harper, said, there are foreign-funded radicals. These foreign foundations, particularly in the United States, all have environmental agendas, "agendas" being a neutral word I suppose, to try to fight climate change. The conspiracy rolls out that these foreign foundations then seek to block oil pipelines to China in order to keep oil at a cheaper rate for American consumers. To follow that again, foundations that are established to fight climate change and bring about environmental initiatives are fighting for lower oil prices for American consumers.

There are two fundamental flaws in this conspiratorial logic, if we want to call it logic. The first is that Americans are net exporters of oil. The second is, why would somebody fighting climate change seek to have lower oil prices? Under this conspiracy theory, the same groups that advocate for a price on carbon and for less use of oil in our society are advocating for more and cheaper oil, going only to the United States and not to China. The conspiracy falls apart almost immediately, because those who are advocating, Ms. Krause and others, are also funded not by foreign foundations but by oil companies. They claim to be unbiased, neutral and just good Canadians, with their hearts on their sleeves, who are talking about what is important to them and their families while taking money from oil companies all along the way.

Let us look at what the bill attempts to do. I would argue that there is a flaw in the writing of the bill, in that it addresses only political advertising. Advertising is an important part of what happens in campaigns, but certainly we as elected people know that a campaign manifests itself in part through advertising on social media or newspapers and radio, but a large part of what happens in campaigning is door to door, community events and educational material. All of that is curiously excluded from this bill, and I do not fully understand why it would be absent.

The most dramatic flaw is that the bill only seeks to go after foreign foundations but exempts all companies that "carry on business in Canada". One would think that this must mean a Canadian business, wholly owned and operated within Canada, maybe with subsidiaries in other countries. However, that is not actually the definition of "business" under the act. A business is anybody who carries on a business in Canada. That can be a single worker in a single office of a multinational pharmaceutical company, oil company, bank or whatever. That qualifies under this bill to be exempted. That business, which is carrying on business in Canada, is able to donate to advertising and education campaigns. One might ask why they are going after the charities.

If we recall the previous government, I must take umbrage with what the last colleague from the Conservatives said. I believe he was criticizing environmental groups for not being critical enough of foreign governments, such as Saudi Arabia, Iran and whatnot. This is coming from the same government that sold Saudi Arabia tanks, light armoured vehicles that were weaponized and used to suppress democratic rights in Yemen. Therefore, it is a bit much for the Conservatives to say the environmental groups are not doing enough to criticize Saudi Arabia, when this is coming from the same Conservatives who sold it tanks. Sure, criticism is warranted and necessary, but enabling the Saudis to kill people seems to me a higher order of severity and certainly shows itself to be hypocrisy, coming from members of the opposition who were then government.

• (1135)

Here is a fundamental problem that I have, and we have seen this on the ground in northern B.C., which I represent. We have had many debates over pipelines. At one point, we had 23 LNG pipelines proposed across my region. We had one significant diluted bitumen pipeline proposed to go from Alberta all the way through two coastlines and 1,100 streams and rivers into Kitimat, down the Douglas Channel, allegedly, and then off to China, supposedly. Therefore, we have had our fair share of debate. We have had our share of environmental conversations, the jobs-versus-economy/ jobs-and-economy debate. We have seen it on the ground.

The example I will use is the one closest to us, which was this entire debate around Enbridge northern gateway. This is a debate that occurred in my region of the world for about a dozen years, at least. It started to heat up and had a focal point in the long campaign over a plebiscite, a vote that was being conducted in the district of Kitimat, in the city of Kitimat itself, where the terminus was meant to be located. This was the first time in Canadian history that I am aware of when a community held a referendum or a vote on a major industrial project: Do we want this oil pipeline, and the terminus and tankers associated with it, to go ahead, yes or no?

For those who have not been to Kitimat, British Columbia, this is a town where the district side was built entirely for industrial purposes. It was initiated some 60 years ago as a planned community by Alcan, now Rio Tinto. It was a planned community to support a smelter. The Province of British Columbia essentially gave the company a river to dam and then use as very cheap power to smelt aluminum and create an entire industrial complex. Therefore, if there is any town in British Columbia, if not in Canada, that is pro-industry, one would say it is Kitimat. It has had many large industrial-type projects and it is quite proud of them.

*Private Members' Business*

This was the vote being held. On one side was a small group of local volunteers called the Douglas Channel Watch. These would be, in the conspiracy world of some of my colleagues, the foreign-funded folks. The grand total the group spent on the referendum was \$875.

On the other side was Enbridge northern gateway, a subsidiary of Enbridge but the same company. It had raised, follow the numbers, \$100 million to support and lobby for its pipeline, from 10 different upstream and downstream oil companies, many of them Chinese. That is \$100 million to promote one pipeline. It was not to build it. It was not for construction costs, engineering, science or anthropological work, but just for promotion. Leading up to the referendum, the company was flying in employees from all over the place. They took out advertisements in every single newspaper along our highway, all the way through to Alberta, talking about how important this vote was, even though the vote was taking place only in one town. There were full-page ads, colour ads, radio advertisements, and on and on it went.

Therefore, if anyone is talking about an unfair conversation about a Canadian democratic choice, this was it. There were millions of dollars being spent on one side from foreign sources, which would remain legal under this bill that the Conservatives have proposed. On the other side, there was a locally funded charity that was having bake sales in order to have flyers so the organizers could go door to door and talk to people about the vote that was coming.

Despite all of that, the referendum passed against this pipeline, the terminus and the tankers, because the people in Kitimat said that where they live, a diluted bitumen pipeline and the supertankers associated with it, sailing down the Douglas Channel performing three 90-degree turns through some of the worst and most dangerous water in North America out to China, is not a good proposal for them, and that the risk versus benefit was not worth it. Therefore, they took the vote despite the lopsided campaign that had been initiated.

If the Conservatives actually want to get at the heart of this, and we think it is laudable to try to distance ourselves, remove ourselves, inoculate ourselves from foreign influence when we are having a democratic election, referendum or general election of any kind, we agree. However, it has to be equal to both sides. We cannot simply go after environmental groups because Conservatives just do not like them, meanwhile turning a blind eye to the corporate sector, which has vastly larger sums of money available and has deep interests that go beyond a single election and a single referendum into many decades.

We would encourage our Conservative colleagues to come to the fulsome debate and level the playing field in our debates. Let us shut off all foreign influence, absolutely, but let us do it on behalf of all Canadians, not just on behalf of those we happen to like.

● (1140)

Last thing, the Conservatives I know in Alberta, and Albertans in general, are not victims. They are good, hard-working people. This bill points to them as somehow being victims of some foreign influence.

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Madam Speaker, it is my pleasure to rise in support of this bill from my colleague, the

member for Red Deer—Lacombe. We are getting toward the end of the second hour on this bill. I want to take a few moments and just engage and maybe deal with some of the strange things that have been said and that have come up in this debate, even so far this morning.

First, I always find it a bit ironic or strange when members of this House rise on a bill and say, “Well, we sort of agree” or “We certainly think the goal of the bill is good or at least has some merit”, but then they go on to talk about a whole series of things that are not related to the subject matter of the bill, complaining that the bill does not address these other things.

Let us be clear about the purpose of this bill. This bill's purpose is to get foreign money out of politics in Canada. That is what this bill was tabled to do. That is the question that we are going to be voting on in this House.

We may talk about a variety of other things. We might want to have a debate on another day about the relative power of Canadian businesses. That is a separate topic. It is not a reason to vote against a bill, if members believe that the bill addresses an actual problem in our country.

For a member to rise and say, “I agree with the member for Red Deer—Lacombe that we should not have foreign money in politics, but I am going to vote against his bill because it does not address Canadian funding by lobbyists for a particular policy position”, that is not a good reason to vote against this bill.

I would encourage all members of this House to support this bill for what it does and not hold against the bill other things that members would like to see another bill address.

I want to go back to some of the truly ridiculous things that the member for St. Catharines said, and there is no way to say it any more politely than that, to somehow suggest that the Conservative Party is in cahoots with the Koch brothers or the NRA. These are absurd conspiracy theory proposals from the other side.



*Private Members' Business*

What is not a conspiracy theory is that there are foreign entities that attempt to influence the outcome of Canadian elections. This is not a conspiracy. These organizations brag about their success on their own websites. That there are these groups out there, like the Tides Foundation, trying to influence the outcome of the Canadian election cannot be characterized as some Conservative conspiracy theory. Of course they are trying to influence the outcome of the Canadian election. That is exactly what they say they are doing, and they take credit for their success in doing so, on their own websites. I understand this has changed a little now, thanks to the work of Vivian Crouse, who has sort of untangled the money train on these matters. They talked about the Harper project and actually bragged about how they targeted specific ridings and sent money into Canadian third parties, like Leadnow, among others, which then sent canvassers into the ridings.

My friend, the member for Skeena—Bulkley Valley, talked about advertising not being everything, and indeed he is correct. The ground game is very important, too. These groups supplied ground game to candidates who they thought would be most likely to defeat the previous government's candidate in that riding. They were successful. They have boasted of their success on their own websites to generate further support from foreigners to support their initiatives in Canada.

● (1145)

How can this be a conspiracy? These people are shouting from the rooftops that this is what their agenda and goals are: to landlock Alberta's oil and gas and prevent Conservatives from winning elections in Canada.

This bill is very simple. It would prevent third parties in Canada from participating in advertising if they accept foreign money. It is plain and simple. It would go beyond and actually fix a problem that Liberals have paid lip service to in debate but that their bill, Bill C-76, would not solve.

Under Bill C-76, there is no ability for Elections Canada to audit and ensure the segregation of funds in order to ensure a third party that participates in advertising and accepts foreign money does not use the money from the foreign source for that purpose. At best, Bill C-76 is lip service to the problem, which the Liberals acknowledge in their speeches but not with their votes in the chamber to support the bill from the member for Red Deer—Lacombe.

Again, it is disingenuous to say that one is concerned about the problem of foreign third party funding of election activity in Canada and then to not support this member's bill.

To the more technical points, the member for St. Catharines noted the time and date when this bill was tabled and the issues around Bill C-76 and how it was amended at committee since then. That is not a reason to vote against the bill. Vote for this bill and get it to committee, and if there are some incongruities that have to be addressed to make it compatible with the correct changes necessary to Bill C-76, that is what committee work is for.

I am going to end it at that and perhaps allow other members to speak on this bill. I urge all members to vote for this bill, and let us get it to committee and get a proper regime in place to keep foreign funding out of elections.

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Madam Speaker, I thank my colleague from Red Deer—Lacombe for bringing this important piece of legislation forward and for speaking on this issue.

I would like to expand a little and talk about the “so what?”. We talk about money in foreign interference, but we do not really talk about why it matters and so what. To get to that, we have to go back to first principles. Why do we have a democracy? Why does democracy matter to Canadians? What are the pillars that are the foundations of that democracy that we must uphold in order to have a structure and a sound system?

The most important aspect of a democracy is that it is the people who make the decisions around the future direction of their nation. Sovereignty means that we the citizens of Canada, and we alone, have the ability to choose the future of our nation and to shape that direction. To be able to make an informed choice as citizens in what we want to see as the future direction of our nation, we have to have sound information: information that provides both sides of the story, information that comes from Canadians and is not overwhelmed by a foreign agenda that may or may not be in the best interests of the nation.

Today, with the Internet, advertising and all of these other mechanisms, money can overwhelm the information that gets to Canadians. As a result, Canadians do not have access to all of the information in balance to be able to make an informed decision. When Canadians do not have the information to make an informed decision, then the very nature of our democracy is compromised because of the structure of the information that Canadians are getting to make those choices.

Therefore, as legislators, as lawmakers and as those who are entrusted with that sacred responsibility to enable Canadians to shape the future direction of the nation, we must look at mechanisms to be able to ensure that balanced and informed information is given to Canadians to make decisions, and not those that are completely overwhelmed by money and foreign agenda without Canadians even recognizing that there are hidden agendas at play, as my hon. colleague so clearly and effectively pointed out. There are organizations outside of the nation whose websites clearly say that their purpose is to further their agenda not the agenda of what is in the best interests of Canada.

While there are many things that the bill would not do, there are many things that it would do. It is not valid to say that we are not going to do anything because this one piece of proposed legislation is not perfect and does not have the full plethora of things we need to do to address this problem. What the bill would do, most importantly, is take that critical first step.

*Private Members' Business*

The bill says that there is a problem in Canada with foreign interference and money that is able to disproportionately influence and inform Canadians, in a bad way, so that they are not in a position to make decisions that are in the best interests of Canada. If we define that we have a problem, then the second thing is that the bill would take a critical first step to addressing that problem. It would also allow us to have a much broader conversation about all of the other pillars and solutions that we need to look at in order to fully understand the complexity of how Canadians are getting the information and the breadth of the problem. We can then ensure that Canadians can take back the decisions about their nation and that we can maintain our sovereignty, which is our ability alone, as Canadians, to make decisions in the best interests of the nation.

• (1150)

To say that it is not achieving all the things that we need it to achieve and therefore we cannot support it going forward, I completely agree is fundamentally flawed and disingenuous because we have to accept that we have a problem, that we need to take critical steps—this is a critical first step—and that we need to open up a very important conversation about understanding just how broad this problem is and just how we might be able to address it, because those who would further their agenda have big bucks, great incentive and all kinds of means at their disposal.

At the moment, they are more in the driver's seat than Canadians are, to be able to influence where Canada goes. This is something that all of us should be fundamentally concerned about, and that is why this is such an important piece of legislation being brought to the House today. We must support it and we must support cybersecurity, information security, elections monitoring and all those other things to ensure that the power of the future direction of the nation and the structure of the information that our citizens have to make clear, concise and informed decisions about the future direction of the nation rests in the hands of Canadians and Canadians' best interests, not in the hands of foreign actors who benefit perhaps from things that are not in the best interests of Canada.

That is a very drastic perspective to have to have. It is a very frightening prospect that we think we are making decisions as Canadian citizens when we vote. We think that we have the right information to make those decisions. It is very disconcerting to think that perhaps we do not. It is all the more reason to inform Canadians about how they may be being manipulated or influenced by information and actors who have different agendas than we in Canada do.

Perhaps that is the reason that the opposition does not want to support this motion. No one really wants to have come face to face with the prospect that we are not necessarily informed and able to shape the future direction of our nation. Sometimes we do not want to admit that there is a problem because of the possibilities of undermining the confidence of Canadians in the Liberal government.

To do that would not be in the best interests of the government or of Canadians in general. That is why we are so honoured to have this opportunity in front of us, because of the incredible importance of being able to address those things that need to be fixed such as money, elections and cybersecurity. Are our economic structures at

risk? Are our financial structures at risk? Are our resources and our ability to get our resources to market at risk? Also, we are not making investments in our mining industry. What other aspects of Canadian society are at risk because of the manipulation of the information that we have from foreign money?

Are there other countries that benefit from our not getting our goods and services to market, other countries that benefit by our not investing in defence, other countries that are benefiting from our being dependent on their oil or their natural resources? All of those things are critical questions we must ask.

That is what the debate has done today, and we must have the courage to take meaningful action. That first step in meaningful action is for everyone in the House to support this very important motion on foreign interference. I thank the member for Red Deer—Lacombe for giving us the opportunity to have the debate, to bring it forward and to make Canadians understand just how critically important this is and what is at risk if we do not address it.

• (1155)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Resuming debate.

The hon. member for Red Deer—Lacombe has five minutes for right of reply.

**Mr. Blaine Calkins (Red Deer—Lacombe, CPC):** Madam Speaker, first of all, I want to thank all my colleagues in this House for taking the opportunity to speak to this bill. I do not agree with all the information I have heard, but I appreciate the fact that we have had the debate.

I must take umbrage with some of the arguments that have been used against this piece of legislation. We have heard opposition MPs say that this bill is extrajudicial and would cause problems and that we cannot enforce this law outside our borders. That is simply not true. This is actually about registered third parties inside Canada and whether they accept money from overseas. That is a simple thing to do. There is no extrajudicial or extraterritorial component to this piece of legislation, because it deals with the Canada Elections Act and registered third parties in Canada.

As for the penalties, I have heard it suggested that there is no penalty section. There is a catch-all penalty provision in every piece of legislation. There does not need to be. It is just a red herring thrown in. There do not need to be any specific penalties laid out because the general catch-all provisions in the Canada Elections Act for penalties are already there.

Speakers talked about whether Bill C-76 addresses this problem. It clearly does not. Bill C-76 does not address this problem, because it actually continues to allow third parties to receive foreign funding from foreign entities, be they state actors, individuals, corporations or other third party organizations registered as charitable organizations elsewhere in the world. What it requires is that if that money is actually used for an election purpose, an investigation has to be conducted by the election officials. At that particular time, one cannot sort out the molecules of where the money actually came from, just as one cannot sort out the molecules of what oil patch the gasoline in one's car came from. One cannot sort that stuff out at that point.

*Government Orders*

Bill C-76 actually allows backdoor financing from state actors, corporations that are not registered or are not conducting business in Canada, individuals, foundations and organizations to influence Canadian elections, especially in election advertising in the pre-writ and writ periods. That is the period leading up to an election and the period of the election itself.

Why on earth would we have laws that say that only Canadian individuals are allowed to donate to political parties for the purpose of an election and then allow unions and corporate interests and other interests outside our country to fund third parties during an election in Canada to change the results, the results, by the way, that organizations like Leadnow proudly display in their campaigns?

Is Leadnow, as a Canadian organization, allowed to engage in the politics of Canada? Of course it is. All my bill is saying is that if it makes the choice to take that money from outside Canada's borders, it cannot use it anymore. It cannot be allowed to participate in the election game, because it is not fair. If it cannot convince Canadians to donate to its cause and take part in what it is trying to do, it should not be allowed to justify the ends by means of getting money from outside Canada's borders.

It is not just small groups of individuals at bake sales. Leadnow, Tides and others are using things like the Yellowstone to Yukon conservation initiative or things like the PNCIMA initiative to have massive amounts of foreign money coming into British Columbia and the eastern slopes of Alberta to block pipeline projects. It is disingenuous for the member for Skeena—Bulkley Valley to say that it is a couple of people and a bake sale trying to stop a pipeline. It is simply not true. It is maybe one story out of 100 about foreign money influencing that pipeline project.

This bill, Bill C-406, is a good piece of legislation. It basically says that if one is going to get involved in the election, one should know in advance that if one takes money from outside the country, one will not be allowed to play in the game anymore, because it is cheating. It is cheating because elections belong to Canadians. Only Canadians should be allowed, with their opinions, with their information and with their money, to decide the fate of our country.

One can only assume, then, why other political parties in here would not have the patriotic sense of duty to ensure that our elections are free, fair and only conducted in the realm of the Canadian intellectual space, the economic space and the debate space we have during these elections. One can only assume that if members vote against this legislation, it is because they are willing to use any means possible to justify whatever ends they want. That means that they are willing to sell Canada's soul down the road for a little bit of money to pay for an election campaign.

Every time the rules are circumvented, trust and confidence are eroded. If we are going to have trust and confidence in our electoral process, we should send a signal loud and clear to the Canadian people that we are not putting up with it anymore by voting in favour of Bill C-406.

• (1200)

[*Translation*]

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

• (1205)

[*English*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Pursuant to Standing Order 93, a recorded division stands deferred until Wednesday, May 8, 2019, immediately before the time provided for private members' business.

**Mr. Darshan Singh Kang:** Madam Speaker, I rise on a point of order. It is with respect to the complaint made against me by one of my office staff.

I have consistently maintained that my intentions and contact have been proper and honourable. These are the values I live my life by. However, if any of my actions have unintentionally caused difficulty for any person, I am sorry. I sincerely apologize.

I strongly believe in the integrity of the House, and I accept the high standards that all members must abide by. With all due respect, I will continue to serve this chamber and my constituents to the best of my ability.

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## GOVERNMENT ORDERS

[*English*]

### CRIMINAL RECORDS ACT

The House resumed from April 8 consideration of the motion that Bill C-93, An Act to provide no-cost, expedited record suspensions for simple possession of cannabis, be read the second time and referred to a committee.

**Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.):** Madam Speaker, I will be splitting my time with the member for Charleswood—St. James—Assiniboia—Headingley.

*Government Orders*

Colleagues, 50 years ago, the eminent astronomer Carl Sagan wrote an article under the pseudonym Mr. X. He wrote about cannabis, noting that “the illegality of cannabis is outrageous”. He said, on legalization specifically, “I hope that time isn’t too distant”.

That was 50 years ago.

I am going to start by commending and recognizing the progress we have made. If someone had asked me five or 10 years ago whether I would see cannabis legalized in my lifetime, I would have been incredibly skeptical, yet in October of last year, that is exactly what the government did, following through on a significant promise to treat it as a public health issue but also to treat Canadians as the responsible adults we are.

I will support Bill C-93. It would waive the five-year waiting period. It would waive the \$631 fee.

The Minister of Border Security and Organized Crime Reduction has noted that as many as 400,000 Canadians have criminal records for simple possession of cannabis. That is something we ought to correct as much as possible, because we know the impact of a criminal record on one's ability to secure housing, employment and ability to travel.

I will be supporting Bill C-93, but that, to me, is obvious and straightforward. I also think the bill ought to go further, and I hope to see the committee make amendments so that it does.

First, Canadians and colleagues should understand the difference between a pardon and an expungement. According to the Parole Board of Canada, the purpose of a record suspension or a pardon is to remove barriers to reintegration that can be associated with a criminal record. The idea is that we say, “You are forgiven. Move on with your life.” With respect to expungement, the government recognizes that the conviction was for an act that should never have been a crime at all and that these individuals should not be viewed as former offenders. Instead, we say, “We are sorry. We made a mistake. We should never have done this in the first place.”

With respect to cannabis possession, and we are not talking about trafficking, it is straightforward that we never should have made this a crime in the first place and that expungement is the proper answer.

The government has made technical arguments with respect to travel. I trust that the committee will address those. There is no difference at the American border with respect to a pardon or an expungement. In the hands of the American officers, they enforce their laws as they see fit. We should be concerned with our domestic laws.

I will say this. If we can help people move forward with their lives in a more significant way, we should seize the opportunity. An expungement will help Canadians who are impacted by a criminal record more so than a pardon would.

Again, just as a clarifying note on the difference between a pardon and expungement, this really hits home when we see the great differences between governments. We are seeing this in Ontario right now, where the pendulum is swinging so incredibly hard in the opposite direction. A different government could actually restore records when people have been pardoned. The records are simply set

aside. A different government could never restore criminal records if they were properly deleted through the expungement process.

I commend the member from Victoria for putting Bill C-415 forward, but I would also note that this is grassroots Liberal policy. I am going to read a resolution from the 2012 Liberal biennial convention put forward by the Young Liberals of Canada and supported by over 80% of grassroots Liberals at the time:

Be it further resolved that a new Liberal government will extend amnesty to all Canadians previously convicted of simple and minimal marijuana possession, and ensure the elimination of all criminal records related thereto;

If we want to be consistent with our legalization promise that tracks back to this resolution, amnesty is the answer.

Most significantly, the most important argument is that we have to correct an injustice. The criminalization of cannabis was a racial injustice in original purpose and current effect.

I want to read a direct quote from Harry Anslinger, America's first drug czar. It is not a positive quote. It is an offensive quote. He warned that “Reefer makes darkies think they're as good as white men.”

Here in Canada, Emily Murphy, one of the Famous Five, an otherwise celebrated women's rights activist, led a temperance movement grounded in the belief that “aliens of colour” used drugs to corrupt the white race.

● (1210)

If we look at the modern application of these laws, we see a Toronto Star investigation from 2017 which found that black people with no criminal record were three times more likely to be arrested for cannabis than white people. That was in 2017. There was a vice investigation subsequently that made access to information requests to police agencies across the country. It found, for example, in Regina, that indigenous people represented 41% of cannabis arrests in 2015 and 2016, but they were only 9.3% of the total population.

We see the Federation of Black Canadians and the Canadian Association of Black Lawyers stand up in support of going further for amnesty. They are doing so because it was a racial injustice. The government argues that the injustice was in the application of the law; it was not inherent in the law. However, for anyone who understands how we interpret our constitutional law and how we might find a law unconstitutional, we consider the purpose of the law, but we also consider the effect of the law. So too with respect to expungement, it is not only if it is inherently an injustice, but also if it is an applied injustice.

It is arguable whether the original purpose, as I have noted, ought not to be considered as well when we talk about the injustice. I would argue that this was inherently an injustice. I read the Le Dain commission in 1970, which said, “There can be no doubt that Canada’s drug laws were for a long time primarily associated in the minds of its legislators and the public with general attitudes and policy towards persons of Asiatic origin.”

The point is this. We fear different drugs today because we used to fear different people.

*Government Orders*

The last point I want to make is that if we set aside the most important arguments with respect to racial injustice and we consider basic common sense, almost half of Canadians have self-reported using cannabis in their lifetime. Are half of Canadians criminals? When cannabis is less harmful than the six-pack that people take to a party or a mickey of vodka, should people who possess cannabis, again not traffickers, ever be thought of as criminals? The obvious answer is no, in the same way that I do not think if people take a six-pack to a party they are criminals. In taking a less harmful substance, they ought not to be considered criminals, and we as legislators should cure that. We have the capacity to cure it. We could cure that simply by improving the law before us.

The simple question that we all have to answer is whether the conduct in question is deserving of a criminal record. Demonstrably, the answer is no. It never should have been illegal in the first place.

I support Bill C-93 for moving in the right direction, but we should do what is right when we have the opportunity. We should correct this injustice.

• (1215)

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, I thank my friend for his speech and his commentary. Oftentimes when we are dealing with legislation in this place, we do not do proper justice in talking about people who are impacted by the legislation we are dealing with.

This bill is an opportunity for the government to correct a wrong. That is not just a wrong that has existed for the past three years since the current government formed office, and that it campaigned on and declared its intention to decriminalize marijuana possession, but also to look at past injustices, when the evidence was before all parliamentarians as to the need to decriminalize marijuana and the hypocrisy that legislature after legislature had shown in dealing with this.

I will ask for two comments: one is on the racial component. I represent northwestern British Columbia. It has approximately 35% to 40% indigenous communities. We know, through statistics, about the overrepresentation of indigenous people in our prisons. We know that part of that representation is due to possession charges. They are sometimes put together with some other charge where non-indigenous people would not face the same amount of incarceration. Therefore, I would like comment on the impact on indigenous communities. I know my friend is from Toronto, but he has studied this legislation and its impacts.

The second component is on the effects on all people. What is it to hold a criminal record? What effect does it have on the day-to-day lives of Canadians, whether they are seeking to volunteer for their kids' soccer camp or being able to cross the border for business or pleasure, to carry around this record and the threat of that record being reintroduced into their lives?

**Mr. Nathaniel Erskine-Smith:** Madam Speaker, it is ridiculous to think that a black person in Toronto, who is three times more likely to be arrested than a white person like me, should suffer the consequences of doing something that should never have been illegal in the first place and therefore suffer disproportionately. Simply because I, as a white person, was never caught does not mean that I am any less of a criminal than the black person. I think it is

outrageous that we are not taking the opportunity to correct that injustice when that opportunity stares us in the face.

The second thing I will say is that I have personal friends who, over the course of their lifetimes, had a cannabis possession record and could not get a job even at the 7-Eleven. It is ridiculous that people, otherwise contributing members of society, such as the person who could not get a job at a 7-Eleven yet is in the public service, who make an incredible contribution to Canada, could not get a job after undergrad because of a cannabis possession record. If we could in any way cure that problem, we ought to do so.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Madam Speaker, I opposed the legalization of marijuana. However, it seems to me to be fundamentally unjust that individuals can be burdened with a criminal record for an activity that today is perfectly legal. This legislation fails to address that. It does not provide for amnesty or an expungement; it merely suspends the record, which can be revoked in a number of circumstances. Additionally, the Minister of Public Safety has a broad statutory discretion to disclose that record. I wonder if the hon. member could address those concerns.

**Mr. Nathaniel Erskine-Smith:** Madam Speaker, I trust that after hearing all the evidence, the member is now supportive of the legalization of a substance that is significantly less harmful than alcohol. If not, perhaps he might explain why we should treat the two substances so very differently.

Now that it is legal, the only thing I will say is that I agree, in part. I do not think that Bill C-93 is a failure to move forward in the right direction. Rather, I think it is a significant move forward in the right direction. It simply is not going far enough.

We see other jurisdictions, California being one of them, moving forward with expungement and then our own government says, well, it is technically somewhat complicated. If another jurisdiction can get it done in the interests of justice, we should do the same.

• (1220)

**Mr. Doug Eyolfson (Charleswood—St. James—Assiniboia—Headingley, Lib.):** Madam Speaker, it is an honour to rise at the second reading of Bill C-93, an act to provide no-cost, expedited record suspensions for simple possession of cannabis.

During the last election, we committed to legalizing and regulating cannabis, and legislation doing exactly that took effect last fall. As a member of the Standing Committee on Health, I am proud to have been part of the committee's review of the Cannabis Act. We now have a regulated system that keeps cannabis out of the hands of youth and profits out of the hands of criminals.

At that time, the government signalled that it would turn its attention to dealing with the criminal records created under the old regime. We now have before us Bill C-93, legislation that would make it easier for individuals who have been previously convicted only of simple possession of cannabis to have their records cleared.

*Government Orders*

Bill C-93 proposes an expedited process for receiving a pardon, which is also known as a record suspension. The usual \$631 application fee would be waived, as would the usual waiting period, which can be as long as 10 years. The bill would reduce barriers to full participation in society for these individuals. It would allow them greater access to job opportunities, educational programs, housing and even the ability to simply volunteer in their communities. It would make things more fair. It would enhance public safety by allowing people to reintegrate into society. It would fulfill an important commitment to Canadians in delivering on this new regime.

This is the first time in history that both the application fee and wait period for a pardon would be waived. This unprecedented measure is a strong statement, recognizing that convictions for simple possession of cannabis have resulted in hardship for many Canadians and that certain populations, including members of black and indigenous communities, have been disproportionately affected.

For my part today, I would like to delve a little deeper into the nuts and bolts of the legislation. To begin with, Bill C-93 proposes to amend the Criminal Records Act. It would waive the fee, waiting period and certain subjective criteria for people convicted only of simple possession of cannabis under one of three acts: the Controlled Drugs and Substances Act; the Narcotic Control Act, which existed until the 1990s; and the National Defence Act.

Eligibility would not be based on the amount possessed but rather on the purpose. People would be eligible if possession were for personal use only. People would not be eligible if there were any trafficking or production involved. In order to qualify for the waived wait period, an applicant would have to demonstrate to the Parole Board of Canada some basic facts: first, that the substance they possessed was cannabis; second, that their sentence was completed; and third, that the conviction was only for possession for personal use. To do so, applicants would provide standard police and court documents. The Parole Board would be available to help people through the process by email or phone.

As a way of further expediting the process, the decision to grant a pardon would not be discretionary. Usually, a Parole Board member assesses pardon applications to decide whether an applicant has been of good conduct and whether a pardon would give them some measurable benefit. Discretion based on subjective criteria would not apply here. Instead, the Parole Board would be required to issue a pardon, as long as people are eligible and have completed their sentences. There would be nothing else to consider. The application would therefore be processed much more quickly by Parole Board staff.

Once a pardon is ordered, the Parole Board would notify the RCMP to have the records sequestered in the national repository of criminal records. Once that is done, the RCMP would notify other federal agencies, and the Parole Board would alert provincial, territorial and municipal partners. For instance, it would mean that a criminal record check by a prospective employer or landlord would come up empty. As well, the records could only be disclosed or reinstated in exceptional circumstances. In practice, for cannabis possession, the only likely scenario in which anyone would ever see a record again would be if they commit a new criminal offence.

Bill C-93 would fulfill our commitment to creating a simplified process for people with convictions for cannabis possession to shed their criminal records, along with the associated burdens and stigma.

Work is also continuing on broader pardons reform, informed by consultations held by the Parole Board and Public Safety Canada as well as a recent study by the Standing Committee on Public Safety and National Security.

• (1225)

That study, initiated by the member for Saint John—Rothesay, led to thoughtful and unanimous recommendations calling for pardons to become more accessible, not just for cannabis possession but across the board. I am glad that Parliament has been seized with that issue and I look forward to progress on that front.

For the moment, though, we have an opportunity to move forward right now with the targeted recourse in Bill C-93. As I have noted, this further enhances public safety by reducing the barriers to reintegration associated with a criminal record.

Many Canadians are stuck with a criminal record for activity that is no longer considered a crime. It is about time we make things fairer for those Canadians who have been living crime-free. That is why I offer my full support to Bill C-93. I encourage all my colleagues to do the right thing and join me in making sure this bill moves forward.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Madam Speaker, I would submit that this legislation falls far short of what is required and what is just and fair in the circumstances. It is true that the fee is being waived, but why should someone have to apply in the first place? Why would we not simply remove those records relating to an offence that today is perfectly legal? Why should someone have to complete their sentence in relation to an activity that is perfectly legal today? Why would that provision be in the legislation?

**Mr. Doug Eyolfson:** Madam Speaker, in regard to completing one's sentence, the main point of that is administrative. There are administrative challenges to removing a record in the midst of a proceeding, and this has never been done before. The barrier this could create is mostly theoretical because, as we know, the penalties for the actual offences have been short. It is very unlikely that there is anyone right now sitting in a jail cell for simple possession of cannabis, so the practical downside is likely insignificant.

*Government Orders*

**Mr. John Brassard (Barrie—Innisfil, CPC):** Madam Speaker, we are certainly interested in seeing this piece of legislation go to committee. There has been quite a bit of concern brought up from those in the legal community, but there are also some financial concerns about this measure as well. It is estimated that if just 10,000 people take up what is proposed in the legislation, it could cost roughly about \$2.5 million, but in fact there could be up to 250,000 people who are eligible to take advantage of what this piece of legislation calls for, which could cost about \$600 million.

I am wondering if the hon. member of the government has a plan to deal with the costs associated with this bill.

**Mr. Doug Eyolfson:** Madam Speaker, right now the costs of our current regime are astronomical. When people are unable to get proper employment, they often will be living in poverty and they become involved in the justice system, all things that in themselves have tremendous costs to society. These costs would will no longer be borne by our society.

Second, with regard to the cost to the government as a result of the waived fee that the member talks about, we must remember that this astronomical cost for applying for a pardon was instituted by the previous government. I would argue that such a fee for any pardon is extreme, and I would like to see that cost severely reduced in the future, if not cancelled altogether.

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Madam Speaker, I am interested in the member's perspective on the cost. Why does he feel that taxpayers who have followed the law in the past should have to absorb the cost of a pardon for people who have deliberately broken the law, knowing full well that they could end up with a criminal record?

• (1230)

**Mr. Doug Eyolfson:** Madam Speaker, first, as I said in my previous answer, it is because the fees put in place by the previous government for a pardon are excessive and are a barrier for people who want a productive life. Second, the fees probably cost the taxpayers more in decreased productivity, as those who still have criminal records cannot become productive members of society.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Madam Speaker, I will be splitting my time with the hon. member for Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix.

I rise today to speak to Bill C-93, an act that would provide the possibility of a record suspension for individuals convicted of possession of a minor amount of marijuana, the type of possession that is perfectly legal today.

While the legislation is better than nothing, I believe it falls far short of what is required and fair and just.

Allow me to say at the outset that I opposed the legalization of marijuana. I spoke against legalization and voted against it at all stages in this Parliament. However, I also said that elections have consequences. During the last election, the now Prime Minister committed to legalizing marijuana if the Liberals were elected. In the end, enough Canadians voted Liberal to give the Liberals 184 seats, allowing them to form a government.

It was therefore not a surprise when the government moved ahead with legalization. One might say that they were keeping an election

promise. One might also say that this is about the only election promise that the government fulfilled, but I digress.

Some might ask why I, who opposed the legalization of marijuana, believe that the legislation falls short of what is required and what is fair and just. The simple answer is that I believe it is fundamentally unjust for Canadians to be burdened with a criminal record for an activity that is perfectly legal today.

The impact a criminal record can have on individuals is not an academic issue. A criminal record has a profound impact on individuals' lives and people's ability to get on with their lives. There is a profound stigma attached to a criminal record, one that can impact a person's ability to obtain employment or obtain housing and even to volunteer on a children's soccer team or hockey team or in the broader community.

It is within that context that I believe it is fair and just that individuals burdened with a criminal record for an activity that today, as a result of a policy choice made by the government, is perfectly legal should have that burden lifted from them.

However, that is not what Bill C-93 does. It does not provide for an amnesty and it does not provide for an expungement; all Bill C-93 does is suspend the record. In other words, the records go from CPIC into another place, but it always remains. The record never goes away.

Indeed, a suspension could be revoked if an individual is convicted of a future offence under the Criminal Code or the Controlled Drugs and Substances Act. It could be revoked at the discretion of the Parole Board if the board determines that an individual is no longer a person of good character.

• (1235)

The Minister of Public Safety has broad statutory authority to disclose that record when the minister deems it to be in the interests of the administration of justice or when the minister deems it to be in the interest of public safety of Canada or a country allied with Canada.

Bill C-93 would impose a burden on the applicant to obtain a suspension. Why should someone have the burden of obtaining a suspension for an activity that is perfectly legal today, an activity the government itself made perfectly legal? How is that fair? How is that just?

Bill C-93 would require an individual to complete their sentence before they would be eligible to apply for a record suspension. Again, why? Why should someone have to complete a prison term or a lengthy period of probation or pay a fine for an offence that is perfectly legal today? How is that fair? How is that just?

Bill C-93 would render ineligible any individual who has been convicted of a minor possession offence plus any other offence, which would appear to include administration of justice offences that arose from the initial laying of the minor possession offence.

*Government Orders*

Now, do not get me wrong. I am not suggesting that individuals who are convicted of other offences should be pardoned or have those records expunged. My only point is that I do not see a connection between being convicted of other offences and an offence consisting of an activity that is perfectly legal.

I can tell members from a practical standpoint what this provision would mean in terms of the ability of Canadians to obtain a record suspension. There are approximately 500,000 Canadians who have a criminal record for minor possession. According to figures from the Department of Public Safety, this provision would remove literally half of Canadians from being eligible to apply, bringing the number down to 250,000 people.

Therefore, instead of providing for a mere suspension and instead of imposing a burden on the applicant to apply and instead of requiring someone to complete a sentence for an activity that is perfectly legal today, what the government should be doing is moving forward with expungement. Those records relating to minor possession should be removed from CPIC. They should be removed from all government databases. They should be deleted. They should be made history.

Do not tell me that this cannot be done. It has been done in other jurisdictions. Indeed, of the 23 U.S. states that have either legalized or decriminalized minor possession, seven states provide for some sort of pardon or amnesty, and six of those seven provide for expungement.

Instead, we are left with a poorly thought-out half measure that in the end will leave the vast majority of Canadians who have records for minor possession with those criminal records intact. The bill falls far short of what is required.

• (1240)

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Madam Speaker, I find it interesting that we have already had both the member for St. Albert—Edmonton and the member for Beaches—East York, members across the party divide here, arguing that the bill does not go far enough, and there will be other opinions expressed on this matter before the day is out.

I would like the member for St. Albert—Edmonton to comment on the original bill itself and the shortcomings in it that have led us to these unanswered questions and the realization that the bill will need much work at committee, if it is the will of the House to send it there. Is this not part of the general sloppiness and the poor thinking behind the bill in the first place?

**Mr. Michael Cooper:** Madam Speaker, I wholeheartedly agree with the comment made by the hon. member for Calgary Rocky Ridge.

Wherever one stands on the issue of legalization, it is very clear that, from the start, the Liberal government completely bungled the implementation and enforcement of legalization legislation. On that basis alone, I was against Bill C-45 and Bill C-46, which contains a number of provisions.

Quite frankly, this issue should have been part of the legalization bill. It should have been part and parcel with the legalization bill. Instead, we are left in a situation where we have a flawed half measure that very likely may not make it through this Parliament. It

is another example of the failure of leadership on the part of the government.

[*Translation*]

**Mr. Michel Picard (Montarville, Lib.):** Madam Speaker, it is always a pleasure to welcome our colleague to the Standing Committee on Public Safety and National Security. His stellar reputation and professionalism precede him, and our discussions are always constructive.

When he appeared before the committee, he received a response from departmental representatives. They explained to him that eliminating criminal records involved more than a simple click of a button because of the complexity of the files. Certain procedures are required. It is not as automatic or as easy as he suggests.

[*English*]

**Mr. Michael Cooper:** Madam Speaker, it is true that we do not have a uniform database. There is CPIC, there are digital provincial databases and there are paper records stored in courthouse basements.

In terms of the effect that records have on individuals in getting a job, in getting housing, in volunteering, it is largely those digital records, CPIC records, that are the source where employers would go, for example. When they go to the RCMP, the RCMP gets that record from CPIC.

What the government should be doing at the very least is going through CPIC and deleting all of those records relating to minor possession. It would be a cost-efficient measure that would relieve the vast majority of the stigma and issues arising from a criminal record. In an age of artificial intelligence, I see very little argument as to why it could not be done.

**Mr. John Brassard (Barrie—Innisfil, CPC):** Madam Speaker, I want to thank my hon. colleague for raising some important concerns and issues with respect to this piece of legislation.

He spoke specifically about the suspension of the records and that the bill does not deal with expungement or pardons. He already talked about this being a flawed piece of legislation. I am curious as to why he thinks the government did not go far enough with respect to expungement or pardons.

**Mr. Michael Cooper:** Madam Speaker, I do not know why the government has not moved forward with expungement or at the very least with the deletion of records from CPIC. As I said in my previous answer, that would be a far more cost-efficient way of moving forward, rather than requiring the Parole Board to hear all kinds of applications. It would be fairer and it would have a positive impact from the standpoint that the government clearly believes that it is a good thing that individuals convicted of these offences be relieved of having that record.

I do not know why the government did not move forward with that, and I also do not know why it has waited until the 11th hour to introduce this half—

• (1245)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I am sorry to interrupt the hon. member, but his time is up.



*Government Orders*

[*Translation*]

**Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC):** Madam Speaker, I am pleased to rise today in the House to speak to Bill C-93, an act to provide no-cost, expedited record suspensions for simple possession of cannabis.

This bill follows on Bill C-45, an act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other acts, which has been in force since October 17, 2018. Bill C-93 seeks to make changes to the pardon process and provide no-cost record suspensions for Canadians found guilty of simple possession of cannabis in the past. It also seeks to help Canadians who were convicted of using a drug that is now legal, since they will no longer have to go through the usual waiting period or pay the fees associated having their record suspended.

For this type of application, an offender would usually have to wait between five and ten years, depending on the conviction, after serving the sentence to obtain a pardon. Furthermore, the cost of the application is \$631. The measure introduced by Bill C-94 would amend the Criminal Records Act and makes reference to the Controlled Drugs and Substances Act, the Narcotic Control Act and the National Defence Act. It goes without saying that this new legislative measure must be properly drafted or else it could potentially mislead many Canadians who could one day avail themselves of it.

For example, if this legislative measure were adopted as written in Bill C-93, the administrative costs would be grossly underestimated. Also, it would result in criminal information about offenders being maintained and remaining available, as in the case of pardons granted in a system parallel to that of the RCMP. This information would be available to foreign police services. This would allow U.S. customs officers, for example, to bar a Canadian convicted of simple possession of marijuana from entering the United States.

If a criminal record is not completely erased, it can have a life-long impact. This is counter to the purpose of the bill to ensure that all Canadians who have been convicted and have a criminal record will be able to travel to the United States without any problems.

My speech on this bill will focus primarily on one topic that is very important to all Canadians, specifically the sound management of public funds, which has never been the hallmark of a Liberal government. The Liberals have always been champions of debt. I think that the current government is a perfect example of that, here in the House. Accordingly, it is only responsible and even advisable to ask such important questions about Canadian taxpayers' hard-earned money.

I have a serious concern about how much Bill C-93 will really cost. Based on our estimates, it could cost \$315 million. The minister and his officials have said that it would cost around \$2.5 million, because they expect that just 10,000 of the 250,000 eligible Canadians who have been convicted of one sole possession offence will apply.

Since we are talking about estimates, let us recall the boondoggle created by a Liberal government with the implementation of the national firearms registry in 1995. Let's talk about Liberal spending estimates.

● (1250)

I would like to remind members about how much the Liberals estimated it would cost to set up the infamous registry. At the time, it was supposed to cost \$2 million. Do my colleagues remember how much the implementation of this very expensive and useless Liberal registry ended up costing? Surprise, it cost an estimated \$2 billion. That is a far cry from the \$2 million projected. So we can put this in proper context, I will say this: the cost was nearly 1,000 times the initial estimate. The Liberals are clearly not very good at estimates. In fact, I would say that they are the worst.

My concern, which is very justified and shared by many colleagues and taxpayers, makes it hard for me to believe the government's estimate of \$2.5 million. It is obvious to anyone who has read the bill that even the government is not sure about this amount. Considering the significant bureaucratic effort required to analyze, validate and confirm the profile of each applicant, we are convinced that the Liberal government's cost estimates are well off the mark.

It is only natural for Canadians to find the government estimates set out in this bill rather dubious. It is important to remember that the Liberals promised to balance the budget in 2019. However, the only thing members will remember about the Liberals' legacy to our children and grandchildren is another \$90 billion in debt. How long will it take us to pay that back? It will take at least 25 years. So much for the Liberals' estimates.

Given the painfully obvious past and present failures of Liberal governments as well as the government's claims that middle-class Canadians are its priority, I have to say that making the middle class bear the tax burden of this measure, the cost of which the government has obviously once again underestimated, is unfair to honest people who have never had a criminal record and likely never will. Canadians work hard to earn a decent living to feed and house their families and to try to give them a decent education so that their generation will be richer than ours.

I will find it very difficult to support this bill if significant amendments are not made to ensure that justice is served for honest taxpayers and for the offenders who would benefit from a privilege paid for by said taxpayers.

I agree with expedited record suspensions for simple possession in principle, but we need to consider the cost. Canadian taxpayers deserve the truth when it comes to their money. I will always stand up for their right to demand transparency and accountability in the government's management of public funds. Once again, that does not seem to be the case with this bill.

*Government Orders*

There are so many problems with this legislation I hardly know where to start. The only way to make it worthwhile is to sit down together and go through it in detail to make sure Canadian taxpayers are treated fairly and are not made to foot the bill. Normally, pardons come at a cost, but these will be handed out for free. We need to look at all the ins and outs of this bill to make sure it is fair to everyone, and, most importantly, to make sure the government's numbers are accurate and costs will not end up ballooning like they did with the gun registry.

• (1255)

[English]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I would say I disagree, in many different ways, with the member opposite. One of the things I would like to highlight is that there is a difference in the Conservative approach to the issue versus this government's or the Liberal Party's approach to it. We heard from a number of them that they are against the legalization of cannabis, yet they are in favour of allowing fines to continue on. In other words, we can decriminalize but not legalize it. That seems to be the consensus on the Conservative benches. Let me make a suggestion to the member. The only individuals who would benefit by that would be the criminal element. We have to recognize that one of the advantages of moving forward with this is to make our communities safer.

I have a tangible example. Instead of gangs and criminals selling marijuana or cannabis to the degree to which they have been selling it in the last many years, it is now going to be done through regulations and governments working in co-operation at different levels of government. That should minimize or have a positive impact on the criminal activities within our communities. At the very least, would the member not acknowledge that, and acknowledge that it would be a good thing for Canadians?

[Translation]

**Mrs. Sylvie Boucher:** Madam Speaker, I thank my Liberal colleague for his question.

It is a good thing our vision differs from the Liberals'. We voted against legalizing marijuana and it is now legal. That said, Bill C-93 highlights the bill's shortcomings.

The government was improvising, and Bill C-45, its marijuana legalization bill, was rushed through Parliament. It did not have unanimous support. With this bill you told the provinces that they would have to figure things out. We will have to work together on Bill C-93.

I was indeed against the legalization of marijuana. If the government wants this bill to pass unanimously, we are going to have to review it carefully, because it creates a large number of inequalities, and I do not like inequality.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I remind the member that she must address the government through the Chair.

The hon. Parliamentary Secretary to the Leader of the Government in the House of Commons.

[English]

**Mr. Kevin Lamoureux:** Madam Speaker, the member opposite just finished saying that the Conservatives voted against the legalization of cannabis. That is what the opposition decided to do. If the Conservatives were ever provided another opportunity to govern, would it be her and her party's intention to make it a criminal offence again? Would they bring back legislation to recriminalize cannabis?

[Translation]

**Mrs. Sylvie Boucher:** Madam Speaker, that is not the issue. I was against marijuana legalization, but it is legal now.

Bill C-93 needs to be reworked so it no longer creates inequality. This bill needs to be revised because many elements of it are not working, not least of which is the astronomical price tag of \$2.5 million.

We remember the long gun registry all too well. The Liberal government of the day promised it would cost \$2.5 million. It ended up costing \$2 billion. When we check the Liberals' math, we see that they keep getting Canadians further and further in debt. I am not going to take any lessons on economics from the Liberals.

• (1300)

**Mr. Michel Picard (Montarville, Lib.):** Madam Speaker, before I begin, I should inform you that I will be sharing my time with my hon. colleague from Vaudreuil—Soulanges.

I am delighted to have a chance to speak at second reading of Bill C-93. This important bill would amend the Criminal Records Act to allow persons convicted only of simple possession of cannabis to apply for a record suspension, more commonly known as a pardon, without being subject to a waiting period or to the \$631 fee once they have served their sentence.

This is a important step in the implementation of Canada's new cannabis legislation, following the entry into force of the Cannabis Act on October 17, 2018.

As we know, criminal records can seriously impact people's lives. It can make it harder to travel to foreign countries, restrict job prospects and housing options, and prevent people from going to school and upgrading their skills or education.

Another way of looking at it is that a criminal record is a useful public safety tool, including for landlords or employers.

People have to take responsibility for their actions. People have criminal records because they broke the law and their actions had consequences. However, those who serve their sentence should have a way of getting back on track without the burden of a permanent criminal record. That is especially true for the offence of cannabis possession, which no longer exists in the Criminal Code and had a disproportionate impact on minority communities.

The Canadian pardon system gives people this opportunity to move forward. A pardon is almost like a reset button that erases all criminal convictions from a person's record. When the parole board grants a pardon, federal files about the conviction are immediately set aside. Given that the provinces and territories also have their criminal records, the board informs them and they generally comply with the request to set aside the record.

*Government Orders*

When a pardon is granted, convictions are deleted from the RCMP national repository of criminal records. Pardoned convictions are not generally disclosed when undergoing a background check to find a job, rent a home or obtain a passport or a loan.

A pardon also eliminates any prohibitions associated with a criminal record, including eligibility for Canadian citizenship. Only the Minister of Public Safety has the authority to disclose information about pardons based on exceptional circumstances, such as when a person convicted of a sex offence applies to work or volunteer in a vulnerable sector.

Pardons are almost always permanent, unless the individual breaks the law again. Additionally, pardons are fully protected under the Canadian Human Rights Act, which prohibits discrimination based on convictions for which an individual has received a pardon.

Similar laws already exist in many provinces and territories. Another important consideration related to pardons has to do with crossing international borders. If a pardon has been granted, American border officials will not find any evidence of a criminal record when they search the Canadian databases to which they already have access. Of course, we cannot control what questions border officials might ask Canadian travellers. An official might ask travellers whether they have used cannabis, and if the answer is yes, neither a pardon nor expungement would allow them to respond honestly in the negative.

However, the advantage of pardons over expungement is that the documentation remains accessible as needed. For example, if a person's cannabis conviction was previously logged at the U.S. border, that person can provide documentation about that conviction on request. Once a criminal record is expunged, there is no longer any documentation for the person to present at the request of U.S. border officers, in which case the person can be denied entry into the country.

Under the current system, a person can wait up to 10 years before being able to apply for a pardon. Bill C-93 proposes to waive that waiting period, making those found guilty of simple possession of cannabis immediately eligible to apply for a pardon after serving their sentence.

The bill would also eliminate the \$631 application fee. The applicant will have to show that he or she was found guilty of simple possession of cannabis, that this was the only crime on their record, and that the sentence was served.

● (1305)

Why is it important to provide a no-cost expedited process to the specific group of individuals targeted in this bill? This is about fairness. For Canadians convicted of simple possession of cannabis, having a criminal record for a relatively minor infraction can have major long-term consequences.

Those consequences are disproportionately severe considering that cannabis is now legal in Canada. Members of minority, ethnic and indigenous communities are overrepresented among those with criminal convictions for simple possession of cannabis. That can seriously hinder their ability to find work and succeed in their endeavours.

The measures proposed in Bill C-93 would open up better opportunities for them and other Canadians. They would not have to put their lives on hold for 10 years before they can apply for a pardon. They would not have to worry about the financial stress of saving up for the \$631 application fee. Bill C-93 would do away with those fees.

Now that cannabis is legal in Canada, pardons should be accessible, affordable and available to anyone who has a criminal record just for simple possession. A pardon would help them reintegrate into their communities as productive, law-abiding and contributing members of society. This would also improve public safety for all Canadians.

I would also like to point out that a broader review of our pardon system is under way. Public Safety Canada and the Parole Board of Canada have held public consultations, and the Standing Committee on Public Safety and National Security published a report on the issue of pardons as part of a study initiated by the member for Saint John—Rothesay.

These measures are part of the efforts being made to ensure that our pardon system is fair and proportional and that it helps people who are not breaking the law reintegrate into society.

For all these reasons, I will be voting in favour of Bill C-93 at second reading, and I encourage my hon. colleagues to do the same.

[*English*]

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, I listened to my friend's speech with some interest and increasing concern. This bill is being introduced very, very late into the parliamentary process. The government came in with a mandate three and a half, almost four, years ago about legalizing marijuana, certainly possession. The Liberals have known for many years the injustices that possession has had on indigenous communities and people of colour. They know that simple suspension removes back into a much more dangerous place because a future government could reintroduce those criminal records, starting the whole process back again.

Is my friend not concerned about any of this as he looks to support this very hasty and last-minute piece of legislation?

[*Translation*]

**Mr. Michel Picard:** Madam Speaker, I thank my colleague for the question. His many concerns are warranted.

However, the answer is fortunately much simpler. It is too bad that my colleague's party is forcing him to take the position that the bill does not go far enough. The NDP voted against the legalization of cannabis. Decriminalization was not the answer. One cannot seek a weaker measure and then complain that this one goes too far or is not adequate.

*Government Orders*

One side is saying that we moved too fast and the other side is saying that we did not move fast enough. I think the time is right. After cannabis was legalized, steps were taken in a timely manner to help applicants by eliminating the wait time for submitting an application and the fees associated with doing so.

[English]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, one of the things that I think we have underestimated the value of, in terms of the direction the government is going with regard to the legalization of cannabis, is that it really takes away significant activities from gangs or the criminal element.

I want to get my colleague's thoughts about how the legalization of cannabis will actually make our communities safer places because, at the end of the day, it means less criminal activity in our communities. A good example of that would be individuals going into high schools to sell marijuana, which actually has been in existence for many years or decades.

There is a very strong positive in terms of that aspect. I wonder if my colleague could add some thoughts to it.

• (1310)

[Translation]

**Mr. Michel Picard:** Madam Speaker, the first initiative, legalization, sought to put an end to the stigma associated with the recreational use of cannabis. Whether people use it or not is not the issue. It is something that some people choose to do recreationally and it has no adverse effects. Accordingly, in order to minimize the negative impact on these people, we must undertake the correct and proper procedure set out in the bill we are examining today. In my opinion, it is time we did that. We should have done it as soon as possible after cannabis was legalized.

This bill goes above and beyond what is legal today. In other words, it will eliminate the stigma faced by those with a criminal record by granting them a pardon and suspending their criminal record. This will help restore the reputation of honest citizens who want to continue their lives in society—both those who want to integrate into society and those who already have a place in it—in a healthy, suitable and friendly environment.

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Madam Speaker, the committee is already hearing from witnesses about this bill. I would like to know what my colleague found most interesting in the testimony.

What ideas did he hear in committee that could help us understand why this bill is so important?

**Mr. Michel Picard:** Madam Speaker, we heard that in spite of the logistical concerns about obtaining a pardon, such as the fact that the records cannot automatically be electronically suspended because the information is scattered all over, this bill fulfils the very specific objective of reintegrating people into society.

**Mr. Peter Schiefke (Parliamentary Secretary to the Prime Minister (Youth) and to the Minister of Border Security and Organized Crime Reduction, Lib.):** Madam Speaker, I am pleased to participate in the debate on Bill C-93 at second reading.

This bill will make things fairer for Canadians and their families. There was an ineffective prohibition of cannabis for far too long and, as a result, many Canadians ended up with a criminal record after being convicted of simple possession of cannabis.

Criminal records can make it hard for people to get jobs, find housing or even volunteer in their communities. The associated stigma can create the impression that the individual is a criminal who has nothing to offer Canadian society.

Criminal records are obviously necessary in the context of public safety. However, they can run counter to their objective when they prevent people who do not represent a danger from actively participating in society. This is particularly true when the activity for which the individual was convicted is no longer illegal and when the members of certain communities are disproportionately affected.

That is why our government has introduced Bill C-93, which would streamline the process for getting a pardon, also known as a record suspension, by waiving the waiting period and the application fee.

[English]

That is why our government has introduced Bill C-93, which would streamline the process for getting a pardon, also known as a record suspension, by waiving the waiting period and the application fee. The waiting period for people convicted of cannabis possession is generally five years, although it can be as high as 10 years. With Bill C-93, applicants would be immediately eligible. There would also be no application fee, which has been \$631 since 2012.

On top of that, usual criteria like determining whether people have been of good conduct and whether a pardon would bring them a measurable benefit would also be waived. On top of that, the Parole Board would take additional steps, like simplifying application forms and doing community outreach, all with the goal of allowing people with past convictions for cannabis possession to clear their records and move on with their lives as quickly and easily as possible.

This is one of the final chapters in the unfortunate story of cannabis prohibition in Canada that goes back almost a century. It has involved billions of dollars wasted in enforcing an ineffective legal regime, and many more billions lining the pockets of organized crime. In spite of prohibition, Canadian youth became some of the heavier users of cannabis in the world. Some of them, especially members of marginalized communities, became saddled with criminal records that severely limited their educational and economic opportunities.

Because of the many different courts and police services in cities and town and rural communities all across our country, each with its own archives of convictions that go back decades, we do not know the exact number of Canadians with simple possession charges on their records. However, we do know that a simplified pardons process with no waiting period or application fee would make it easier for people to get the pardons they need to finally turn the page.

*Government Orders*

During the last election, we committed to ending the ineffective and counterproductive prohibition of cannabis. The NDP, on the other hand, wanted to maintain the prohibition of cannabis, with a decriminalization system that would have seen police issuing fines to people in marginalized and low-income communities.

As for the Conservatives, they still think that people who possess a small amount of cannabis for personal use should be thrown in jail.

Canadians gave us the opportunity to enact our proposal last October, and we did exactly that. With the coming into force of Bill C-45, we put in place a system of legal, strictly regulated cannabis production and distribution, designed to keep cannabis out of the hands of Canadian youth and to keep profits out of the hands of criminals.

● (1315)

[*Translation*]

With the coming into force of Bill C-45, we implemented a production and distribution system for legal cannabis that is rigorously regulated and designed to keep cannabis out of the hands of youth and to take the profit out of the hands of organized crime. At that time, the government announced that it intended to provide recourse for individuals who had been convicted of simple possession of cannabis only.

Once again, we have delivered on our commitment. Providing no-cost, expedited record suspensions is effective. Criminal records of pardoned individuals are sealed and segregated. Background checks by prospective employers or landlords would yield no results, as would a search of the Canadian police database.

The effect of a pardon is fully recognized and protected under the Canadian Human Rights Act, which forbids discrimination based on a pardoned conviction. Similar protections already exist in several provinces and territories.

[*English*]

Waiving the waiting period and application fee are unprecedented measures. By doing so, we would be removing the major obstacles in the path of Canadians seeking to lift the stigma and burden of a criminal record for possession of cannabis, allowing them to participate fully in society.

We cannot go back in time and give them the opportunities they have lost, but we can give them a way of moving forward. When people fully reintegrate into Canadian society by going to school, getting jobs and generally participating in community life, we are all better off.

[*Translation*]

Now that a legal framework is in place, it is in our collective interest to allow people with criminal records for cannabis convictions to wipe the slate clean of records imposed under the former system.

Bill C-93 does that. I strongly support Bill C-93 and I encourage all my colleagues to support it.

● (1320)

[*English*]

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, I am curious. The Liberals have had three and a half years. They knew this day was coming when the legalization of possession for marijuana would be in place. We know the approximate number, 400,000, of Canadians who have criminal records. In 2004, the NDP started talking about the need to expunge these records because of the impact of carrying around a criminal record.

In the last five weeks left in the parliamentary sitting, when the Liberals have had three and a half years, the Liberals are introducing this bill, Bill C-93, for suspension rather than expungement. Under the Liberal plan, could a future government, simply by introducing another piece of legislation, reattach criminal records to Canadians, which the Liberals right now say they should not have? Under expungement, the record is removed. No future government can reimpose those criminal acts upon persons. That would be abolished by the government.

We see future governments change course from one government to the next: Ontario would be a good example. There are many government examples we can draw upon that change ideology and change the approach to these fundamental human rights issues. There is overrepresentation of indigenous people and people of colour under marijuana convictions. Could convictions be reintroduced to people because of the Liberals' suspension process rather than expungement?

**Mr. Peter Schiefke:** Madam Speaker, there are a couple of components to my hon. colleague's question.

With regard to the introduction of this law in the last year of our mandate, Canadians expect us to continue to work until the end of our mandate. Some of the laws and bills we have put in place came in the first several months, and some are going to come in the last several months. We are going to keep working until the minute prior to when elections are called in this country, because that is what Canadians expect from us.

I would also like to add that expungement brings with it several challenges. One challenge is that if Canadians who had this record were to travel to other countries, particularly the United States, and the countries had in their database that the persons had been convicted of simple possession, they could refuse them entry. If the individuals said that their record was expunged, they would ask for proof of that. Unfortunately, with the expungement process, there is no way that other countries could get access to those documents showing that the individuals' criminal record no longer exists. We chose to go with a record suspension process to ensure that if they needed it, people would have access to those documents to allow them to travel as they see fit. It is something that came up significantly in the consultations we had with Canadians. We listened; we put this law in place, and we are very proud that we delivered on that promise.

*Government Orders*

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Madam Speaker, many people are asking about the cost of this bill and the information that the government relies on for assessing the costs. As members know, Conservatives will support this bill to go to committee, but we would like the government to be able to provide us with good information and be accountable to the House in that way.

Indications from the minister are that the Liberals expect only 10,000 applicants, but there are 250,000 eligible Canadians. Therefore, the government seems to expect that the vast majority of people who have simple possession convictions would not apply and that is baked into its cost estimates.

Why is the government assuming that such a small number of Canadians would apply for this? Is the member concerned that many of those disadvantaged Canadians he talked about may be less likely to access the resources to make these applications?

**Mr. Peter Schiefke:** Madam Speaker, obviously with anything that we do, we have estimates. We are estimating that a certain number of Canadians will come forward to access the new tools we are giving them for a record suspension. If we see that those numbers are higher than expected or lower than expected, we will adjust and we will make the changes necessary. That is what any good government does.

At the end of the day, what we have done over the last four years is that we have looked at a failed system, one that the previous Conservative government refused to even look at. The Conservatives were okay with the fact that we were spending billions of dollars every year on a failed system. We had some of the highest rates of cannabis use in the entire world for our youth. Billions of dollars were flowing into the pockets of organized crime. That was okay.

We looked at that. We consulted with Canadians, with law enforcement, with experts. We put in place several bills that would bring us through a process that would deliver lower use rates of cannabis among youth, less money flowing into the pockets of organized crime and a safer Canada for our kids and future generations of Canadians.

• (1325)

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Madam Speaker, it is a pleasure for me to rise and speak to Bill C-93 and also to share my time with our excellent shadow minister for health, the member for Sarnia—Lambton, who I know has done a lot of work on issues related to marijuana and will have thoughtful comments on them, I am sure. My comments will, hopefully, be somewhat thoughtful as well.

I would like to talk about some of the questions we have with respect to this bill. As I mentioned during my previous question, Conservatives will support this bill to go to committee, and we will see what direction the committee study and amendments go, and what kind of clarifications are offered by the government in the context of that discussion.

I will just note at the outset that the content of this bill is to make some changes with respect to the pardon process to facilitate the expedited application for pardons for those who have a conviction for simple possession of marijuana. The changes would involve the

expedited opportunity to apply, as well as the waiving of the pardon fee.

Some of the context for this discussion, as well, is that we had a bill proposed by the member for Victoria, a member of the NDP, that proposes expungement of these offences. Expungement would be to automatically and immediately remove the conviction, effectively to say that it did not happen, whereas the government process would be more complex and more arduous and would require the adjudication of individual applications for pardon. It would not eliminate the cost of the pardon process; it would simply move the cost from the individual who is receiving the pardon, to the taxpayer.

Although I have some concerns about the direction of expungement as well, it is interesting that the government has chosen this process. If one believes in the process, the best that could be said about it is that it gets to the same place that the expungement process does, but the expungement process does not involve the significant cost to the taxpayer.

In the process of waiving the fee for the pardon, the \$631 fee, the government has considered its costs for this. Internal cost figures suggest that the bill would run at \$315 million. People on the government side have tried to argue that the figure is lower, because they anticipate that only 10,000 people will make applications. As I noted earlier, 250,000 Canadians are eligible to apply under the system, having a simple possession offence, and yet the government believes only 10,000 would apply.

It is hard for me to understand why the government has such low estimates for Canadians who would take advantage of an opportunity to get a free expedited pardon and all the benefits that are associated with getting that pardon. It makes me wonder, almost, if the government's plan is to advertise this bill as a great legislative act but then try to keep it as quiet as possible that this opportunity is available.

To the extent that people might not make application, it might only be because they do not have the information or because they struggle to access the process, perhaps as a result of being disadvantaged in some way.

I would observe that it is passing strange that the government trumpets this as a solution for potentially marginalized people who are held back as the result of a past criminal conviction, and yet tells us it is only going to be a very small percentage of the overall total that it will see as making this application.

One might also consider the appropriateness in general of offering a free pardon process. The reason people need to access the pardon system is that they broke the law. The fact that it is not against the law to smoke marijuana or to possess marijuana today does not change the fact that if somebody carries a criminal conviction, it is because they broke something that was, at the time, the law.

Regardless of one's views on whether marijuana should be legalized, I think we should, in general, seek to encourage compliance with the law. People who faced a marijuana conviction were not the victim of some great injustice. They did choose to break the law. Again, the fact that this Parliament has chosen to legalize marijuana does not change the fact that the law was broken.

*Government Orders*

• (1330)

The counter-argument might be to point out that the pardon fee, although in some sense just and fair to those who have broken the law, does present a particular barrier to people who are struggling financially. We would want to encourage a situation in which people who maybe have committed criminal behaviour in the past but want to turn their life around, who want to be able to access legal employment, have the ability to access pardons and are not held back because of their situation, are not held back from moving forward in a way that is legal and desirable for them and for society.

We recognize the need to help people who are struggling financially and also the inherent justice of people paying for their pardons in most cases. One could say it is possible to have one's cake and eat it too, by having a pardon system that gives allowances for people who are not able to afford that.

I personally think it is reasonable for people who have the resources and are able to pay the pardon fee to be asked to do so. It is quite possible and reasonable to say that those who can afford to pay for a pardon, and it is a response to a criminal behaviour that they did, should have to pay for that pardon. Then those who are not able to pay should be given those allowances.

It is reasonable for the government to consider that and to study the impacts of that, to explore that across the board, because it is not just a question of those who have cannabis-related convictions. It is also about anybody who has a criminal offence hanging over their head and is seeking a pardon and has turned their life around but cannot complete that process because they are struggling financially. Regardless of their past conviction, we would want to ensure that they have the opportunity to do that. In other words, this issue of whether people are able to access the pardon system if they struggle financially is not just an issue uniquely related to the particulars around cannabis. It is a discussion that we can be having across the board.

This bill, in offering free pardons for one category of offence—not means tested—without considering the broader issues around pardons and their impact on low-income people and how those impacts are different from those on other people, in that respect, does slice the pie in the wrong direction.

Let us try to support those who say, reasonably, that they want to find regular employment, they have turned their life around and they are ready to go through the pardon process but cannot afford the pardon fee. Let us help those people while recognizing that there are plenty of people who have past cannabis-related convictions who are of reasonable means and for whom the cost of \$631, though not nothing, is quite reasonable. Hypothetically, if there were a prime minister who had a family fortune and happened to be convicted of marijuana possession, it would be reasonable for that person to pay for a pardon. That speaks to the fairness issues and the broader discussions around the pardon system.

I would welcome a debate here about broader questions around reforming how we approach pardons, but that is not what we have in Bill C-93.

I spoke earlier about the costs. In general, we are concerned about the costs that the government's agenda is imposing. The government

seems to really be off so often when it estimates what the costs of things are going to be. The Liberals said we would have a balanced budget by this year, and yet we are still running very large deficits. Any time we see more spending bills with estimates that seem very suspicious, it raises some further questions for us from the perspective of our obligations to taxpayers.

The parliamentary secretary made a strange comment. He said that, under an expungement regime, it would be harder for people to access the United States than under a pardon regime. I do not at all follow the logic of his arguments, because if the Americans have a record, it is up to them what kind of questions they want to ask and what kind of documents they want to seek at the border. It would be perfectly possible to provide people who have received expungement with documents supporting the fact that they have had expungement of their convictions.

On that basis, we support the bill going to committee but we have many continuing questions.

• (1335)

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Madam Speaker, I listened with interest to my friend's submissions on this. First of all, as to Canada's criminalization of cannabis previously, what people have been raising is that it was a historical injustice in its application. It has come up frequently at committee that it was not applied in the same way to all people in our country.

I want to point out that our committee did a unanimous report. All parties agreed when we studied Motion No. 161, which was about pardons and record suspensions, that we should look at the pricing for record suspensions, and this included Conservatives. The stories we heard over and over again said that the cost of getting a record suspension, at \$631—and that increased when the Conservatives were the government—prevents people from being able to get a record suspension. That is a problem for people because then they cannot work.

The thrust in most of the argument I have heard is about this being taxpayer dollars and it would be a waste of taxpayer dollars. Is there not a value, something that pays back on that investment when we allow people to enter the workforce, be able to have accommodations and actually be a part of our society actively?

**Mr. Garnett Genuis:** Madam Speaker, with due respect to my colleague, I think she misstated the thrust of my argument. I recognized explicitly in what I said that there is a legitimate concern about the prohibitive cost of record suspensions for some Canadians. That is why I said we should be looking at addressing that prohibitive cost, not uniquely for one type of conviction but for all convictions. At the same time, there are Canadians who can afford to pay the record suspension fee, whether we are talking about cannabis-related convictions or other convictions.

My view would be that we should put in place a structure that ensures that any Canadians who can make a meritorious application are not obstructed in their ability to seek a record suspension by the cost, that any Canadian can move forward with that type of application regardless of ability to pay, but that those who are able to pay do pay, that the taxpayer is not subsidizing the record suspensions of those who are doing well financially. I think that is the reasonable way of proceeding.

*Government Orders*

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Madam Speaker, as had been noted earlier in debate today on this topic, the legalization of marijuana may well be the only election promise that the government has successfully kept, as we get to the very end of this Parliament. That bill, even then, took longer than the Liberals' promised deadlines for which it was to take place.

There are still a number of loose ends to this that were not properly contemplated under Bill C-45 and Bill C-46. I would ask the member for Sherwood Park—Fort Saskatchewan if he would like to comment on the late hour, literally down to the final weeks of this Parliament, still trying to deal with the sloppiness of the entire legalization rollout?

**Mr. Garnett Genuis:** Madam Speaker, there has been a lot of debate about the question of the legalization of marijuana, but even many of those who supported legalization in principle identified the fact that the devil was in the details of this legislation. There are many problems with the way the government approached it, and residual concerns about impacts.

My colleague is right that we are here at this late stage debating the bill. A member of the government, in response to a question from the NDP about this, said they are going to work right until the end. That is all well and good, but the reason we are concerned about the timing is that it raises questions about whether the government is actually serious about getting it done. When a bill is started this late in the process, it increases the likelihood that it will not actually get done. The marijuana legalization legislation was so extensive that it could have contemplated issues around this.

Again, we continue to have concerns about various aspects of the application of the bill. There are aspects of the bill that require significant study and that will, I suspect, require study in the other place as well. Starting late has real consequences. It is not just a question of the arbitrariness of the calendar, but it does have consequences for those who are impacted in some way by the bill.

• (1340)

[Translation]

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I am pleased to rise today to speak to Bill C-93, an act to provide no-cost, expedited record suspensions for simple possession of cannabis.

This bill would make changes to the pardon process and eliminate fees for Canadians previously convicted of marijuana possession. Today I want to talk about the existing fee elimination process, the difference with the NDP's plan in favour of criminal record expungement, and the current situation surrounding cannabis possession in Canada.

[English]

To begin with, I want to talk about the fact there is an existing process for people who have been convicted of cannabis possession to have those offences pardoned. It has been stated already that the cost is \$631.

One thing I would point out about the existing process is that it takes a look at what exactly the criminal history was. In many cases, when a crime was committed, there may have been a violent action or something that could not be proved, so people ended up with a

charge for possession when in fact multiple crimes could have been committed that could not be proved at the time. It is important to keep that in mind.

I heard some discussion about the fact that this \$631 is very burdensome for people. However, let us look at the price of weed in Canada today. There is actually a website now, and depending on the quality of cannabis, we are talking about \$200 an ounce, which for those members who do not convert to metric, is 28 grams. That is about the amount that is allowed for personal possession under the current legislation, meaning it is about \$200 for the amount that someone might normally possess. If someone is caught for possession, we would assume that the person had possessed this amount more than once, so I think the affordability issue is a red herring.

One of the important things to consider when looking at whether or not to pardon or to grant an expungement of the record is what is going to happen. People want a pardon because it is difficult to find employment if they have a criminal record. One of the concerns I have heard is that people who are given a pardon still have to answer "yes" to the question on the employment form that asks if they have ever had a criminal record, even though they have a pardon. People might think that means that expungement is a better option, but I would tell them it is not.

I am in a border city, living close to the U.S., and we have dealt with lots of cases of people wanting to get a pardon so they will be able to go to the U.S. It is important to know that there is a different process. Just because people have been given a pardon in Canada does not mean they would be allowed to go to the U.S. In fact, they need to get a U.S. entry waiver. As part of the process to apply for a U.S. entry waiver, they have to have a copy of their Canadian pardon. Since 2010, Canada and the U.S. have been exchanging information on crimes committed, so the reality is that the U.S. knows who has a criminal marijuana possession charge on their record, and without evidence of a pardon, an expungement of that record would not allow them to go to the U.S.

I want to read what it says on the web page. It states:

I Have a Canadian Pardon, Do I Still Need a US Entry Waiver?

Yes! Many Canadians incorrectly believe that as long as they have received a record suspension (formerly called a pardon), their criminal record is entirely erased and they can travel to the United States of America without problems. After all, once a pardon is granted by the National Parole Board it is only with written permission from the Minister of Justice that the sealed criminal record can be viewed... The fact is, though, as of 2010 our neighbors...have access to... every Canadian's criminal record, and since the United States does not recognize Canadian pardons, they keep the conviction on file even when an individual is pardoned. A lot of the inaccurate information around this topic is...being disseminated by non-licensed individuals...

Canadian Pardons Do Not Help with Entry into USA

American border officials use the United States National Crime Information Center...database, which is maintained by CJIS and the FBI and interlinked with federal, tribal, state, and local agencies, as well as with the RCMP and their CPIC database.

• (1345)

What does this mean specifically? It continues:



*Government Orders*

Now that marijuana has been legalised in Canada, the Liberal Government has announced that it will expedite the processing of pardons for any Canadian with a minor cannabis-related criminal conviction that involved less than 30 grams of marijuana. More than 100,000 Canadians have a criminal record for having cannabis on their person, and the Government has pledged to waive the \$631 pardon fee and eliminate the waiting period typically required for record suspensions. Even after receiving an official pardon, however, these Canadians could still be denied entry at the US border. According to...the assistant commissioner of field operations at U.S. Customs and Border Protection (CBP), "we do not recognize the Canadian amnesty..." Consequently, even after being granted amnesty by the Government of Canada, a Canadian with a conviction for simple possession of marijuana may still require a USA Waiver in order to cross the border successfully.

It is for this reason, with regard to pardons versus expungement, that those who want to go to the U.S. will have to produce a document showing a Canadian pardon in order to get a U.S. waiver to enter the U.S. That is certainly something to consider.

With respect to the pardon process, I hope that in addition to considering the individuals who apply, the government will address our current judicial queue, which, as we know, is overburdened. In fact, under the Liberal government, we have not appointed enough judges to stop cases involving murderers and rapists from being thrown out because of the Jordan's principle, which means they have been in the queue for longer than two years. I hope the government is looking into the backlog to make sure that people in line with a simple possession charge will have their cases thrown out, as this will avoid all the bureaucracy that goes along with those charges.

I have also heard commentary today that the legislation has come late in the process. I agree with this commentary. It was an election promise to legalize marijuana. There was lots of consultation and a comprehensive report. I was at the health committee when the bill was considered. There, many things were pointed out that were talked about years ago, and this issue was one of them. The bill has been left to the last minute and will likely not be passed, which means that the government is not sincere in its efforts to pass it.

The legalization of marijuana was itself a similar exercise. Some pointed out to the government that it needed to put public education in place a year before legalization. Again, that did not happen. What was needed to support police officers and municipalities was clear, yet the timeline was rushed and too short.

What is happening today?

Although marijuana is legal, edibles are not yet legal. There is still much confusion about what is to come in that respect, and there has been no clarification.

Also, we have seen many of the things that were predicted. There has been an increase of 32% in the number of people consuming cannabis. This is the same kind of increase seen in Colorado. This increase is problematic in the context of impaired driving. Canada already had a substantial problem in that regard. As MADD noted, in 2014, 42% of fatally injured drivers tested positive for cannabis. At that time we already had a big problem, and certainly under this government it does not seem to be getting any better.

There are issues with Bill C-93, and with respect to the pardons, we have to be clear about who is going to pay for them. I am not sure why a taxpayer who did not commit a crime should have to foot the bill for a crime someone else committed, especially given that the

person committing the crime would have had to spend \$200 an ounce on marijuana. I certainly think that needs to be looked at.

The pardon versus expungement argument is a valid one, and we should take it forward, but we should make sure that we do not pardon en masse. We should consider each case on its merits to make sure there were no other criminal offences that could not be proven but were documented in the files of those who received a conviction for possession.

• (1350)

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Mr. Speaker, this idea of charges that have not been proven has come up in a few of the speeches today. However, we just call those "charges". The person has not been convicted of them. It is not a conviction and it is not what we base our pardons on or what they seek pardons on, because it is not what they are sentenced on. I think we really need to be clear. A person may have been charged, but if the charge was not proven, it means the person was not criminally convicted. It concerns me when we slide that line in our conversations in this place.

I want to underline that we are missing the point about why pardons or expungements are important. In fact, I voted in favour of expungement and I have no problem with that, if that is what we are speaking about. When we studied it at committee, we saw that people who do not have a pardon in fact cannot get jobs as easily, cannot rent homes, cannot adopt and might have problems with custody arrangements. Does my friend not see the value of a pardon in the case of simple possession, if that is what they were convicted of, and is that not something we should be doing as quickly and cheaply as possible?

**Ms. Marilyn Gladu:** Mr. Speaker, in fact there is a process today to get a pardon. We are not creating something that does not already exist. We are just talking about how fast we are going to do it and who is going to pay. I would argue that the person who committed the offence should be responsible for paying for it. I do not think the taxpayer should have to pay extra money to give a pardon to someone who committed what was at that time a crime.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, we can forgive Canadians trying to follow this debate who might not know the distinction between an expungement and a pardon. Pardons exist right now within the legislation. We also know that pardons can simply be revoked at some future date. A future parliament can decide that it was a mistake and bring those convictions back onto people's records.

Liberal colleagues, time after time, have said that they think expungement was probably a better idea but that they just could not get around to it. We have about four or five weeks left in the parliamentary sitting. For a piece of legislation this important, this significant and this complicated to come this late expresses the government's lack of priority for the issue.

*Government Orders*

There are 400,000 Canadians wondering what is going to happen to their criminal charges for possession, which is not trafficking or anything else. We know indigenous communities and people of colour are overrepresented in this group. They are wondering where they sit in the Liberal priorities for justice. They know any pardon they get can be reversed and that the legislation has been introduced so late that it may not actually pass into law prior to the election in October of this year.

**Ms. Marilyn Gladu:** Mr. Speaker, I certainly agree with the member that this proposed legislation has come so late that it does call into question the sincerity of the government in wanting to get it passed. However, I hope he was listening when I talked about why expunging a record is not going to work.

For example, for people who live in my community who may want to go to the U.S., the U.S. already has the information about who has a criminal record for possession in Canada. If they do not get a U.S. entry waiver, then they cannot get into the U.S. However, they cannot get a U.S. entry waiver unless they have a copy of their Canadian pardon, which they would not have if their record was expunged. I think this is a very important point, and I look forward to discussing this aspect further at committee.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, in listening to the debate thus far, I am a little confused in terms of what the Conservative Party's position actually is. Could the member be clear on whether they are in favour of a pardon over expungement?

**Ms. Marilyn Gladu:** Mr. Speaker, we look forward to a full discussion at committee. I am not sure that we can see from the comments today that we have jelled on where our position is. We will have to have more discussion on it.

However, I am personally very much in favour of a pardon over an expungement for the reasons I have stated. People would not be able to go from my riding across to the U.S., which is a daily event, if their records were expunged. I think that the pardon process that exists is tried and true and is the correct path. We should see if we can streamline that path and make it more accessible.

•(1355)

**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 and address the House. Once again, today, we have in Bill C-93 another progressive piece of legislation that is going to have a very positive outcome at the end of the day, from coast to coast to coast.

I have heard a number of members across the way ask why we are bringing forward this legislation at this time. I can tell people who may be following the debate that, in the last three or three and a half years, we have had a government that has taken very seriously issues such as cannabis, tax breaks, or a wide selection of different areas of concern. We have been introducing legislation from virtually day one, all the way. I would suggest that we could see even more legislation.

Canadians have an expectation that the government, and in fact hopefully the opposition too, will recognize that every day is a good day to be sitting, and when we are sitting, we should be doing work

on behalf of all Canadians. This is just another good day. We are debating legislation that ultimately will have a very positive impact on Canadians.

The question I just posed to the member opposite, the Conservative shadow minister, is something that I think Canadians are very much interested in. The New Democrats very clearly want expungement. Let us make this so that it really makes sense to our constituents.

Imagine, Mr. Speaker, any one of our constituents living in Canada who want to go down to the States today. If they were to go to the States and the government said they could have an expungement, as opposed to a pardon, what we would be telling our constituents is that it is as if the act never took place. They can go across the border and if the issue is ever posed to them, they could say it never took place. They do not have to say anything about it.

That would be a huge mistake, I would suggest, because they could find themselves in a position where an immigration or customs officer in the U.S. could make accusations of misrepresentation or possibly even accusations of lying. If they attempt to do that, they could be in a great deal of trouble, especially if they want to enter the States that day or in the future.

That is just one example that I think has to be talked about of why an expungement is not necessarily what the NDP is trying to portray. A pardon does the job that is being requested. It allows our constituents to cross the border in a legitimate fashion.

There have been consultations between border controls in both nations. Most importantly, we know that we can actually implement this policy for those individuals. We are talking about providing a pardon for an estimated 250,000 Canadians. That is a quarter of a million Canadians in all regions of our country who would now be eligible to receive this pardon. Some members asked why we expect only 10,000 Canadians to actually go through the process. We have confidence in our civil servants and believe these are the numbers that we have been told. If in fact they are too high or too low, the government can adjust, much like I can adjust to my time having expired.

I will continue my speech at the end of question period.

**The Speaker:** The hon. member will have 15 minutes and 45 seconds remaining in his speech when the House next deals with this subject.

## STATEMENTS BY MEMBERS

[English]

### MENTAL HEALTH WEEK

**Mrs. Celina Caesar-Chavannes (Whitby, Ind.):** Mr. Speaker, early in my term here in the 42nd Parliament, I disclosed my struggles with depression and anxiety. It is never easy to talk about issues that have tremendous stigma, so during this Mental Health Week, I encourage all Canadians to get loud and support those living with mental illness, but to also get quiet. We need to get quiet enough to listen to the whispers of those who need our help, and quiet enough to empathize with those who are suffering in silence.

Let us get loud enough to break the stigma associated with mental illness, but quiet enough to understand that everyone's journey with mental illness is unique. We all have a role to play in ensuring that each and every Canadian lives with optimal mental health.

I want to thank Durham Mental Services, Ontario Shores, the Durham Regional Police Service, Lakeridge Health, Canadian Mental Health Association Durham and the COPE mental health program for their service to our community.

I invite all my colleagues and all Canadians to get loud this week and break the stigma of mental illness.

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● (1400)

### NAPANEE RAIDERS

**Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.):** Mr. Speaker, hard work and persistence have paid off to the tune of an all-Ontario hockey championship. Last Tuesday, the Napanee Raiders clinched the Clarence Schmalz Cup for the second time in their 30-year history, defeating the Grimsby Peach Kings 3-1 in game five. They did it in our hometown of Napanee.

The Peach Kings came out strong in a must-win game and dominated the attack early on in the game, forcing the Napanee Raiders to work hard for the win. The Peach Kings came close to tying it late in the third, but Napanee's goalie, Nicholas Nabuurs, reacted quickly and was able to catch a bouncing puck.

As forward Ryan Casselman said, “Our dressing room is the reason we won. Every practice, every meeting and every game, we were there for each other. We just loved being together and that really makes for a good hockey team. Capturing the Schmalz is something we'll never forget.”

We will never forget either. I congratulate the Napanee Raiders.

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### CARBON PRICING

**Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC):** Mr. Speaker, my province, Saskatchewan, is innovative, resilient and committed to safeguarding the environment.

It is truly disappointing that the Prime Minister is so focused on his ineffective and costly carbon tax that he cannot see past it. What is even more disappointing is that he is not being upfront with Canadians. If his carbon tax was really a plan to lower emissions, he

### Statements by Members

would not have given a pass to major emitters. Instead, his carbon tax scheme dives deeper into the pockets of hard-working Canadians who are already overtaxed.

Saskatchewan is forced to continue its fight in court, but now it is being joined by Canadians across this country, and more and more provinces are picking up the fight in court.

The good news is that this fall Canadians can choose a leader who will scrap the carbon tax and lower global emissions without making Canadians pay more.

\* \* \*

### COMMUNITY VOLUNTEER

**Hon. Judy A. Sgro (Humber River—Black Creek, Lib.):** Mr. Speaker, I would like to take this opportunity to rise in the House today to recognize a remarkable woman in my riding, Humber River—Black Creek. Ameris Cristofoli, a senior, leads a group of over 75 seniors through an extensive community-based exercise program. Ms. Cristofoli has been volunteering for a remarkable 18 years and leads the program, with participants ranging from the young age of 70 to 90 years of age, three times a week.

We all know that as we grow older it is important to increase our exercise to ensure a longer life. It is individuals like Ameris who are helping to keep our Canadian seniors healthy and strong, like this great country that we call home.

\* \* \*

### YOUTH FOR CLIMATE

**Ms. Rachel Blaney (North Island—Powell River, NDP):** Mr. Speaker, in my riding of North Island—Powell River, youth are telling us that climate change is a priority. My first town hall on climate change, held in Port McNeill at North Island Secondary School, had three presenters who spoke to issues relevant in the region.

Adrian Van Gorkom, a student, was the first to present. He spoke of his survey of fellow students on their concerns about the environment and climate change. The results were powerful, as we heard that this issue is seen as incredibly urgent. He, along with two other presenters, Megan Hanacek and “The Marine Detective”, Jackie Hildering, focused on battling fear, creating solutions and youth engagement.

Whether it is the students of Campbell River who have protested multiple times at city hall asking leadership and community members to act now, or the Comox Valley students who met with several elected representatives to discuss issues of climate action in their region, or the students of Powell River who left their classrooms and walked out to protest the lack of climate change action, young people are stepping up to the plate. I hope that the government is willing to act with them.

*Statements by Members*

[Translation]

**NORDRESA**

**Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.):** Mr. Speaker, I recently visited Nordresa, a company located in Marc-Aurèle-Fortin.

This jewel of Laval's economy develops, manufactures and commercializes electric drivetrains for commercial trucks. If I had to name one company that epitomizes the alliance between the environment and the economy, it would have to be Nordresa. With a highly skilled workforce drawn from Quebec, leading-edge expertise and economic prospects that extend well beyond our borders, this beacon of the Canadian ecological transition is a company we can be proud of.

I want to thank Nordresa's president Sylvain Castonguay and deputy managing director Caroline Lachance for the warm welcome they gave me and for all their hard work. By supporting their efforts, we will build a sustainable, innovation-driven economy—

• (1405)

**The Speaker:** Order. The hon. member for Sarnia—Lambton.

\* \* \*

[English]

**GOVERNMENT PRIORITIES**

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, as we approach the election, I have been reflecting back on all the broken promises over the past four years.

The Prime Minister said he would run small deficits of less than \$10 million that would go toward building roads and bridges here in Canada. Instead, we have huge deficits, and our taxpayer dollars are going to build infrastructure in China.

He said it was going to be the last election under first past the post. The budget was going to be balanced. The government was going to be open, honest and ethical. We saw how that went with the SNC scandal, the Aga Khan fiasco, the clam scam, the cash-for-access fundraisers and the many ethics violations of the Prime Minister and his cabinet. The Prime Minister said he would not do omnibus bills. He said he would restore home mail delivery.

In fact, the Prime Minister has not fulfilled three-quarters of his promises, so basically we cannot believe anything he says. The Prime Minister is definitely not as advertised.

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**NORWOOD LEGION LADIES AUXILIARY**

**Mr. Dan Vandal (Saint Boniface—Saint Vital, Lib.):** Mr. Speaker, on February 11, 1929, the Norwood Legion Ladies Auxiliary was constituted by the Canadian Legion of the British Empire Service League.

For 90 years, the volunteer auxiliary has worked tirelessly to support the Norwood Legion and Saint Boniface. It was a pleasure to be able to join them last Sunday to mark this very important milestone.

[Translation]

Saint-Boniface—Saint-Vital has a phenomenal number of dedicated volunteers working hard for the well-being of our community. Today I am paying tribute to the Norwood Legion Ladies Auxiliary in Saint-Boniface.

[English]

We thank the auxiliary president, Marilyn Kenny, and all members for their valued service to our community.

[Translation]

Happy anniversary.

[English]

Here is to another 90 years.

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**CANADIAN CHILDREN'S BOOK WEEK**

**Mr. Lloyd Longfield (Guelph, Lib.):** Mr. Speaker, Canadian Children's Book Week is an annual event that celebrates Canadian children's literature.

Literacy is one of the greatest gifts parents and grandparents can give a child, something my wife, Barb, and I have always believed in. Reading lays the foundation for a love of learning, and the bond created while reading with a child, at any age, is priceless.

We are so fortunate to have many talented writers and illustrators across Canada, especially in my riding, like Robert Munsch, Eric Walters, Jean Little, Werner Zimmermann, and many more. The newest addition to the authors list is grade 12 student Lindsay Tarrington.

Guelph public libraries and bookstores are more than just storage spaces for books. They are community hubs, bringing families together as centres for learning, education and professional development.

I would like to join the member for Toronto—Danforth and encourage all Canadians to help ignite a culture of reading right across our great country.

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**RAMADAN**

**Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC):** Mr. Speaker, today begins Ramadan, the holiest month in the Islamic calendar.

Canadians of all faiths stand with our Muslim friends and neighbours, during this special month and always. We strongly affirm our love and goodwill for Muslim Canadians. I am grateful for the significant contributions they make every day in Canadian life. They are well represented in every profession, every field of community action, and every political party.

We join Muslim Canadians in standing against all threats to religious liberty, both here and around the world. During Ramadan, we remember those who participate in the free practice of fasting but are impeded by violence or by state edict.

Finally, Ramadan provides a great opportunity for non-Muslims to connect with their Muslim neighbours. Mosques hold Iftar events, where people gather at sundown at the end of each day to break their fast.

I will be joining Iftar events in my riding this month, and I would encourage all members of Parliament and all Canadians to do the same. To all Muslims, *Ramadan Mubarak*.

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● (1410)

#### LVIV, UKRAINE FOLKLORE FESTIVAL

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Mr. Speaker, 2019 marks the 50th anniversary of the Lviv, Ukraine Folklore Festival in Kingston, making it the second-longest-running Ukrainian festival in Canada. This accomplishment shows the hard work and dedication of the many volunteers and members of the Ukrainian community. Our city is proud to witness and be part of this significant milestone.

The folklore festival gathers community members to celebrate Ukrainian traditions and culture through live performances, traditional dance and music, artistic displays and excellent homemade cuisine. In celebrating Ukrainian culture, we help strengthen our diversity.

I am excited to see the continued growth in the Kingston Ukrainian community and indeed to celebrate its rich Ukrainian culture together.

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#### YOUNG VOLUNTEERS

**Hon. Kent Hehr (Calgary Centre, Lib.):** Mr. Speaker, today's young Canadians are the most educated, connected and diverse generation this country has ever seen. They have the curiosity needed to learn skills and the ambition required to work hard and succeed. That is why I am thrilled to welcome to Parliament today a group of young advocates from Engineers Without Borders at the University of Calgary and especially my good friend Marigold Mioc, a recipient of the 2019 Diana Award for community service. These great Canadians are here to talk to us about the 2030 sustainable development goals and how we as parliamentarians and policy-makers can continue to work to achieve them.

For too many years, politicians and parties neglected young voices. I encourage today's leaders to listen to our future leaders. We can learn a great deal.

\* \* \*

[Translation]

#### QUEBEC INTERESTS

**Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC):** Mr. Speaker, from interfering in justice files and numerous ethics breaches to false promises, backtracking and a deficit with no end in sight, this Liberal government has gone way off course.

One after another, party members are jumping ship, and when they do, the Liberals bash them. We are now seeing the Liberals' true

#### Statements by Members

colours as they squabble endlessly with the provinces and the rest of the world turns its back on us. They said Canada was back. They forgot to say the strife was back too.

Quebeckers deserve better. They deserve a government that respects provincial jurisdiction. They deserve responsible government. They deserve a government that listens to them, a government that will put an end to scandals of all kinds.

Quebeckers deserve proper representation. They deserve a blue wave.

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[English]

#### CANADA SUMMER JOBS INITIATIVE

**Mr. Ken McDonald (Avalon, Lib.):** Mr. Speaker, summer is upon us, and in my riding of Avalon, things are looking brighter than ever for young people, who, thanks to our Canada summer jobs program, will have over 480 well-paying summer positions available to them across the riding. Students in my province relish the opportunity to find jobs that not only interest them but that allow them to make a fair wage, all while learning important skills for their future.

The previous Conservative government, in true Conservative fashion, preferred balancing its books on the backs of our young people. It considered investing in students and our youth one of its lowest priorities.

This government knows that investing in our young people today means a stronger country tomorrow. This government knows that when we give students the chance to earn money for themselves, it means that mom and dad keep more money in their own pockets and that our young people find their independence. This government has been committed since day one to making positive changes to the lives of every Canadian. I know that the young people in Avalon are feeling these changes, and the future has never looked better.

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[Translation]

#### ENVIRONMENTAL PROTECTION IN SAINT-HYACINTHE —BAGOT

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, we are fortunate to have organizations doing amazing work in our riding. The Comité des citoyens et citoyennes pour la protection de l'environnement maskoutain is a grassroots organization dedicated to protecting the environment around Saint-Hyacinthe. Our sub-watershed committees, OBV Yamaska and Le Boisé des douze, also work hard to protect our environment.

The people of Saint-Hyacinthe and Acton care deeply about the environment.

Last month, hundreds of our young people took part in a climate rally to alert the government to the climate emergency. Young people know we need to act now. My youth committee made this a priority file. That is why we are organizing a gathering to discuss environmental protection and single-use plastics on June 8.

*Oral Questions*

I invite all my constituents to join us, because protecting the environment is everyone's business.

\* \* \*

• (1415)

[English]

**GOVERNMENT PRIORITIES**

**Ms. Rachael Harder (Lethbridge, CPC):** Mr. Speaker, the Prime Minister misled Canadians by promising that he would run three small deficits and then balance the budget, or rather, it would balance itself. Instead, the Prime Minister has borrowed massively, spent out of control and will not return the budget to balance until 2040.

He also promised that he would look after the well-being of the middle class, that he would advocate for their best interests, but nearly half of all Canadians are reporting that they live paycheque to paycheque. They are finding it difficult to cover basic necessities like food and shelter. Life is more expensive than ever, is what we are hearing.

Millennials would like to buy a home, but they cannot. The Prime Minister put new mortgage rules in place to keep young people out of the market.

Canadians are paying over and over again for the Prime Minister's mistakes, but the Prime Minister does not care. He has a family fortune, so why should he?

He tried to convince Canadians that he was one of them, but time has revealed the truth. He is not as advertised.

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**NATIONAL NURSING WEEK**

**Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.):** Mr. Speaker, it is an honour to rise in the House today to recognize the vital contributions nurses make to the health and well-being of all Canadians. With more than 425,000 regulated nurses across Canada, it is by far our largest group of health care providers.

This week is National Nursing Week 2019. It is a week in which we recognize nurses' commitment to delivering safe, effective and quality health care. The week draws attention to nurses to increase awareness of the many contributions of nurses to the well-being of Canadians.

I am pleased to celebrate this special week with the Canadian Nurses Association, the national and global professional voice of Canadian nursing, representing over 140,000 nurses in all 13 jurisdictions across Canada.

I thank Canada's nurses for their leadership in delivering better health care for our nation, with a special thanks to the nurses of Cambridge, Kitchener and Waterloo.

**ORAL QUESTIONS**

[English]

**JUSTICE**

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, Vice-Admiral Mark Norman is a man of integrity who has served our country with distinction in the Royal Canadian Navy, but the Liberals seem to have a personal vendetta against the vice-admiral and are going out of their way to block evidence and deny him a fair trial. Thankfully, there is a Liberal who has had enough of the Prime Minister's lack of integrity. The Liberal member for Orléans is going to testify on Norman's behalf.

Will the Prime Minister stop this obstruction and release all the relevant documents immediately?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I can report to the hon. member that the Department of Justice has co-operated and given all appropriate documents to the trial in question. We continue to collaborate on an ongoing basis in order to make sure that all sides in the trial have the information they are entitled to.

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, that is completely false. The Liberals have refused to hand over documents to Mr. Norman's defence. Interestingly enough, though, when Gerry Butts needed access to emails and documents when he was trying to discredit the former attorney general in the SNC-Lavalin affair, he had no problem at all getting those documents.

It is clear, yet again, that there is one set of rules for friends of the Liberals and a different set for those who are in the Prime Minister's crosshairs. Why is the Prime Minister refusing to hand over critical documents and evidence to Mr. Norman's defence team?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the prosecution's case in question is being undertaken by the Public Prosecution Service of Canada. Counsel to the Attorney General is fulfilling all its obligations in that instance before the court with respect to third party records applications. It is improper for me to say anything more than that, but we are fulfilling our obligations—

**The Speaker:** Order. The hon. opposition House leader.

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, between the SNC-Lavalin affair, breaking ethics laws and foreign affairs disasters, the Prime Minister and his train-wreck government have been in constant scandal mode. Now that the Norman trial is closing in, the Liberal member for Orléans is planning to testify against his own government. Talk about a dumpster fire.

The Prime Minister does not want the truth coming out, and again he is interfering in a criminal case. Will the Prime Minister admit that he is intentionally trying to delay Mark Norman's trial until after the election?

*Oral Questions*

• (1420)

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, once again, the trial is being handled by the Public Prosecution Service of Canada. That agency runs independently of the government and makes its own decisions. As a government, we are fulfilling all our third party obligations for records.

[*Translation*]

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, the Prime Minister was found guilty of violating four sections of the Conflict of Interest Act, then this Prime Minister and his senior staff interfered in our justice system in the SNC-Lavalin case, and now there is the trial of Vice-Admiral Norman, another story about interference by the Prime Minister's office. This case directly affects the Quebec workers at Davie shipyard.

Why did the Prime Minister interfere and block this contract—

**The Speaker:** The hon. Minister of Public Services and Procurement.

**Hon. Carla Qualtrough (Minister of Public Services and Procurement and Accessibility, Lib.):** Mr. Speaker, on this issue, I can assure my colleague that we have full confidence in the workers of Davie shipyard. We have awarded them many contracts, including part of a \$7-billion contract for the Halifax-class frigates, and another worth \$70 million for an icebreaker.

We have full confidence in the workers.

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, Scott Brison, the former president of the Treasury Board, has resigned, and now the former parliamentary secretary to the Minister of Foreign Affairs is going to testify against his own Liberal government in defence of Vice-Admiral Norman, a man with a flawless record. He is one of the Royal Canadian Navy's most decorated members.

I will repeat my question. Why is the Prime Minister interfering and trying to hold up the trial as well as the contract that should have been awarded to the Davie workers?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the prosecution in question is being handled by the Public Prosecution Service of Canada, which operates independently from the Department of Justice, from my office and from our government.

Counsel for the Attorney General of Canada is fulfilling all of its obligations before the court regarding applications for the records in question.

\* \* \*

[*English*]

### THE ENVIRONMENT

**Mr. Jagmeet Singh (Burnaby South, NDP):** Mr. Speaker, 10 years ago, Canada joined G20 countries and promised to fight climate change by eliminating fossil fuel subsidies. The Conservatives signed on, but predictably failed to act. The Prime Minister promised Canadians that he would do better. Instead, the Liberals have dithered over semantics, delayed action and continue to give billions of dollars in subsidies to fossil fuel corporations. When will

the Liberals finally stop handing out billions in fossil fuel subsidies and instead invest that money into helping Canadians build a new clean economy?

**Hon. Jonathan Wilkinson (Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.):** Mr. Speaker, by taking action to fight climate change, we certainly will protect the health of our economy and create good jobs for the future. We stand by our commitment with our international partners to phase out inefficient non-tax fossil fuel subsidies by 2025. We have done much of the work in that regard. We continue to do that going forward. We have opened up a consultation with Canadians to move that forward and we intend to meet our international obligations.

[*Translation*]

**Mr. Jagmeet Singh (Burnaby South, NDP):** Mr. Speaker, climate change is the greatest crisis facing us, yet the Liberals continue to hand out billions of dollars in subsidies to the fossil fuel industry.

We can reduce emissions and support our workers and our communities. All that is needed is the courage to do things differently.

When will this government stand up for Canadians and stop subsidizing the oil industry?

**Hon. Jonathan Wilkinson (Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.):** Mr. Speaker, by taking action to fight climate change, we can protect our health and create good jobs in a clean economy.

We stand by our commitment with our international partners to phase out inefficient non-tax fossil fuel subsidies by 2025. We have conducted a preliminary analysis to help us meet that commitment. That is why we have begun consultations to hear from Canadians on this matter.

• (1425)

**Mr. Jagmeet Singh (Burnaby South, NDP):** Mr. Speaker, action is urgently needed. People are really trying to reduce their ecological footprint, but the government here in Ottawa continues to make poor choices.

We are proposing a plan to lower emissions, help families save money and create good jobs in our communities.

Instead of giving \$12 million to a wealthy company, why does the government not implement a real plan to help Canadians create a green economy?

**Hon. Jonathan Wilkinson (Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.):** Mr. Speaker, we have a plan to combat climate change and make the economy clean and affordable for everyone. Our plan includes more than 50 measures, such as investing in renewable energy to ensure that 90% of our electricity is clean, helping schools, hospitals and businesses save money and energy through the low carbon economy fund, and phasing out coal.

*Oral Questions*

We will continue to work with Canadians to build a cleaner, more prosperous future for our children and grandchildren.

\* \* \*

[English]

**HOUSING**

**Mr. Jagmeet Singh (Burnaby South, NDP):** Mr. Speaker, while the Liberals cozy up to powerful lobbyists and rich corporations, they are leaving behind Canadians who are struggling to make ends meet. Nowhere is this felt more than by people who are looking for an affordable place to live and families who are looking for their first home. New Democrats have listened and proposed bold solutions to help. As a practical first step, will the Liberals encourage the building of more affordable homes through targeted GST breaks for construction and help young families enter the housing market by re-establishing 30-year mortgages?

**Hon. Kirsty Duncan (Minister of Science and Sport, Lib.):** Mr. Speaker, our government introduced and implemented Canada's first-ever national housing strategy, because we know that everyone deserves a safe, affordable place to call home. That is why we have invested more than \$7 billion and, to date, we have helped more than one million Canadians find a home. We recognize that there is still more work to do. However, we are investing in Canada's first-ever national housing strategy, which will invest over \$55 billion in the housing sector.

\* \* \*

**JUSTICE**

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Mr. Speaker, it is another day and another resignation for the Liberal government. A former three-star army general and parliamentary secretary to the Minister of Foreign Affairs has lost confidence in the Prime Minister and will not run again. To help right a wrong, he plans to testify in Admiral Norman's defence against the government. What will the former parliamentary secretary to foreign affairs say that is so damaging to the Liberals that he had to resign to say it?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, first of all, that is absolutely ridiculous. That is not what has taken place. When it comes to our process, we know that the process is unfolding.

The government is going to continue focusing on Canadians, as the Conservatives will continue to mislead Canadians. That is really unfortunate, because that is not what we are here to do.

This is the government. We are the government that lowered taxes on middle-class Canadians by increasing them on the wealthiest 1% of Canadians. We are the government that introduced the tax-free Canada child benefit, and today we have 300,000 children lifted out of poverty, over 800,000 Canadians. The Conservatives want to take that measure away.

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Mr. Speaker, the former parliamentary secretary to the Minister of Foreign Affairs is going to testify against the government in the case of Vice-Admiral Mark Norman. This is the latest blow to a Prime Minister who continues to hide documents in the Norman case because he is afraid of what will come to light.

When will the Prime Minister do the right thing, meet his obligations and provide all requested documents, unredacted, to ensure that Mark Norman gets the fair trial he deserves?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, once again, I can assure the hon. member, this House and all Canadians that the Public Prosecution Service is an independent service in Canada. It is managing the prosecution of this case. We do not interfere with such prosecutions as a government.

The ministry of the Attorney General is in fact fulfilling all of its obligations with respect to documents made under third party applications.

● (1430)

[Translation]

**Mr. Richard Martel (Chicoutimi—Le Fjord, CPC):** Mr. Speaker, on Friday, we learned that a Liberal MP from Orléans and former lieutenant-general in the Canadian Armed Forces is going to testify against the government in the trial of Vice-Admiral Mark Norman. The Vice-Admiral was defending the Royal Canadian Navy from political interference by the Liberal government, particularly by Scott Brison, who favoured Halifax over the Davie shipyard. Quebec deserves better.

Why did the Liberal government try to deny Davie shipyard that contract?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I said many times, the prosecution in question is being handled by the Public Prosecution Service of Canada, which operates independently from my department and our government.

Counsel for the Attorney General of Canada is fulfilling all of its obligations to the court with respect to third party records applications.

**Mr. Richard Martel (Chicoutimi—Le Fjord, CPC):** Mr. Speaker, there is no end to the Liberals' political interfering and scheming. After politicizing the fighter jet procurement file, they politicized the Navy's procurement projects.

If the Liberals have nothing to hide, why will they not provide Vice-Admiral Norman with the documents he needs to defend himself?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the government is fulfilling its obligations to the court and to the trial by providing the required documents during the process. All our obligations have been fulfilled.

[English]

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Mr. Speaker, the Prime Minister's former parliamentary secretary has had enough. He is going to testify against these Liberals in defence of Vice-Admiral Mark Norman.



*Oral Questions*

Canadians know that the Prime Minister has abused his office to reward his friends and attack his enemies. The Prime Minister had no problem at all covering the cost of his own staff's legal fees during the whole SNC-Lavalin scandal, but refuses to do the same for the vice-admiral.

Why is there always one set of rules for Liberals and punishment for anyone who gets in the Prime Minister's way?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, once again, I can assure this House that all rules are being followed in this case. All demands for legal assistance are being undertaken according to the rules. All requests for documents under third party records applications are being met by my department.

This prosecution is being handled by the Public Prosecution Service of Canada. It is independent of my office and our government, and there has been no interference.

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Mr. Speaker, it did not stop the Prime Minister from talking about this and that Vice-Admiral Mark Norman was going to be charged.

The Liberals are obstructing subpoenas in the Vice-Admiral Norman trial, making it impossible for him to mount a proper legal defence. They are refusing to cover his legal costs, hoping to drive him into bankruptcy, and are sitting on critical documents that he needs to defend himself.

When will the Prime Minister turn over all the documents requested by subpoena, unredacted, and give Vice-Admiral Norman the fair trial he deserves?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, once again, quite simply, the government is meeting all of its obligations with respect to third party obligations. The government is following all rules with respect to applications for the support of counsel.

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**ETHICS**

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, when the Liberals were elected, they promised to do politics differently. How things have changed. We have now learned that they are using a partisan tool to fill influential positions in our country, like judges and senators, just like the Conservatives appointed their friends when they were in power. These appointments must be based on merit and not party alliance. Experienced people are being overlooked for those with big red lawn signs and even bigger cheques.

Why does the government care more about its wealthy supporters than the crucial requirement that our courts be independent of politics?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, we have set up a process for the appointment of judges which is transparent, merit-based and rigorous, beginning from the applications being treated by judicial committees across Canada all the way through the rest of the process.

Canadians have a right to donate to political parties. This fact neither helps nor hinders any applicant. The applications are based solely on merit. We have appointed over 300 judges, and their quality is of the very highest calibre.

• (1435)

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, so basically, the best Liberal wins.

The Liberals are so arrogant that they do not even realize the harm they are doing to the Canadian system of government. Canadians expect us to put the partisanship aside when it comes to the nomination of our judges, senators and officers of Parliament. We depend on the integrity of our institutions for a democratic and fair society.

The Prime Minister promised to do politics differently. Will the Liberals commit right now to Canadians not to use their partisan database for future appointments?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I have stated, we have put together a transparent, merit-based process that is highly rigorous. These appointments, which were made by both my predecessor and me, have resulted in over 300 appointments of the very highest calibre. Of those appointments, 55% are women. They are better representing the diversity of Canada. We know we still have a way to go, but this is an outstanding crop of appointees, who have been appointed only based on merit.

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**PUBLIC SAFETY**

**Hon. Erin O'Toole (Durham, CPC):** Mr. Speaker, the Prime Minister is so weak on foreign affairs that he is now allowing Chinese-run Huawei to have unprecedented control of a government-funded university research chair. The Prime Minister's weakness is now undermining academic independence and free speech. Anyone who has concerns about Huawei is being told that they cannot be part of this university program.

Why is the Prime Minister allowing a state-controlled enterprise from China to dictate policies at Canadian universities?

**Hon. Kirsty Duncan (Minister of Science and Sport, Lib.):** Mr. Speaker, universities across Canada work with many partners on joint research projects, across all disciplines. The freedom to pursue ideas across borders and disciplines rouses real scientific insight and innovation.

Our national security agencies work diligently to monitor security threats and have measures in place to protect Canada's systems. We will follow the advice of our public security officials and would only work with partners that have their approval.

**Hon. Erin O'Toole (Durham, CPC):** Mr. Speaker, the minister took the Prime Minister to NSERC for his annual photo-op today, but he failed to address real concerns that they are allowing China to screen out university partners based on their views toward Huawei. If Canadians express security or other concerns about risks of Huawei, they are being shut out of this university program.

### Oral Questions

Why is the Prime Minister using taxpayer dollars to fund Chinese state interests at a time when China is locking up Canadians?

**Hon. Kirsty Duncan (Minister of Science and Sport, Lib.):** Mr. Speaker, as I said, we will follow the advice of our public security officials and would only work with partners that had their approval.

Science and research are inherently open by nature. Our researchers work with partners across all disciplines. When universities partner with an organization, NSERC organizes a peer-review process that avoids individuals who have conflicts or relationships with the applicant or partner organizations, ensuring that proposals are solely on the basis of—

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

[Translation]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, Stanford University and Berkeley, in California, along with the University of Massachusetts and the University of Oxford, have cut their ties and partnerships with Huawei. They realized the danger of such partnerships, since China's current policy for the integration of military and civilian technology development is being led personally by China's president.

This means that Canadian researchers working with Chinese collaborators could be indirectly contributing to the development of China's military. The Prime Minister is trying to expand the research partnership with Huawei. Why?

**Hon. Kirsty Duncan (Minister of Science and Sport, Lib.):** Mr. Speaker, as I said, Canadian universities work with many partners on research projects across all disciplines.

[English]

We will listen to our public security officials. We will work only with partners that they approve.

[Translation]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, right now, Beijing is detaining two Canadians without cause, and two others are awaiting execution. Many of our allies have banned Huawei and warned Canada to do the same.

While the Prime Minister is hesitating and waffling, China is attacking our agricultural industry. Will the Prime Minister finally stand up for Canada's security and interests and make a decision on Huawei?

• (1440)

[English]

**Mr. Robert Oliphant (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.):** Mr. Speaker, the Minister of Foreign Affairs is in close contact with the families of both Michael Kovrig and Michael Spavor, our brave Canadians.

This is not about grandstanding or scoring points. It is not about politics. It is about working persistently, carefully and resolutely to get them home. We have rallied an unprecedented number of partners around the world in support of Canada's position on this and many other issues. Canada has won international support in an unprecedented way.

We will continue to work until every Canadian is home safely.

\* \* \*

[Translation]

### SMALL BUSINESS

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, the owners of small businesses and family farms who want to sell their business to their children are still paying a lot more in taxes than those who want to sell to strangers. That is unfair and completely ridiculous.

The bill I introduced in February 2017 sought to remedy that situation, but the Minister of Finance convinced the Liberals to vote against it by promising he would introduce such a measure in a future budget. Budget 2019 was his third and last chance to do just that, but, for the third time, the finance minister refused to do it. It does not make any sense to punish those who want to keep their business in the family.

Why is the Minister of Finance picking on those families?

[English]

**Ms. Jennifer O'Connell (Parliamentary Secretary to the Minister of Finance (Youth Economic Opportunity), Lib.):** Mr. Speaker, our government remains committed to lowering taxes and ensuring that small businesses thrive in this country.

In addition, we are making improvements through this budget to ensure that farmers and fishers have better access and, again, the ability to grow and thrive in this country.

After 10 years of failed policies under the Conservatives, we know how to grow the economy, and that is what we continue to do. With our budget, a typical Canadian family is \$2,000 better off. This is the type of economy we are growing, one that works for everybody.

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### THE ENVIRONMENT

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Mr. Speaker, a landmark UN report released this morning shows that nature is in crisis. Globally, around a million plant and animal species are threatened with extinction, and in my riding of Kootenay—Columbia the future of the caribou is uncertain.

Biodiversity loss threatens our economy, food security, health and quality of life. The causes of species decline include habitat destruction, climate change, pollution and invasive species.

It is past time to sound the alarm.

When will the government begin the transformative change that experts say we need to secure a sustainable future?

*Oral Questions*

**Mr. Sean Fraser (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Mr. Speaker, the UN report to which the hon. member refers provides a sobering assessment of the challenge facing us today.

Since the 1970s, the world has lost about 60% of its wildlife, and Canada is one of five countries representing three-quarters of the world's remaining wilderness. The fact is that we have an opportunity and an obligation to do something about this emergency.

We moved forward in budget 2018 with an investment of \$1.3 billion, the largest investment in nature conservation in its history.

I have been in the member's province to work on the southern mountain caribou file. This is one of many challenges, and it is time to sound the alarms.

\* \* \*

[Translation]

**CANADIAN HERITAGE**

**Mr. Michel Picard (Montarville, Lib.):** Mr. Speaker, summer is fast approaching, or at least we hope it is, and festival season is starting up.

The calendar is already packed in Montarville, with outdoor stages, exhibitions and other activities, and they are counting on even more people to attend.

Budget 2019 increased funding for festivals and various local events. Can the Minister of Canadian Heritage and Multiculturalism tell the House how the government will support festivals like the ones in my riding?

**Hon. Pablo Rodriguez (Minister of Canadian Heritage and Multiculturalism, Lib.):** Mr. Speaker, I thank my colleague for his question. It is nice to hear a good question.

For the first time in more than 10 years, the government is investing more in festivals and celebrations. We have invested \$40 million in festivals big and small. This funding will in large part go towards supporting local festivals in our regions.

The Conservatives slashed cultural programs for over 10 years. Every night they dream of slashing more, but not us. We will always be there for our artists, our creators, our festivals and our regions.

\* \* \*

[English]

**INTERNATIONAL TRADE**

**Mr. Dean Allison (Niagara West, CPC):** Mr. Speaker, China has illegally blocked Canadian canola imports, then it suspended permits of two major pork producers for no reason. How does the Prime Minister handle it? He says it is not the right time to go to the WTO. That is a weak and shameful response. When will the Prime Minister show some leadership and launch a trade action against China's illegal attacks?

• (1445)

**Hon. Jim Carr (Minister of International Trade Diversification, Lib.):** Mr. Speaker, we continue to engage with China at the scientific level. We announced last week a generous support package

for producers, which by the way, has the support of the Premier of Saskatchewan, of the Canola Council of Canada, of producers and of trade ministers across the west. We continue to look for other markets for canola. We have taken no possibility and no other action off the table.

**Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC):** Mr. Speaker, actions speak louder than words, and a loan is a band-aid, not a solution. The Prime Minister's slow and inadequate response is costing our canola producers greatly. Our farmers are no closer to regaining market access than they were two months ago. To date, there is still no Canadian ambassador appointed to China and no formal trade complaint has been launched.

Instead of continuing to shell out Canadian taxpayer money to the China-controlled Asian Infrastructure Investment Bank, will the Prime Minister finally stand up to China and fight for farmers?

**Hon. Marie-Claude Bibeau (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, once again, I can say that we are very engaged in working as a team to solve this issue with China because we stand by our farmers, our canola producers and our exporters. This is a very important issue, and we should not confuse supporting our farmers and our robust inspection system with supporting the poorest and the most vulnerable of this world.

[Translation]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Mr. Speaker, canola, pork, genetics, what is next?

More and more people are telling the Prime Minister to take a tougher stance. Even the Liberal-dominated Standing Committee on Agriculture and Agri-Food told the minister in a letter that all witnesses are calling for political action.

Regarding the pork issue, the Minister of Agriculture and Agri-Food insists there is no cause for concern. It is 100% our fault, according to the minister.

Why is the Prime Minister refusing to stand up for Canada's pork and canola producers?

**Hon. Marie-Claude Bibeau (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, we have been standing firm on this issue for well over two months. It did not take us six weeks to ask a first question about canola.

We are working with the Minister of International Trade Diversification and the Minister of Foreign Affairs, and also with farmers, their representatives, the industry and our provincial colleagues. We are working together to implement the best strategy and to find a long-term solution.

We support our canola producers.

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Mr. Speaker, we were the first to stand up in the House to defend canola farmers.

### Oral Questions

It took pressure from the Leader of the Opposition to make them stand up and get moving. That is the reality. The Minister of Agriculture and Agri-Food admitted to the Standing Committee on Agriculture and Agri-Food that she still has not spoken with the Chinese government. Things have gotten so bad that China has not even responded to her letter asking to send a technical delegation. That is the reality.

She is going to meet the Chinese agriculture minister at the G20 this weekend. Will she step up and talk to him about this issue, or will she keep quiet to avoid ruffling feathers?

**Hon. Marie-Claude Bibeau (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I can assure you that I will step up every chance I get to support our farmers across Canada and abroad.

I did not have to wait for my colleague to ask me the first question in question period, six weeks after the debate started.

I will be there to support farmers in several different ways, and I am looking for more than just “yes” or “no” answers. This is a very complex file, and we are all working together, in partnership with industry, to defend our farmers.

\* \* \*

### EMPLOYMENT

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, nearly a thousand temporary foreign workers got a nasty surprise upon arriving here.

Rather than receiving a tax refund, they had an outstanding balance because Revenue Canada made mistakes. When the agency makes mistakes in one out of five cases, how can it say the matter is resolved?

The president of the Union des producteurs agricoles, Marcel Groleau, is calling on the minister to fix the problem cases and make sure this never happens again.

When will the minister take action?

**Hon. Diane Lebouthillier (Minister of National Revenue, Lib.):** Mr. Speaker, we are working very hard to ensure that people get the credits and benefits they are entitled to. We will keep working with our colleagues to get all the facts and to make sure people actually get their benefits.

\* \* \*

● (1450)

[English]

### HEALTH

**Ms. Rachel Blaney (North Island—Powell River, NDP):** Mr. Speaker, during a town hall meeting, the Minister of Seniors said that the government's new Canadian drug agency will save Canadians \$3 billion per year—in what, 10 years?

Without the NDP's universal pharmacare plan, private insurance and provincial plans will still be doing their own buying. The Liberals' agency will have little to no buying power to negotiate cheaper drug prices, which seniors desperately need, without buying drugs for all Canadians.

Will the minister come clean and tell seniors the truth, that this Canadian drug agency will not be saving them any money anytime soon?

**Mrs. Sherry Romanado (Parliamentary Secretary to the Minister of Seniors, Lib.):** Mr. Speaker, our government has been working hard for seniors since the day we were elected. No one should have to choose between paying for prescriptions and putting food on their table. That is why budget 2019 establishes the Canadian drug agency that will work on developing a formulary and bulk buying prices for drugs, and negotiate drug prices to make prescription drugs more affordable for more Canadians.

This is an important step toward a system where everyone can afford their prescription drugs and continue to live healthily. We will not stop when it comes to seniors.

\* \* \*

[Translation]

### ETHICS

**Mr. Jacques Gourde (Lévis—Lotbinière, CPC):** Mr. Speaker, there are some unanswered questions about the Prime Minister's trip to the Aga Khan's island.

The letter sent to the RCMP is vital to conducting a thorough investigation to assure all Canadians of the integrity of their government and reaffirm their confidence in the administration of justice.

Will the Prime Minister agree to co-operate in the investigation process? Canadians want to know the truth.

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the Prime Minister and our government will always co-operate with our institutions. We know that the commissioner will do his job. We know that he submitted a report and the Prime Minister took responsibility. He accepted the recommendations.

[English]

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, much has transpired since the Ethics Commissioner found the Liberal leader violated four sections of the Conflict of Interest Act in accepting an illegal vacation from a lobbyist. A federal court has now ordered the Commissioner of Lobbying to reopen investigation of that lavish and illegal gift. I have asked the RCMP commissioner that, on the basis of original and new evidence, she consider a criminal investigation.

Has the Prime Minister been contacted by either the Commissioner of Lobbying or the RCMP in regard to that illegal gift?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the member knows very well, because he spent much time asking questions on this file, that this matter has been thoroughly looked at by the Conflict of Interest and Ethics Commissioner. We know that a report was tabled and the Prime Minister accepted responsibility as well as the recommendations.

What is clear is that the Conservatives will continue to talk about something that has already been looked at by our officers of Parliament, because they have never had regard or respect for the work that they do. On this side, we recognize that our institutions are intact. We know that officers of Parliament do important work, and we believe that they should be able to do that independently of this place.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, no one was surprised that the Liberals continue to attempt to minimize and trivialize the seriousness of the Liberal leader's guilt, chronic ethical lapses and disrespect for the law, but from the illegal vacation to his actions and reactions in the SNC-Lavalin corruption scandal, and half a dozen lesser scandals in between, he has shaken Canadians' confidence in the integrity of government and the administration of justice.

Again, will the Prime Minister co-operate with a criminal investigation by the RCMP or the Ontario Provincial Police?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I will state once again that we will always respect the work of officers of Parliament and the independence of the police forces. We on this side will always co-operate with the work they do, because we recognize that Canadians deserve to have confidence in their institutions, just like we do. When it comes to our agents of Parliament, we know they do very important work, and we will let them do that important work.

While the Conservatives continue to rehash items that have already been addressed, we will continue to focus on Canadians and the things that matter to them in their everyday lives. That is why we have a program and a plan that is working, unlike the Conservatives, who continue to mislead Canadians.

\* \* \*

#### THE ENVIRONMENT

**Mr. Colin Fraser (West Nova, Lib.):** Mr. Speaker, abandoned vessels, such as the ones grounded on the beach in Sandy Cove, Nova Scotia, pose environmental, economic and safety hazards. Similar situations are a cause for concern in coastal inlet water communities across Canada. Can the minister explain to my constituents and all Canadians the progress made by this Liberal government to address the issue of abandoned vessels?

•(1455)

**Hon. Marc Garneau (Minister of Transport, Lib.):** Mr. Speaker, I thank the member for his question, as well as the Minister of Rural Economic Development and other Liberals who have advocated on this file.

We as a Liberal government recognized the importance of addressing this matter before it got any worse. That is why we came forward with Bill C-64, which is now law. It requires vessel owners to not only operate their vessels responsibly but to dispose of them at the end of their lives. We have listened to the communities that live along the coastlines and we have implemented this bill to address their concerns.

#### Oral Questions

#### NATURAL RESOURCES

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, the Prime Minister continues to defend helping China build pipelines in Asia with Canadian tax dollars while delaying building the Trans Mountain expansion in Canada. Delaying the cabinet decision will cost taxpayers billions more, and cancelling TMX would destroy confidence in Canada's ability to build major projects overall.

Why is the Prime Minister more interested in helping China build infrastructure to create oil and gas jobs in Asia than in Canada for Canadians?

**Hon. Amarjeet Sohi (Minister of Natural Resources, Lib.):** Mr. Speaker, the hon. member is absolutely wrong. We are building pipelines here. Enbridge Line 3, which we gave approval to, is almost complete on the Canadian side. We are the government that gave approval to the Nova Gas line, which is already completed.

If the members opposite were really sincere about figuring out the process for fixing the Trans Mountain pipeline expansion, they would not have voted to de-fund and kill the process we put in place for meaningful consultation with indigenous communities to ensure that we get this project right and in the right way.

\* \* \*

[Translation]

#### CANADIAN HERITAGE

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Mr. Speaker, the crisis at Telefilm Canada and the abrupt dismissal of Michel Pradier, Roxane Girard and Denis Pion are causing dismay in the film industry, especially in Quebec.

With the Liberals' lack of leadership on the web giant issue already creating serious concerns, we certainly do not need them taking dangerously rash actions like this one. This will further undermine our industry, which is more vulnerable than ever right now.

Will the minister commit to releasing emergency financial support to defuse this crisis, which has left many projects in limbo?

**Hon. Pablo Rodriguez (Minister of Canadian Heritage and Multiculturalism, Lib.):** Mr. Speaker, fortunately, I started working on this issue before my colleague asked his question.

I have met with a number of Quebec producers on this issue. Culture is very important to us, especially TV and film. We have always been there for them and always will be.

I will have the pleasure of announcing some very concrete measures in the coming days.

*Oral Questions*

[English]

**PUBLIC SAFETY**

**Mr. Doug Eyolfson (Charleswood—St. James—Assiniboia—Headingley, Lib.):** Mr. Speaker, we are all indebted to the amazing individuals who put their lives on the line every day to keep our communities safe in my constituency and across the country. Can the minister responsible for western economic diversification update this House on our government's work to celebrate emergency service workers and to stimulate new business growth and economic opportunities for Winnipeg?

[Translation]

**Mr. Rémi Massé (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, I would like to thank my colleague for his question.

[English]

I am delighted to tell this House that the World Police and Fire Games are coming to Winnipeg in 2023. Our government will provide \$2 million to support the games, which bring together world-leading emergency service experts.

I want to thank all my colleagues from Winnipeg for their passion and advocacy for the games. We all look forward to seeing Winnipeg host this event in 2023 and to welcoming firefighters and police officers from around the world.

\* \* \*

**FOREIGN AFFAIRS**

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, a year ago, the Liberals voted in favour of our motion to hold Iran accountable for its domestic and international crimes by immediately listing the IRGC as a terrorist entity. However, the Liberals have failed to act. The last time I raised this issue, the public safety minister claimed that a decision would be published in due course. That was seven months ago. Does the government still intend to list the IRGC, or has it changed its position on Iran yet again?

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, the Criminal Code listing regime is an important tool for countering terrorism and is part of the government's commitment to keep Canadians safe.

The update to the listings is an important step to fight terrorism globally and to ensure that Canada remains a safe and peaceful country. The assessments for new terrorist entity listings are an ongoing process. New entities are listed once it has been determined that they meet the legal threshold.

We will continue to take appropriate action to counter terrorist threats to Canada, our citizens and our interests around the world.

● (1500)

[Translation]

**GOVERNMENT APPOINTMENTS**

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Mr. Speaker, last week, I asked the Minister of Justice why he checks to see if candidates for the judiciary are in his Liberal database. He replied, "We implemented a transparent, merit-based process for appointing judges."

Sure, it is transparent because the media reported on it, but the only merit involved is the merit of being Liberal.

Seriously though, can the Minister of Justice explain how being a good Liberal is a sign of having good judgment?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, my answer has not changed. After taking office, we implemented a transparent, merit-based judicial appointment process. We have since appointed over 300 judges of the very highest calibre, half of whom are women. As a group, they represent this country's diversity. We are very proud of our record on this.

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Mr. Speaker, before appointing judges, the government is checking to see whether they have ever made any donations to the Liberal Party. Giving party friends preferential treatment is the same old Liberal way.

I said it last week and I will say it again. That approach is working. They raised over \$300,000 just by appointing judges.

For the Bloc Québécois, what counts is merit, not political affiliation.

How can the minister seriously justify the use of the Liberalist database in selecting judges?

**Hon. David Lametti (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, all Canadians, including lawyers, have the right to make donations under the Canadian system. Once again, the system is transparent. What is more, they have to fulfill their obligations to the system. It is a transparent process that all Canadians have the right to participate in. With regard to appointments, donations do not put candidates for the judiciary at an advantage or a disadvantage.

\* \* \*

[English]

**INTERGOVERNMENTAL RELATIONS**

**Hon. Maxime Bernier (Beauce, PPC):** Mr. Speaker, Canada's equalization program is creating more and more division in our country. The Premiers of Alberta and Saskatchewan said that they might call a referendum on that topic. The Premier of New Brunswick agrees that the program is not helping his province to prosper.

Will the government admit that it made a mistake by renewing the equalization formula without change last year and that this unfair and inefficient program needs to be downsized and reformed?

*Routine Proceedings*

## COMMITTEES OF THE HOUSE

## ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

**Ms. Jennifer O'Connell (Parliamentary Secretary to the Minister of Finance (Youth Economic Opportunity), Lib.):** Mr. Speaker, it is interesting, coming from the member opposite, because he was, in fact, part of the government when the equalization payment formula was created, and I do not recall him speaking out then in opposition to it.

However, that being said, we will always work with provinces and territories to find the best way to work with our counterparts. This is an equalization that was renewed again for four years, and the provinces and territories will continue to be consulted as we move forward.

\* \* \*

## PRESENCE IN GALLERY

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of the 2019 Gerhard Herzberg Canada Gold Medal for Science and Engineering prize winner, Dr. Barbara Sherwood Lollar, and the 2019 John C. Polanyi Award winner, Dr. Douglas Stephan.

**Some hon. members:** Hear, hear!

**The Speaker:** Also with us are the winners of the Natural Sciences and Engineering Research Council's Brockhouse Canada Prize for Interdisciplinary Research in Science and Engineering, Synergy Awards for Innovation, E.W.R. Steacie Memorial Fellowships and the Gilles Brassard Doctoral Prize for Interdisciplinary Research.

**Some hon. members:** Hear, hear!

● (1505)

[*Translation*]

**The Speaker:** Thank you for your excellent work.

The hon. member for Louis-Saint-Laurent on a point of order.

**Mr. Gérard Deltell:** Mr. Speaker, I believe you will find the unanimous consent of the House for me to table the Liberal Party's election platform, which contains, on page 49, a photograph of the Liberal leader and the current member for Aurora—Oak Ridges—Richmond Hill, who today sits with the official opposition. There is also a photo of the member for Orléans—

**The Speaker:** I am sorry, but it is already clear that there is no unanimous consent in the House. That is how it works. Obviously, I have already heard the nays.

## ROUTINE PROCEEDINGS

[*English*]

## GOVERNMENT RESPONSE TO PETITIONS

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

**Mr. John Aldag (Cloverdale—Langley City, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the 20th report of the Standing Committee on Environment and Sustainable Development, entitled "Main Estimates 2019-20".

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## PETITIONS

## PALLIATIVE CARE

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, it is with a very heavy heart that I rise today to present a number of petitions on behalf of the member for Langley—Aldergrove. As my colleagues may know, he has been struggling with some health issues, and I would ask all members and those listening to pray for him.

These are petitions with thousands of signatures from across the country. The first series is on palliative care, of which the member is a great advocate. The petitioners call on the government to ensure that everyone across the country has access to palliative care.

## SEX SELECTION

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, I am also presenting petitions that have to do with the sex selection of unborn children. The petitioners recognize that 92% of Canadians believe that sex-selective pregnancy termination should be illegal and call on the government to address that issue.

## IMPAIRED DRIVING

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, finally, these petitions call on the government to stiffen the penalties for impaired driving. As we know, the member for Langley—Aldergrove is a passionate advocate of public safety and the tragedies that occur from impaired driving, so I present these petitions on his behalf.

**The Speaker:** I am sure the prayers and thoughts of all of us are with our dear friend, the hon. member for Langley—Aldergrove. I hope he is watching. We want him to know that.

The hon. member for Cowichan—Malahat—Langford.

## PENSIONS

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Mr. Speaker, I have a petition here recognizing that before the 2015 election, Canadians were clearly promised in writing that defined benefit plans, which have already been paid for by employees, employers and pensioners, should not be retroactively changed to target benefit plans.

Therefore, the petitioners are clearly calling on the Government of Canada to withdraw Bill C-27, which was tabled by the Minister of Finance in this place.

*Routine Proceedings*

## PALLIATIVE CARE

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Speaker, I have the honour to present a petition from a number of constituents in my riding. They are requesting that palliative and hospice care be considered under the Canada Health Act.

## NATURAL RESOURCES

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, I am pleased to present a petition today on behalf of members of my community who are very frustrated with the government's punitive policies toward the energy sector with Bill C-69, the tanker ban, the carbon tax, the political vetoing of major energy infrastructure projects and the delay on the Trans Mountain pipeline.

The petitioners feel that these policies have changed the social contract for equalization in Canada and are calling on the government to immediately cancel Bill C-69; launch a study into the economic impact of equalization, including an examination of the formula and an examination of how renewable and non-renewable resources, including energy resources, both developed and underdeveloped, are treated in the formula; and issue a report to Canadians on the fairness, effectiveness and outcomes of the equalization program.

• (1510)

[Translation]

## STATUS OF WOMEN

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I have the honour to present a petition signed by the people of Sherbrooke and the Eastern Townships, who are calling for better funding for feminist organizations. They want to draw the attention of the Government of Canada to the underfunding of feminist women's organizations in Sherbrooke, the Eastern Townships and across the country. They are calling for secure, multi-year core operational funding for these organizations. I have the honour to table this petition to draw the attention of the Government of Canada to this issue on their behalf.

[English]

## SCHOOL FOOD

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Mr. Speaker, I am pleased to present a petition calling upon the Minister of Health to implement an adequately funded national cost-shared universal healthy school food program, enabling children to develop the food and nutrition habits they need to lead healthy lives and succeed at school.

This aligns with Senator Eggleton's Senate Motion No. 358, which is in the Senate at the moment.

I would like to thank Debbie Field and the Coalition for Healthy School Food for their support and all of the work they did in favour of this petition and for healthy school food programs across our country. This aligns with more than 40 organizations across our country that are working to make sure all children have the healthy school foods they need to be able to thrive.

## PHYSICIAN-ASSISTED DYING

**Mr. Dave Van Kesteren (Chatham-Kent—Leamington, CPC):** Mr. Speaker, I have a number of petitions calling on the Parliament

of Canada to enshrine in the Criminal Code the protection of conscience for physicians and health care institutions from coercion or intimidation to provide or to refer for assisted suicide or euthanasia.

## HUMAN ORGAN TRAFFICKING

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, I am tabling a petition in the House on the increasing concerns about international trafficking of human organs.

It talks about the fact that we have two bills before Parliament, Bill C-350 and Bill S-240. The petitioners are calling on Parliament to move quickly to pass the legislation.

## INDIGENOUS AFFAIRS

**Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.):** Mr. Speaker, I would like to table a petition on behalf of a citizen, Randolph Shrofel, who talks about how the Canadian coat of arms is found on all documents and buildings and should represent all the founding peoples of Canada.

He is calling on the Government of Canada to change the coat of arms of Canada to reflect the contributions of indigenous peoples.

## RELIGIOUS FREEDOM

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Mr. Speaker, I rise to table a petition signed by residents of Canada calling on the House of Commons to permit Christians to robustly exercise their religious beliefs and conscience rights, both in private and public acts, without coercion, constraint or discrimination.

## HUMAN RIGHTS

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Mr. Speaker, I have a petition today from about 30 members of my community who are calling on the Minister of Foreign Affairs and the Prime Minister to invite Nasrin Sotoudeh to serve on one or more institutions whose international standing is similar to the G7 gender equality advisory council, as other nations have done.

**The Speaker:** Members cannot present petitions a second time without unanimous consent. Is the member for Winnipeg Centre asking for unanimous consent to present his second petition?

**Mr. Robert-Falcon Ouellette:** Yes, Mr. Speaker, I seek unanimous consent to present another petition. I wanted to give other members an opportunity before me by not presenting too many petitions at once. I have one final petition to present, and I hope I can have permission.

**The Speaker:** Does the hon. member have the unanimous consent of the House to present his petition?

**Some hon. members:** Agreed.

## PUBLIC SAFETY

**Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.):** Mr. Speaker, I wish to table another e-petition on behalf of fellow citizens from Winnipeg Centre. This one relates to military assault weapons and how Canada should immediately draft legislation to ensure that these assault weapons do not have a place in our society.



*Speaker's Ruling*

cleared of communication sent and received from the device, broken down by month since January 2017; and (b) for each instance in (a) what was the reason for the device being "wiped"?

(Return tabled)

Question No. 2342—**Mr. Deepak Obhrai:**

With regard to government communication with the Organization for Economic Co-Operation and Development (OECD) Working Group on Bribery and the statement by the spokesperson for the Minister of Foreign Affairs that "We will continue to work with and update the Working Group on the robust and independent domestic processes currently underway in Canada": (a) what are the dates and details of all updates which have been provided to the OECD; (b) did the government inform the OECD that partisan Liberal Members control a majority of the votes on the Standing Committee on Justice and Human Rights; and (c) what are the "robust and independent" processes currently underway to investigate the allegations of corruption and inappropriate pressure applied by individuals in the government?

(Return tabled)

Question No. 2344—**Mr. Rob Nicholson:**

With regard to project funding for Strong, Secure, Engaged (SSE) for the 2017-18 and 2018-19 fiscal years (to date of this filing): (a) which projects in SSE that were projected to spend money in those years did not; (b) of the projects listed in (a) what is the operational impact of these projects not spending money on schedule; (c) how much money will be reprofiled into Budget 2019 as a result of this underspending?

(Return tabled)

Question No. 2345—**Mr. Rob Nicholson:**

With regard to testimony from Julie Charon on February 19, 2019, at the Senate Finance Committee where she stated that the Department of National Defence had just recosted all of its projects: (a) by project, which had an increase in forecasted costs, which had a decrease in forecasted costs, and which saw no change in forecasted costs; (b) of the projects listed in (a) which had their budgets changed; (c) what is the impact of these changes in costing on (i) the contingency included in the annual projection for capital spending, (ii) the overall cost of these projects, (iii) project scope to stay within budget if the budget was not increased?

(Return tabled)

Question No. 2346—**Mr. Rob Nicholson:**

With regard to Canada's spending on defence as a share of GDP since January 1, 2016: (a) how much of defence spending is devoted to equipment spending by both dollar amount and percentage of total defence spending; (b) what is the current twenty year projection for defence spending as a percentage of GDP; (c) what is the current twenty year projection for defence equipment spending?

(Return tabled)

[English]

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

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

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**PRIVILEGE**

SOLICITOR-CLIENT PRIVILEGE IN THE CONTEXT OF PARLIAMENTARY PRIVILEGE—SPEAKER'S RULING

**The Speaker:** I am now ready to rule on the question of privilege raised on March 22 and April 4, by the hon. member for Durham concerning solicitor-client privilege in the context of parliamentary privilege.

**QUESTIONS ON THE ORDER PAPER**

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the following questions will be answered today: Questions Nos. 2341 and 2343.

[Text]

Question No. 2341—**Mr. Ed Fast:**

With regard to expenditures by the Advisory Council on Climate Action, since the announcement of the formation of the group: (a) what are all the total expenditures by the organization broken down by year; (b) what is the breakdown of the yearly expenditures by (i) line item, (ii) financial code used by organization; and (c) what are the details of all contracts issued in relation to the group, including (i) vendor, (ii) date, (iii) amount, (iv) description of goods or services?

**Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.):** Mr. Speaker, as of April 23, 2019, Environment and Climate Change Canada has not yet incurred expenditures related to Q-2341.

Question No. 2343—**Mr. Rob Nicholson:**

With regard to the integrity regime since January 1, 2016: how many times did SNC-Lavalin or affiliates of SNC-Lavalin request advanced determinations of ineligibility, broken down by (i) date of request for advanced determination, (ii) date of decision on the request from Public Services and Procurement Canada?

**Mr. Steven MacKinnon (Parliamentary Secretary to the Minister of Public Services and Procurement and Accessibility, Lib.):** Mr. Speaker, pursuant to the ineligibility and suspension policy, a supplier or potential supplier may request an advanced determination of its own status under the integrity regime. Since January 1, 2016, there have been no advanced determinations of ineligibility requested by SNC-Lavalin or one of its affiliates under the integrity regime.

\* \* \*

•(1515)

[English]

**QUESTIONS PASSED AS ORDERS FOR RETURNS**

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, if the government's responses to Questions Nos. 2339, 2340, 2342, and 2344 to 2346 could be made orders for returns, these returns would be tabled immediately.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 2339—**Mr. Alexander Nuttall:**

With regard to the government paying for outside legal counsel for individuals related to the SNC-Lavalin scandal: (a) what is the complete list of individuals for which the government has approved paying legal fees; (b) for each individual in (a), (i) what firm has been retained, (ii) what is the retainer or agreed upon rate, (iii) what is the maximum expenditure amount the government has authorized?

(Return tabled)

Question No. 2340—**Mr. Alexander Nuttall:**

With regard to the preservation of documents and communication, including PINs, text messages, and all other forms of electronic communication by staff of the Office of the Prime Minister: (a) how many smartphones or other electronic devices assigned to an individual in the Office of the Prime Minister have been "wiped" or

### *Government Orders*

In his intervention, the member alleged that the Prime Minister used solicitor-client privilege in an inappropriate way by allowing only a partial waiver to the former attorney general, the member for Vancouver Granville, in respect to the SNC-Lavalin affair and the Shawcross doctrine. Stating that there has been confirmation that parliamentary privilege is absolute and supersedes solicitor-client privilege, he contended that without a full waiver of solicitor-client privilege, his ability to fulfill both his individual and collective functions has been impeded.

Rather than asking the Chair to find a prima facie case of privilege, the member asked the Chair to reaffirm that parliamentary privilege, being absolute, supersedes solicitor-client privilege. He also wanted me to take the extraordinary step of inviting the former attorney general to speak in the House, assuring her that she would not be subject to the constraints of solicitor-client privilege.

[*Translation*]

As the member himself acknowledged, this is not a question of privilege, but as the member raised other issues, I will address the points raised.

Any member participating in the deliberations of the House and its committees is protected by the privilege of free speech; the same is true for witnesses appearing before committees. Whether this accepted principle was somehow diminished or even overturned by solicitor-client privilege, it must be recognized that the former attorney general decided to respect that convention. The Chair is not in a position to either question or pass judgment on this.

[*English*]

The Chair is also limited in its authority to invite members to speak on particular issues. It is not for me as Speaker to invite the former attorney general to speak, as the member for Durham suggested. This would take us far from our rules and practices—too far, I would suggest.

I thank all hon. members for their attention.

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## GOVERNMENT ORDERS

[*English*]

### CRIMINAL RECORDS ACT

The House resumed consideration of the motion that Bill C-93, An Act to provide no-cost, expedited record suspensions for simple possession of cannabis, be read the second time and referred to a committee.

**The Speaker:** As I indicated before question period, the hon. parliamentary secretary to the government House leader will have 15 minutes and 45 seconds remaining in his comments, which he had already begun before I so rudely interrupted.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I always appreciate the opportunity to share thoughts on important pieces of legislation the government brings forward, such as Bill C-93.

During the last federal election, the Prime Minister, who was then the leader of the third party, made a commitment to legalize cannabis. Today we are discussing the second part of the legislation, which I believe will fulfill the commitment we made in 2015.

I have had the opportunity to go over a couple of our election commitments, and I have been listening to the debate today on the matter of legalization, as I have done previously. I want to highlight at the outset what the NDP said in the last federal election when Thomas Mulcair was the leader of the New Democratic Party. When asked about the NDP's position on this issue, he said that the NDP did not favour the legalization of cannabis.

That is why I find it interesting that today, NDP members are saying that we should expunge the records of those who were found in criminal violation of our former cannabis laws. On the one hand, prior to the election, NDP members said no to legalization. They were okay with decriminalization but not with legalization. Fast-forward a couple of years and now they have changed their minds. In fact, I recall that in one article, the current leader of the New Democratic Party took the position that everything should be legalized. He believes that any sort of illegal drug should be legal. Only now is this something NDP members want to talk about.

If we were to look at the the way the Liberal government has managed this file, I believe we would see that Canadians, in general, have been very supportive of it.

It has been interesting to listen to members of the opposition parties talk about the issue. The NDP has made a complete flip-flop, even suggesting now that the government can do more. Then there is the Conservative Party. One of the questions I posed to members across the way was whether the Conservatives, if they were in government, would make cannabis illegal again and retract the work the government has done over the last couple of years. They completely waffled on the question. In fact, they have implied that they would not change the law. Even though they voted against the legislation, they are not going to change it.

**An hon. member:** That is correct.

**Mr. Kevin Lamoureux:** Mr. Speaker, a member across the way just said that is correct. Even the Conservative Party has recognized that the idea the Liberals had back when we were the third party is solid and progressive, and one that is necessary at this stage.

Indirectly, on behalf of the government and Liberal caucus members, I would like to thank members of the Conservative Party and the NDP for recognizing that we have brought forward sound legislation. I would encourage them to continue to follow the direction that we continue to provide on this very important topic.

Bill C-93 would allow for pardons. Pardons are the best way to deal with the issues facing about 250,000 Canadians. I think that is the number.

*Government Orders*

● (1520)

All we are talking about is simple possession, not possession and other issues, but simple possession of cannabis. What can we do to assist those individuals who have a criminal record based on simple possession of cannabis? The government's response is to issue a pardon and ensure that the finances are not going to be a part of the issue so that anyone who has a simple possession of cannabis conviction will in fact be able to get that pardon if that is what he or she would like to see happen.

I am encouraged because the critic from the Conservative Party indicated that her personal position is favourable to what the Liberals are suggesting, which is a pardon. However, there have been some speakers in the Conservative Party who are saying that they are not convinced as of yet, but at least they are approaching it with an open mind on whether it should be expungement or a pardon. I suspect that once this bill gets to committee and they hear follow-up information, the Conservative Party will see the value in the recommendation that has been provided by science, experts and the department, which will clearly demonstrate that in fact a pardon is the best way to go.

I do not know about my New Democratic friends. I am not sure where they will go on this issue. They always try to come up with something different, something unique. They seem to be on the expungement bandwagon, even though we have come up with an explanation as to why it would not do what is necessary for us to advance this further. They do not want to talk about that. If we listen to the New Democrats, we would think it is absolutely unanimous throughout the country that it has to be expungement and that the government does not necessarily know what it is talking about. I would highly recommend that we do not listen to New Democrats in the House.

The best example I can give is that of a constituent crossing the border into the U.S. What are we telling people when we say that their record has been expunged? We are saying that the act they went to court for, were convicted of and got a criminal record for never existed. Therefore, when a U.S. border agent asks them if they were ever prosecuted and had a criminal offence dealing with cannabis, they might say no. Why? The government said that the record was expunged. That could lead to all sorts of problems for an individual. A pardon does not do what an expungement does. Millions of Canadians travel to the U.S. A pardon would allow a constituent the opportunity to go to the U.S., and the individual is not going to be misinformed. This is just one of the more blatant examples that I can provide.

Of the 250,000 people we are talking about, it is expected that about 10,000 or so will go through this pardon process. In the questions and comments from across the way, members are asking why it is 10,000 and what happens if there are more than 10,000.

Our civil service is one of the best of any country in the world. We have professional civil servants who have a very good understanding of our systems. I would suggest that the numbers that are being provided are not just coming out of the dark. The numbers come from individuals we have entrusted. If the number is higher or lower than 10,000, the government will adjust, but the predicted number is

around 10,000. We have the flexibility to make the adjustment, if it is necessary.

● (1525)

The idea of providing a pardon is of great value to Canadians and to society. People do get themselves into situations. Someone will be found in possession, but by pure luck another individual who also is in possession is not found to be in possession. The individual found to be in possession gets a criminal record. That does not mean the individual is worse than the thousands of others that were never found guilty of possession.

Many would argue that the consequences are unfortunate. We have listened to many speeches as this has been going on for the last couple of years. We often hear of individuals not being able to get a job because they have a criminal record based on the simple possession of cannabis. As a parliamentarian, I find that is a hard thing to ignore and not do anything about.

This legislation is good for Canadian society, especially now when we recognize that when we passed Bill C-45, the legalization of cannabis legislation, it only makes sense that we do what we can in regard to those who were found guilty of simple possession to enable them to dispose of that record via a pardon process.

Once this legislation is passed, thousands of Canadians in all regions of our country will apply to get their criminal record pardoned. This will assist many of those individuals in applying for a job or performing charity work. Canada is very dependent on volunteers. There are many ways society can benefit, such as an individual having a job and being able to participate more fully. These are the types of things we are going to witness. All one has to do is talk to some of those individuals. There are plenty of them, a quarter of a million of them. That is a lot of people. These individuals will directly benefit and there are many more that will realize an indirect benefit.

One of the things that is really important from the government's perspective, and even from a member of Parliament's perspective, is that we have to work towards making our communities safer for all of us. Individuals should feel safe in the communities in which they live. They should feel safe walking on the sidewalks in their neighbourhoods. They should feel safe being a part of their community and not be scared to walk down the street. We need to look at ways to reduce the amount of crime in our communities.

I was pleased when the minister responsible for crime reduction came to Winnipeg North and joined me on Selkirk Avenue, where we met with James, a fellow from the Bear Clan Patrol and one of the board members. We were able to check out a bit of Selkirk Avenue. The minister used to be the chief of police for the city of Toronto.

● (1530)

We understand how important it is that we strive to have less crime on our streets. With Bill C-93, working along with Bill C-45 and the legalization of cannabis, at the end of the day there is going to be less crime in our communities. These are the types of actions that are important for us to act on.

*Government Orders*

Today we have a second bill on a very important issue, an issue that we made a promise about in 2015. We are fulfilling yet another commitment to Canadians.

**Mr. David Sweet (Flamborough—Glanbrook, CPC):** Mr. Speaker, as a friendly comment for my colleague on his explanation of the logic between expungement and record suspension at the border, he might not want to post that on YouTube. I was totally lost on the logic of how one would explain to a border agent in the United States the difference between an expungement and a record suspension.

If there are a quarter of a million people who could benefit from a record suspension, I would like to know all the reasons why the officials think only 10,000 will apply. One of my concerns is that if people do a Google search right now for “pardons Canada”, the first half-dozen are private organizations that charge a fee for individuals to get a record suspension. They could easily go to Service Canada, but Service Canada’s site is way down below.

Why does the member think that a record suspension that would create all kinds of bureaucratic delays is better than an expungement? A minister could do that, I believe, if I am not corrected, by regulation and simply eliminate these because the whole charge has been eliminated anyway.

• (1535)

**Mr. Kevin Lamoureux:** Mr. Speaker, in my comments, I made reference to the critic for the Conservative Party. In listening to what she had to say, we find that at least the critic for the Conservative Party seemed to be indicating that she prefers the pardon over the expungement. I suspect that she might be able to provide more details to the member opposite.

He made reference to my example in terms of the U.S. border. Let me try to better explain it. One of the member opposite’s constituents goes to the border, believing that, because he or she had an expungement, there is no obligation for him or her to say “I have a criminal record.” If it has been expunged, it means it has been wiped off the record books. However, they cannot say that when they go to the border because that might not be what shows up in system of the U.S. border officer or immigration official. That MP’s constituent might think he or she can get away with saying that when in fact that is not the case. His constituent could get into a great deal of trouble. That is just one example.

If we tell people that they have a pardon, generally speaking, people have a better sense of what a pardon is. That does not mean that they go across the border and say, “No, I have never had a criminal conviction.” They have been pardoned. I suspect that the likelihood of complications would be greatly diminished. That was just one example that I was using.

In regard to the overall numbers, it depends on the individual in question. I suspect that our civil service and the people who maintain these records have a better sense, not only of how many people are eligible, but also of how many would be applying. Some people might have more of a vested interest in wanting to apply. Many others would have no interest in applying, for whatever reasons. They could be at a stage in life. It could be in terms of occupations. Who knows what the rationale is. However, I have trust and confidence in the system, and if there needs to be an adjustment, I

have confidence in the government of the day making that adjustment.

**Mr. Matthew Dubé (Beloeil—Chambly, NDP):** Mr. Speaker, I am going to need some time to fact check all the erroneous things that the member said.

First of all, the leader of the NDP, the member for Burnaby South, like health officials in Montreal, Toronto and Vancouver, wants to decriminalize drugs, recognizing that these are dangerous substances, but also recognizing, as we would have hoped the government would, but it does not, that these are now public health issues.

I want to walk the member through the NDP’s position, since he seems to have had some trouble understanding it. The NDP advocated for decriminalization in the lead-up to legalization. Why? We understood that it would be a complicated process. We were right, because the government threw provinces under the bus while trying to get this process going.

That being said, the NDP supported Bill C-45, supported legalization, and through that whole process asked government members why they would not decriminalize simple possession of cannabis, as Canadians continue to be taxed with criminal records. These are young Canadians, vulnerable Canadians, racialized Canadians.

What do we have now? We have an eleventh-hour, half-baked, no pun intended, solution. Despite what the member thinks he is telling us to look forward to at committee, we are already at committee studying this bill before it is even out of the House. It is getting eviscerated by officials who cannot tell us where the numbers are that the member is quoting from, with the Minister of Border Security who said that this is a great injustice, and if we consider it a great injustice, maybe we should go toward expungement.

The member would also know that lawyers have come before the committee to speak about expungement. Please stop saying “pardon”, because the government did not respect its promise to change a record suspension back into a pardon. A pardon means something else in the United States, so a pardon and expungement are equally worthless at the border.

Does anyone know what one can do in Canada with a pardon or record suspension? Potential employers can ask if people have a criminal record for which they have obtained a record suspension. People have to say “yes”. With an expungement, they do not have to, so if they are racialized or vulnerable Canadians who want to get a job, expungement is the way to go. That is why witnesses at committee are telling us that it is the solution. That is why the member should get on board and stop believing his own hot air about this issue which the government has dropped since day one.

• (1540)

**Mr. Kevin Lamoureux:** Mr. Speaker, I believe the member is attempting to mislead in his statements. If we stop and think, it was very clear. In 2015, in the last election, the NDP did not support legalization of cannabis. Instead, its members argued for mere decriminalization. If they had their way, if we followed what they advocated for in 2015, cannabis possession would still be against the law.

*Government Orders*

In late 2017, in the Canadian Press, there is a quote from their leader of today which says that the NDP leader is urging the Prime Minister to consider decriminalizing all illegal drugs.

The member can fact check all he wants, but everything I have said is factual. I would suggest that the NDP members, because they have such a progressive government on a number of social fronts, find themselves out of place, as if there is no room inside the chamber for them. They are trying to create opportunities. If they want to radically change their 2015 platform, good for them. I hope they do.

They also advocated for balanced budgets back then. Today, they are advocating for a house for everyone in Canada, possibly gifting it to them. Who knows what we are going to see coming from the NDP. I anxiously await that platform.

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Mr. Speaker, I have a comment more than anything. We have heard so much from the member in this Parliament, I am not sure I really need an answer from him. It is a shame that other members will not allow their voices to be heard and simply allow the member to do all the talking on that side. It is a lot of work to be elected to the House of Commons, and members should use their own voices.

Be that as it may, the member spent a large portion of his speech dissecting opposition reaction to it, and castigating both the Conservative opposition, but not all Conservatives, and the NDP. Some Conservatives have spoken in favour of expungement. One of the NDP members had a private member's motion on expungement that they all supported.

I noticed during both the vote and debate on the NDP's private motion, and in the debate earlier today on this bill, that a substantial portion of the Liberal backbench also favour expungement. This is not a matter of the member's party being unified in their approach; there are many Liberals who do not agree with the party's approach. If we must have a comment or answer, I would like him to address that.

**Mr. Kevin Lamoureux:** Mr. Speaker, first, in regard to the amount of speaking, I am here to advocate and that is what I do. I take a great sense of pride in that. If we add up their words, a couple of the Conservative members have spoken more than I have in this chamber.

We have a very strong, healthy caucus. All members of this caucus are engaged in different ways. I see that as a very strong and positive thing. I also see it as a positive when we have diversity in a caucus and where members can have differing opinions. It might not be unanimous regarding expungement versus pardon, just like it is not unanimous in the Conservative Party either. However, we are able to come to a consensus and move forward, and that is something this government has consistently done since day one of being in government.

[*Translation*]

**Mr. Matthew Dubé (Beloil—Chambly, NDP):** Mr. Speaker, my thoughts are with the journalists who have to fact check one of Donald Trump's speeches. They must dread finding that the fact checking is longer than the speech. I felt a bit like that when I was listening to the member for Winnipeg North. The 10-minute question period was not even long enough to correct the facts. If the member

had listened to the testimony from the minister and departmental officials in committee, he would have seen just how problematic his comments were.

Bill C-93 arrived at the eleventh hour of this Parliament. Record suspension for simple cannabis possession should have been included in the government's legalization bill. It is crucial to make some distinctions here. I heard a number of members on both sides of the House, myself included, use the word "pardon", but there is an important distinction to be made.

First, the debate on this bill includes a lot of talk about Canadians being able to cross the border. In the United States, being granted a pardon has a different connotation. Any lawyer will tell you that. In the United States, that is something only the executive branch can do. Giving an individual a presidential pardon, for example, means eliminating their criminal record and giving them a full pardon. In Canada, however, the individual continues to have a criminal record. I will come back to that.

Several years ago, when the Conservative government decided to call this a criminal record suspension, it had a very clear intention, namely to remind those concerned that they had not been pardoned and that the government had only done them the favour of suspending their criminal record. It is often the vulnerable who end up in a precarious situation. They generally try to get a pardon, which is now being called a record suspension, in order to get a job, rent an apartment or do volunteer work. Statistics show that 95% are not recidivists. Calling this a pardon did not pose any problems, since the program itself required these people to demonstrate good behaviour for a number of years before they were able to submit an application.

This change might appear insignificant or semantic to some people who, like us, are in a position of privilege. However, a study done by the Department of Public Safety has acknowledged that these changes are needed. The minister himself said several years ago that this would be rectified in the course of a much-needed reform of the record suspension program, and yet it still has not been done. Unfortunately, with the election just a few months away, we do not expect this to get done, which is really too bad.

This is part of the broader debate we have already had on several occasions. Let us deal specifically with record suspensions for simple possession of cannabis. Several things came to light during the debate and in committee. First of all, suspending the criminal record does not make it disappear, and this has a number of repercussions. For instance, on job applications, candidates are sometimes asked whether they have ever had a criminal record for which they were granted a suspension.

At committee, like a good politician with several decades of experience, the minister was very careful to specify that the act prohibits employers from discriminating against candidates who have been granted suspensions. Fortunately, departmental officials were there, and they interrupted to clarify that there is nothing in the act to stop employers from asking the question. In fact, the act even specifies that candidates must answer honestly.

*Government Orders*

• (1545)

I do not know what my colleagues think, but anyone who thinks people will feel protected just because the law prohibits discrimination and that candidates for all kinds of positions and in all spheres of life have never experienced discrimination must be dreaming.

The people in this situation who would try to get a job are the very same people who would then struggle to get legal aid to file a complaint with the Canadian Human Rights Commission, or even to launch more of a legal complaint. Anyone who says this is insignificant is completely ignoring the reality of those people.

• (1550)

[*English*]

Who are those people? They are racialized, indigenous and young Canadians, Canadians who are in a particular situation that makes it even more difficult for them under normal circumstances, much less with a criminal record in their file, one for which they cannot get proper recourse or remediation through expungement just by having a record suspension.

Let me provide some examples. When we look at cities like Toronto and Halifax, black Canadians are disproportionately more likely to have a criminal record for nothing but simple possession of cannabis. In cities like Regina, indigenous people are 10 times more likely than white Canadians to have a criminal record for simple possession of cannabis.

The Minister of Border Security, under the different portfolios he has managed since he has come to this House, said in 2016 that one of the great injustices in the country was that these Canadians were disproportionately impacted by records for simple possession of cannabis. That is interesting. Why? When Bill C-66 was adopted in this place, which sought to remediate the grave injustice LGBTQ Canadians were subjected to because of the criminalization of their lives due to their sexual orientation, the government rightly pointed out that it was a historic injustice.

The problem now, and this is not to pit communities against each other, is that the Minister of Public Safety is using Bill C-66 as an arbitrary, legally non-existent crutch to identify that there is somehow a ceiling for what needs to exist to expunge criminal records, which is a grave injustice.

[*Translation*]

With regard to this grave historic injustice, I asked the Prime Minister himself questions about it in the House. He said that, yes, it was disappointing and distressing to see this, and that it was obviously unfair, but he refused to call it an injustice.

When I questioned the minister in committee, he went out of his way to avoid using the word, even though another minister had used it back then, and he said that society's grave injustices should depend on what the Canadian Charter of Rights and Freedoms defines as a violation.

This minister was wrong, because, as distinguished lawyer Kent Roach has said, the charter should be the minimum, not the maximum, in terms of our sense of justice. Citing rulings from the Supreme Court of Canada, Annamaria Enenajor, the director of the

Campaign for Cannabis Amnesty, told the committee that a law can be discriminatory in its application without being discriminatory on its face.

In other words, if a law starts out with good intentions but leads to a discriminatory outcome, it can still be considered a discriminatory law, and if a law or application of a law is discriminatory, that means an injustice has been committed.

That is why we want criminal records to be expunged and not just suspended. The minister seems to be insisting on this point, but he cannot say why. He keeps referring to Bill C-66.

Can we, as Canadians, say that while a grave, historic injustice was done to the LGBTQ community, we cannot say the same thing about the application of the law regarding the possession of a drug that is now legal, namely, cannabis? This was an injustice largely done to vulnerable communities. I find that really troubling.

[*English*]

On that note, Solomon Friedman, a criminal defence lawyer who was at our committee last week, said that this law is not a bad thing, and it is good that we are putting in place mechanisms for these Canadians to more easily receive pardons. In the words of many witnesses and experts, it is the absolute bare minimum. As Mr. Friedman said in committee, certainly we can do better than the absolute bare minimum, especially for indigenous, racialized and other Canadians who are in vulnerable situations.

It is not just a distinction between expungement and record suspension. It is also an issue of whether it is automatic. This legislation would still make Canadians jump through the crazy hoops that exist to obtain a record suspension. The government thinks it has solved that because it would be free of charge and there would be no wait times. However, the reality is different.

When the public safety committee, which I am the vice-chair of, did a study on how we can reform the record suspension program and fix all the issues it has, one of the things that came up time and time again, which all parties agreed on, was the fact the most exorbitant part of the process and the costs imposed on these Canadians is not the cost to apply, which is what the government would be waiving. It is the fact that people have to go to a municipal court and a provincial court. They have to get their fingerprint records. They have to go to the police station. Two Conservative members who are former police officers validated all this information. They said that it is indeed extremely labourious for these Canadians to obtain all those things.

As officials confirmed at committee, indeed it would not be a cost-free process, no matter what members in this House on the government side attempt to tell us.

*Government Orders*

● (1555)

*[Translation]*

The costs associated with this process must therefore be assumed by individuals who often do not have the means and are actually applying for the suspension to be able to get a job. Bill C-93 currently before the House maintains certain mechanisms that prevent people from getting their criminal records suspended. It is not true that anyone who has a criminal record for simple possession of cannabis just has to fill out a form for that to happen. That does not just magically happen. This will not be the case for people who, for example, have administration of justice offences on their records. We are not talking about murderers. We are talking about people who might have an outstanding \$50 fine, which would make them ineligible. Departmental officials confirmed that such individuals would not be eligible for the process being offered by the government.

I would like the government to explain why an indigenous person who has a criminal record for simple possession of cannabis and who was unable to go to court because he lives in a remote area cannot get the government to suspend his record because of an unpaid \$50 fine. The government says that it cares about the interests of all communities. I do not understand how that is in the interests of people who are simply looking to sort out the criminal record they have for something that is now legal and ensure it is no longer a burden that prevents them from renting an apartment, getting a job or volunteering.

I am also talking about travelling across the border. I almost fell off my chair when I heard what the minister said in committee. He got two bills passed in his name that increase the amount of information we share with the United States. He said that he was sorry, but that the Americans had been keeping a lot of information about us for far too long, and so we could not really control what they do at the border. In passing, I am astounded that the minister recognizes that this is a problem, but yet, every time we raise this issue in debate, he tells us it is not a big deal and we should not worry because the United States is our ally.

There is, however, good reason to worry. I said at the outset that the Americans do not make the same distinction as we do between a pardon and a record suspension. The minister tried to give the most ridiculous excuse that I think I have ever heard in my eight years as an MP. He said that one of the reasons why it was better for people to have their record suspended was because a suspension leaves a paper trail, which would give them the documentary proof they needed at the border.

I see two problems with that.

After I asked the question, the department's staff confirmed that with the passage of Bill C-66, which would expunge records, those affected will actually receive written confirmation. It's a miracle.

Second, no one can tell me that, in a G7 country, we are unable to implement a mechanism to provide confirmation that a record has been expunged. As some might say, my word, I do not understand how a government can look at something with such a narrow lens when it was elected by stating that it wanted to take a broader view. That is just crazy. It boggles my mind.

● (1600)

*[English]*

In the same vein, that was the one reason that was given, even though witnesses then came and said that a record suspension will not make it any easier to cross the border. A person would still have to jump through all the hoops that the Americans will impose, if they even choose to let the person in at all, which, at the end of the day, as the minister said, remains at their discretion. An expungement means that Canadians do not have to lie at the border, which is obviously the more egregious offence. However, the priority here is what is happening domestically. It is about these folks being able to get jobs, rent apartments, volunteer and do all the things that sometimes a criminal record can prevent them from doing.

I want to go back to the notion of the administrative burden. The minister is talking about jumping through hoops, saying that it is about paperwork, this, that and the other thing. I asked the minister why it could not be made automatic, and he told me, basically, that it would be too much work. I am paraphrasing, and I am sure he would disagree with my characterization of this, but every other stakeholder I spoke to shared this characterization of what he said.

Apparently, the federal government believes, and it told us, that it would take 10 years to expunge 250,000 records. Well, when we look at the Phoenix debacle, maybe it is right. Maybe the government finally recognized its own ineptitude in managing these files. However, it is absurd to think that somehow the government is going to put the burden on vulnerable Canadians and make them do this process on their own, which many will not even be aware of, will not have the money to pay for and will not even know where to go for. The government could make it automatic, but, sorry, the Parole Board of Canada might have too much work to do, God forbid. As far as I am concerned, that is completely unacceptable when we look at the individuals who are affected by this particular issue.

Certainly, we understand that government databases are no treat to navigate, but there has to be a way that the government can somehow dream a little more, as the Liberals promised they would when they got elected, and somehow find a way to deal with 250,000 records.

With Bill C-66, of the 9,000 LGBTQ Canadians who were criminalized by the Criminal Code, seven have applied so far through that process. Does the government expect me to believe that because officials came to committee and told us not to worry and that they are going to have a non-traditional marketing campaign using social media and other things, the government will make sure that these Canadians know that this process exists? It is laughable. Quite frankly, it is pathetic.

*[Translation]*

It should have been part of the process from the beginning.

*Government Orders*

I want to qualify that. The previous speaker tried to explain the NDP's position in terms of decriminalization. It was to prevent these records from piling up that we wanted to move forward on decriminalization before legalization. It was also because we understand that we have to address this as a public health issue and not a public safety issue.

It is exactly because of our core values that we are saying that the right approach is to expunge these records and not to offer a process that is fundamentally problematic.

[*English*]

I will conclude by saying that we had criminal defence lawyers in committee confirm to us that a record suspension, whether given through a process like Bill C-93 or the normal process outside of a special piece of legislation, is always conditional on continued good behaviour.

What does that mean? That is not about someone who is going to go out and commit a horrific crime. That means that the Parole Board of Canada can decide that because someone got caught speeding, going 130 kilometres per hour on a highway, this could be considered. Those things have happened.

[*Translation*]

I believe this bill is a clear reflection of the Liberal government that has been in power for four years. It is a useless exercise that lets them claim to be progressive when, in reality, they are quite the opposite.

• (1605)

[*English*]

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Mr. Speaker, I found it interesting toward the end of the member's speech when he said that the Liberal Party is trying to do something just to be boisterous without really any meaning. That is what I took from that.

However, I also found it very interesting that right toward the end of the member's speech, he said that the New Democrats wanted to decriminalize before legalizing. I find that very interesting because that might be their position now, but it certainly was not in 2015. As a matter of fact, they were against legalization. All they wanted to do was decriminalize it. I find this very interesting, and I wonder if the member can clarify this for us.

In addition to that, the member's leader, in 2017, right after the NDP convention, said that he wanted the Prime Minister to look at decriminalizing all drugs. Is the position of the New Democrats still that they do not support legalization and that all they want is decriminalization of cannabis, specifically? Further, are they extending that to all drugs? Are they suggesting that all drugs should be decriminalized, as their leader said in 2017?

**Mr. Matthew Dubé:** Mr. Speaker, I voted for Bill C-45. I think that is pretty simple for the member to understand.

However, while the Liberals continue to try to relitigate the last election, I am standing in this House saying that what they could be doing is expunging records for indigenous Canadians, black Canadians and young Canadians, in places like Halifax, Toronto

and Regina, who are disproportionately affected by these absurd criminal records for something that is now legal.

New Democrats, both in the House and at committee, proposed to expunge criminal records for simple cannabis possession. With no offence to my colleagues to the right of me, I am sad to say that more Conservatives than Liberals voted for the bill that we proposed. While that member may want to live in 2015, I am fighting for those individuals who just want to get jobs and move on with their lives and not live with a black mark on their file because the government could not think on a bigger scale and more outside the box than what it is doing here today.

**Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC):** Mr. Speaker, I was one of the Conservative members who voted in favour of the excellent bill that was before the House last week. I am very proud to have done so. I did so right after returning from Washington, D.C., where we were talking to American congressional officials about the merits of various proposals to legalize or reduce the penalties on cannabis in their country. One of the issues that arose is that there is currently a proposal being put forward by some members of Congress to remove the ability of their own border officials to stop Canadians from crossing the border for having used cannabis in Canada in the past, when it was not lawful.

There is a fundamental distinction between the Liberal proposal that we are debating today and what was proposed in the private member's bill last week. It is that a person would never have to lie to an American border official if asked, "Have you been convicted for carrying cannabis? Do you have a record for that?"

I want to ask the member this, and I would enjoy hearing a Liberal member answer it too: What happens to a person if he or she lies to an American border official while crossing the border, if that person is on American soil at that time?

[*Translation*]

**Mr. Matthew Dubé:** Mr. Speaker, I thank my colleague for his question and for his support for the bill introduced by the hon. member for Victoria.

In fact, I cannot answer his question specifically. Part of me believes that we are better off not knowing. It is true that the minister himself often said throughout the process that he wanted to ensure that Canadians were well aware that they should not lie at the border. Often, as Liberal MPs have acknowledged, the process is so complicated in a bill like this that Canadians travelling abroad are not always clear on what they should and should not say.

Personally, I have a hard time understanding why the minister could not simply say to his U.S. counterpart that Canada adopted legislation and all criminal records for simple possession of cannabis have been expunged.



*Government Orders*

There is something else I want to talk about. The member went to Washington. The American example is very interesting. In jurisdictions that have legalized cannabis, like in San Francisco, where the initial process was similar to what the government is proposing today, almost no one availed themselves of the process. A dozen or so people out of hundreds of thousands of people with a record went through the process. California decided to institute an automatic process to expunge the records. People did not even have to request that it be done.

Other jurisdictions similar to ours have been through this and they managed to do so. If I am not mistaken, the research we did even showed that artificial intelligence has been used to process cases.

In conclusion I would say that the government simply wants to revive the last election campaign. It wants catch phrases and talking points. It has clearly decided to just throw us a bone, but there is not much meat on that bone. It is pretty bare at the moment, which is unfortunate. Jokes aside, actual Canadians are affected by this.

I am proud that we are standing up for them. It is unfortunate that the government is not doing the same.

I thank my colleague for his support.

• (1610)

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Mr. Speaker, I thank my Beloeil—Chambly colleague for his enlightening speech, which was based on evidence and explanations provided by experts on the subject. I am really concerned about the fact that the record suspension the Liberals are proposing in Bill C-93 means that individuals would still have criminal records.

We know that most of the people with criminal records for simple possession are young people. They start out in life with a criminal record that prevents them from getting a job, finding a home, doing volunteer work or getting involved in the community. They are stigmatized for the rest of their lives because the bill will not expunge their record or help these young people.

The Prime Minister loves talking about his youth council, but he does not give its members a say on public policy issues. Young people really should have their say on a bill that does nothing to destigmatize them.

My colleague from Beloeil—Chambly talked about public health benefits, but I think this approach is just going to make things worse because of anxiety and stress. I think young people are struggling with that. There is no solution. Plus, this debate is happening in May, with just five or six weeks to go in this parliamentary session. That means no bill will be forthcoming as a result. This bill is a disaster. I would like to hear my colleague's thoughts on that.

**Mr. Matthew Dubé:** Mr. Speaker, I thank my colleague for the question.

I think if it were not for my colleague asking questions about young people, there would be little to no discussion about it in the House even though we have a minister responsible for youth, namely the Prime Minister.

However, one thing is clear, and I talked about it in my speech. Imagine a young person who has a criminal record or a record for failing to appear in court, to attend a hearing or to pay a fine of \$50,

which is a lot of money for some. Imagine that young person not being eligible for the process the government is proposing because they failed to pay a \$50 fine. That person would be disqualified for not serving his sentence, which was to pay a fine. That is outrageous because, as my colleague said, that person is just getting started in life. People do not seek to have their records expunged or, in this case, suspended, just for the fun of it. This can truly affect people's ability to get a job, rent an apartment, do volunteer work here at home.

I will conclude with this. Is it illegal to discriminate against a potential employee, even when we know perfectly well that discrimination sadly exists in our society? Yes. It is illegal for an employer to ask whether a candidate has a criminal record that was suspended? No.

I would ask the following question of all members. Why should Canadians who have criminal records because of a law that discriminates against the most vulnerable and racialized Canadians have to pay the price for something that is now legal and because of this government's failed policies?

I am still looking for the answer. No one has been able to answer me that.

• (1615)

[*English*]

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** Mr. Speaker, today I will be sharing my time with the great member for St. Catharines.

I would like to start by picking up on a comment that was made in response to one of the questions by the previous member. He referred to what this government had done on the cannabis file as trying to relitigate the last election and as throwing a small bone, yet Canada is one of a few countries in the world that have actually legalized cannabis, with the intent of heavily regulating it so that we can make sure it stays out of the hands of people who should not have it. We are now taking another step, which is to put a pardon system into place whereby those with simple possession charges and convictions can be pardoned. The members opposite in the NDP are referring to this as throwing a small bone and as being a relatively ineffective measure, which is extremely unreflective of what is actually going on here.

What this bill does propose is to make pardons, also known as record suspensions, much more readily available to people convicted only of simple possession of cannabis. Normally there is a waiting period of up to 10 years to apply for a pardon after a sentence is completed. Under Bill C-93, the waiting period would be eliminated for people convicted only of simple possession of cannabis.

There would also be no associated application fee. It is worth pointing out that the usual fee for a pardon is \$631, and this fee would be waived entirely. The goal here is to help rid people of the burden and the stigma that comes with a criminal record for simple possession of cannabis and to do so as quickly and as early as possible.

*Government Orders*

Since the Cannabis Act came into force in October of last fall, the simple possession of lawfully obtained cannabis is no longer a criminal offence. With this new legal framework in place, the time has come to address the lingering legacy that came before. Simply put, there are many Canadians who are saddled with criminal records only for simple possession of cannabis. These are relatively minor offences, especially when we consider the recent changes to the law, but the real-life consequences they carry can be severe and long-lasting.

We know those consequences have disproportionately affected vulnerable and marginalized communities in Canada, including the black and indigenous communities. Studies have shown that rates of cannabis use are relatively similar across racial groups, and yet in 2017 a study conducted by the Toronto Star showed that Canadians of African descent with no criminal convictions were three times more likely to be arrested for cannabis possession than were white people with similar histories.

A criminal record can represent a real roadblock when it comes to trying to cross an international border, applying for a job, looking for housing or volunteering in a community. A pardon removes that roadblock. The effect of a pardon is fully recognized and protected under the Canadian Human Rights Act as well as laws in many provinces and territories.

The Parole Board of Canada is the agency that would handle the administration of streamlining and expediting the pardons process proposed in Bill C-93. The board's website would function as a primary window for applicants. A step-by-step application guide and forms with a full set of instructions would be made available online. In addition, there will be postings to assist applicants, including a 1-800 information number and a dedicated email address. Usually Parole Board members consider subjective criteria, such as whether the applicant has been of good conduct or whether the pardon will bring him or her measurable benefit. Under Bill C-93, those criteria would be waived. The decision would be based on an administrative review by a staff member, further speeding up the process. The administrative review would simply confirm that the only convictions being pardoned are for simple possession of cannabis, that there are no convictions for other offences on the applicant's record and that the sentence is complete. This streamlined process would give more people a chance to make a fresh start and to move on with their lives.

To meet this important objective, it will be essential to reach out to as many interested people as possible and as early as possible. That is why I am pleased to note that the Parole Board is in full planning mode for the future outreach efforts with stakeholders.

● (1620)

These stakeholders are community organizations and advocate groups, as well as courts; police forces; provincial, territorial and municipal partners; and the law societies of Canada. The purpose of these outreach efforts is to raise awareness of the proposed reforms so people with criminal records for cannabis possession know that the streamlined process exists and know how to avail themselves of it.

People who have been convicted only of simple possession of cannabis should be able to play a meaningful role in their

communities and Canadian society. They should have access to good, stable jobs and adequate housing for themselves and their families. They should not face continued burdens and stigma for having committed a crime that is no longer a crime. That is why I support Bill C-93 and the specific recourse the government is proposing.

Waiving the fee and the waiting period are unprecedented and extraordinary measures, but they are appropriate in this instance. The government originally announced its intention to introduce legislation to this effect on October 17 of last year. On that day, Canada became only the second country in the world to legalize and regulate cannabis.

I am proud that we had the courage during the last election to recognize the problems with cannabis prohibition and commit to changing things. I am proud that we upheld that commitment. I am proud the legislation we have today is before us and paves the way for law-abiding Canadians to turn the page on convictions for simple possession of cannabis. Allowing them to contribute to society to their fullest potential is not only good for them, but good for all of us. That is why Bill C-93 is so important and that is what it is all about. I urge all hon. members of this House to join me in supporting this very important piece of legislation.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I listened to my friend's words very carefully. We know that the Canadians who are affected by this situation are particularly indigenous, marginalized and racialized Canadians, who have been long affected by marijuana laws. In particular, regarding the idea of pardons or expungements, I just came from the committee studying this bill. We heard from the Canadian Association of Black Lawyers and the Native Women's Association of Canada, two groups that are particularly focused on representing those Canadians. Neither of them was consulted by the government in drawing up this legislation.

What is devastating to me is this. In putting this bill together, not only did the Liberals not consult with the people affected, but they also ignored a particular condition that both witnesses brought up today, which is that if there is an administrative penalty or charge against someone—for example, a “failed to appear” charge—and they have a simple possession charge, they are omitted from this bill. They cannot seek a pardon.

Where I live in northern British Columbia, failures to appear, particularly for the marginalized, poor and indigenous people, are unfortunately quite common. We had a case last year of a young indigenous woman charged with simple possession and failure to appear. It was eight hours from her community by road to the courthouse. She had to hitchhike because there is no Greyhound or public transport service. All she could do was beg, borrow or steal a ride to get to court. She did not, and now she has an administrative charge, which my friend would know disqualifies her from receiving a pardon.

*Government Orders*

We agree with his comments about returning to society and being able to be a fully participating member. However, does he not understand the need to amend this bill to make the changes to help those whom the government claims to be seeking to help?

I do not understand why the Liberals did not consult. It is obvious now in this bill that their failure to consult has produced a flawed bill for Parliament.

**Mr. Mark Gerretsen:** Mr. Speaker, as I indicated in my speech, there are many people who have been convicted of simple possession of cannabis. We are talking about thousands of people throughout the country. The intent of this bill is to streamline the process and put a process in place that allows a staff person to be able to assess and use the criteria in the bill to decide very easily if this individual who is applying can be pardoned. I think the process that would be put in place is going to move the needle forward very quickly to make sure we can get as many people as possible through the process so that we can get as many pardons completed as possible.

At the end of the day, that is what this is all about. It is about recognizing that simple possession is no longer a criminal offence. I think a lot of people in this House would agree that it should not have been for quite a while. This is about making sure we can get as many people pardoned as possible.

• (1625)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, in the last election, the Prime Minister, then only leader of the Liberal Party, indicated that we would move forward with the legalization of cannabis. Through Bill C-93 and Bill C-45, proposed a few years after we were elected, we are fulfilling a commitment we made in the last election. I see that as a good thing.

I believe Canadians consider this a major change in public policy. It is a significant change. There have been relatively few bumps since its implementation. It has gone over relatively well.

Does the member not believe that we should be giving a gold star to the civil servants who assisted in getting us where we are today?

**Mr. Mark Gerretsen:** Mr. Speaker, I think the member brought up a very good point. I believe that the vast majority of NDP members, if not all of them, support legalization. However, what they were not able to do in 2015, whether for political expedience or whatever the reason of the day may have been, was actually say that. What the Liberal Party and this government did was stand up for what it believed in, not what it thought would be politically palatable to the public. We put that commitment forward, and then we came here and delivered on exactly that. As a result, cannabis has been legalized. Canada is now only the second country in the world to legalize and regulate it.

We are now taking another very important step, which of course the NDP wants to oppose as well. This step would ensure that those who were charged and convicted under the old law could now be pardoned.

**Mr. Chris Bittle (St. Catharines, Lib.):** Mr. Speaker, it seems the hon. member for Kingston and the Islands touched a nerve in the NDP. We are still hearing about it. The NDP members keep chirping,

and I am happy to keep rambling on while they keep chirping. We will get into it further. I am sure there will a question or two.

It is an honour to rise at second reading of Bill C-93, an act to provide no-cost, expedited record suspensions for simple possession of cannabis.

During the last election, we committed to legalizing and regulating cannabis and to legislation doing exactly what took effect last fall. At that time, the government signalled that it would turn its attention to dealing with the criminal records created under the old regime. Now we have before us Bill C-93, legislation that would make it easier for individuals who were previously convicted only of simple possession of cannabis to have their records cleared.

Bill C-93 proposes an expedited process for receiving a pardon, also known as a record suspension. The usual \$631 application fee would be waived, as would the usual waiting period, which could be as long as 10 years. The bill would reduce barriers for full participation in society for those individuals. It would allow them greater access to job opportunities, educational programs, housing and even the ability to simply volunteer in their communities. It would make things fairer.

It would enhance public safety by allowing people to reintegrate into society. It would fulfill an important commitment to Canadians in delivering on this new regime.

This is the first time in history that both the application fee and the wait period for a pardon would be waived. This unprecedented measure is a strong statement recognizing that convictions for simple possession of cannabis have resulted in hardship for many Canadians and that certain populations, including members of black and indigenous communities, have been disproportionately impacted.

For my part today, I would like to delve a little deeper into the nuts and bolts of the legislation. To begin with, Bill C-93 would amend the Criminal Records Act. It would waive the fee, waiting period and certain subjective criteria for people convicted only of simple possession of cannabis under one of three acts: the Controlled Drugs and Substances Act, the Narcotic Control Act, which existed until the 1990's, and the National Defence Act.

Eligibility would not be based on the amount possessed but rather on the purpose. People would be eligible if possession was for personal use only. People would not be eligible if there was any trafficking or production involved. To qualify for the waived wait period, applicants would simply have to demonstrate to the Parole Board of Canada these basic facts: first, that the substance they possessed was cannabis; second, that their sentence was completed; and third, that the conviction was only for possession for personal use. To do so, applicants would provide standard police and court documents. The Parole Board would be available to help people through the process by email or by phone.

### *Government Orders*

As a way of further expediting the process, the decision to grant a pardon would not be discretionary. Usually a Parole Board member assesses pardon applications to decide whether an applicant has been of “good conduct” and whether a pardon would give them some “measurable benefit”. This discretion based on subjective criteria would not apply here. Instead, the Parole Board would be required to issue a pardon as long as someone was eligible and had completed his or her sentence. There would be nothing else to consider. The application would therefore be processed much more quickly by Parole Board staff.

Once a pardon was ordered, the Parole Board would notify the RCMP to have the records sequestered in the National Repository of Criminal Records. Once that was done, the RCMP would notify other federal agencies. The Parole Board would alert provincial, territorial and municipal partners. That means that a criminal record check, for instance, by a prospective employer or landlord, would come up empty. The records could only be disclosed or reinstated in exceptional circumstances. In practice, for cannabis possession, the only likely scenario in which anyone would ever see one's records again would be if someone committed a new criminal offence.

Bill C-93 would fulfill our commitment to create a simplified process for people with convictions for cannabis possession to shed their criminal records along with the associated burdens and stigma.

● (1630)

Work also is continuing on broader pardons reform informed by consultations held by the Parole Board and the Department of Public Safety as well as in a recent study by the public safety committee. That study, initiated by the member for Saint John—Rothesay, led to thoughtful and unanimous recommendations calling for pardons to become more accessible, not just for cannabis possession but across the board. I am glad that Parliament has been seized with the issue, and I look forward to progress on that front.

For the moment, though, we have an opportunity to move forward right now with targeted recourse in Bill C-93. As I have noted, this would further enhance public safety by reducing the barriers to reintegration associated with a criminal record. Many Canadians are stuck with a criminal record for activity that is no longer considered a crime. It is about time we made things fairer for Canadians who have been living crime free. That is why I offer my full support for Bill C-93. I encourage my colleagues to do the right thing and join me in making sure that the bill moves forward.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I am going to try again. A Liberal is a Liberal, so let us talk to this Liberal about the idea that the Liberals talk about the two large groups of Canadians who have been impacted and over-represented in our criminal justice system and overrepresented by criminal charges when it comes to marijuana possession. That is indigenous Canadians and black Canadians.

The two largest representative groups were before committee just 30 minutes ago. When I asked if they were consulted, they said no. When we asked what the flaws were in this process, they both argued for expungement, which is what the NDP has suggested, which the Liberals voted against and killed. In fact, more Conservatives than Liberals voted for expungement, because they understand, perhaps, the effects of this on a person's life.

The Liberals keep talking about wanting to reintegrate people and not having them drag around a criminal record for the rest of their lives. We agree. We have suggested an amendment, so I would like my friend's thoughts on this. If someone has an administrative charge, such as failure to appear, which all would consider a low-level crime, in combination with a simple possession charge, that person would be excluded from the bill. He or she could not get a pardon under the Liberals' proposed system.

I would argue that the bill, introduced so late in the session, did not have proper consultation with Canadians who would actually be impacted by it. That is one of the reasons the Liberals did not understand why this was so important. For marginalized, low-income or indigenous Canadians, these administrative charges are common along with possession charges.

Would my friend agree that we need to have some discretion in the application so that with administration charges along with simple possession of marijuana, someone might also be able to obtain a pardon under the bill? Would that not be a welcome change for those Canadians we are looking to help out?

● (1635)

**Mr. Chris Bittle:** Mr. Speaker, I would like to thank the hon. member for his passion on this topic. I can assure him that marginalized Canadians have been consulted. I will acknowledge that it may not have been the groups that appeared before committee today, but this government moves forward on evidence-based plans and consults individuals who are impacted.

The issue of an automatic system, though it may be ideal, would not necessarily work in this case, because the records are not detailed enough. Records may just say that there was a violation, that there was possession of a narcotic. They do not necessarily, especially post-1996, list the schedule the person was charged under. It would not work. It is a great idea in theory, but it would not work in practice.

This is what happens when we engage in evidence-based decision-making. We ask questions across the board. We ask people from marginalized communities, but we also ask the individuals who are holding the records about what can be done to make life fairer for Canadians.

**Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC):** Mr. Speaker, I think the hon. member may have misunderstood my colleague's question. He was referring to a specific example in which an individual was unable to come to a hearing and therefore had an administrative charge.

*Government Orders*

If there is some evidence the member has that there is no record that this was the further charge that occurred, I would be interested to hear it. Those people now face an injustice, a real injustice, that really messes up their lives, maybe forever, and they cannot get rid of those records because of a purely administrative charge, a charge that is more likely to be faced by people who are disadvantaged, people who are racialized or indigenous. Those people are going to be excluded, and I want to hear why the member thinks it is okay to leave those people permanently unable to get pardons for something that was never wrong in the first place.

**Mr. Chris Bittle:** Mr. Speaker, it is interesting to hear this passion from the other side, from two parties that did not support the legalization of cannabis. That being said, with the legal aid system we have in place, individuals are entitled to representation. One can appear on an individual's behalf. I have appeared in criminal assignment court. People can have their lawyers appear on their behalf; that is something that happens.

I can appreciate that a breach of condition may be minor, but it may be more serious. This bill is targeted at individuals who have that one charge under their belt, and it would make it fairer for Canadians. That is the way forward. These charges can be avoided.

There are some issues, and the hon. member and I have discussed this before. One issue that the Standing Committee on Justice and Human Rights has looked at is with respect to administrative charges. However, this is another criminal offence that was committed; it is a charge that has been dealt with. If it were something that was minor in nature, someone can petition to the court to deal with the judge and the situation that comes up.

[*Translation*]

**The Assistant Deputy Speaker (Mr. Anthony Rota):** It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Central Okanagan—Similkameen—Nicola, Telecommunications; the hon. member for Saskatoon—Grasswood, Natural Resources; the hon. member for Calgary Rocky Ridge, Natural Resources.

[*English*]

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, I will be sharing my time with the member for Leeds—Grenville—Thousand Islands and Rideau Lakes.

I would like to go back to the discussion we were just having. My two colleagues who just spoke supported the legalization of cannabis, and the discussion we have had over the last few minutes about these administrative charges was interesting.

When talking to prosecutors about past charges around simple possession, they will tell us that many times people go into court charged with multiple offences, such as perhaps other drug offences or trafficking. Those kinds of things are tied in, and the charges are often pleaded down to simple possession. In that kind of situation, the offender would qualify for the Liberals' proposal; whereas, a teenager from a rural area who is charged and does not have the capacity to get to a court hearing, or who fails to appear and gets this administrative charge, would not qualify for that kind of hearing.

Right from the beginning, we see the unintended consequences of poor legislation, and this is not the only bill where that has happened with the Liberal government. The present Liberal government will be known in the future as the government that brought legislation in without having thought through much of it. When bills come back with 25, 30 or 40 amendments, we know that the government has not done its job with respect to preparation.

We have seen that all over the place. We have seen it with respect to a million different issues. We are seeing it at home right now in my area, on the canola issue. We found out early on that the Chinese government wanted us to do something about tariffs on steel, and our government refused to do that. It was more interested in kowtowing to the Chinese government than dealing with our biggest trading partner, the United States. As a result of not moving on it, we ended up with tariffs. Now we have further tariffs on canola. We have tariffs on pork. We have these tariffs because the government does not consider what it is doing. It does not take into account the consequences of its activities, and then we see all kinds of secondary effects. This legislation, when I get around to talking about it, indicates that as well.

We see it on carbon taxes and other taxes imposed by the Liberal government. It has had the highest impact on Canadian people with the least effect of any type of carbon program that one could put in place.

Aboriginal affairs would be another good example. We heard this afternoon about the fact that the government failed to consult the aboriginal community with respect to another bill. The government has not asked the aboriginal community what is best for its people. The Liberals claim that the majority of people who would be impacted by that legislation are aboriginal and those with a very low income, but they have not asked them what would work for them. Often aboriginal peoples do not have access to urban centres or easy access to the Internet and those kinds of things, and the Liberals do not ask them what would work for them. Instead, they come with a plan that for many people would not work.

With respect to aboriginal affairs, the Liberals have divided communities. Many bands want to participate in the energy projects in our part of the world. They want to have a part of the prosperity that comes out of energy projects, and the government has basically divided those communities. That seems to be what the Liberal government does most effectively.

The government talked about having consultations on this legislation, but it failed to do that. It also claimed to have had consultations at its firearms meetings in the last few months. It set the meetings up to make them work as well as possible for itself, but that did not quite turn out. There were 135,000 online responses, and basically it was 75% to 80% opposed to the government making a move and changing things. I guess the government did not anticipate that, but that was the reality of the Canadian population. Once again, the Liberals misread it.

We see unintended consequences around energy disasters such as the purchase of the Trans Mountain pipeline. There was no need to do that.

*Government Orders*

Probably the place where we have seen the most obvious set of unintended consequences is around financial management. We have seen those folks just blow through people's tax money.

It was interesting. Last week, we were talking about the budget implementation bill. The deputy House leader, at every point, talked about the public purse. However, rarely did he talk about taxpayers and the fact that there is only one place that the government gets money, and that is out of the pocket of the taxpayers of Canada.

On each of these things, whether it is budgets that are running deficits that are two and three times what were promised, or the Trans Mountain pipeline, a pipeline that no one wanted to sell and no one wanted to buy, the government has not thought about taxpayers. The proponents themselves were willing to spend the money on the project. However, now we have Canadian taxpayers who have dived into it to the tune of about \$5 billion so far. If the government is going to get the project done, it will be another \$10 billion. The government has committed that kind of money to it without even thinking about taxpayers.

The Liberal government has also failed to spend its infrastructure money fairly and equally.

● (1640)

Another area where there has been unintended consequences, probably one of the most obvious ones, was the summer jobs program. The Liberals completely misread Canadians, trying to force them to follow the Liberal ideology. Anyone who had a different perspective from the government was then pushed to the outside.

I would argue that we are back here again. We have the late introduction of Bill C-93. It looks more like a public relations project than anything else. Again, this follows in the footsteps of Bill C-45 and Bill C-46, bills that the Liberals passed without an understanding of many of the consequences of what they were doing. I was not one of the people who supported those two bills.

The Liberals find themselves in a situation right now where they do not have the capacity to meet the demand. They did not prepare for that. They do not have capacity to set a realistic price. Those folks who are happily selling on the private market are doing just fine, in spite of the government's attempt to try to stop that.

The messaging across the way has been that the government is going to keep this out of the hands of people who should not have it. When I am talking to junior high-school students, for example, they are telling me that this is more accessible to them than it has ever been in their lives.

There is certainly no solution at the border either. I heard Liberal members say earlier today that they have had discussions and this is not going to be a problem for Canadians. We know full well that it is. We have a small crossing near my home. I went down to Montana a couple of weeks ago, to the post office down there, and came back. U.S. Customs agents are now stopping Canadians on the U.S. side of the border before we come into Canada.

As members know, people stop at the U.S. side on the way down, and when they come back, typically they drive to the Canadian side and then out. They are now stopping everyone prior to being allowed to exit to Canada. I asked why they were doing this, and I was told

that they have direction from on high. I asked when it happened and was told that, coincidentally, when Canada legalized cannabis. There is another problem here that the Liberals never thought of at all.

I have another thing I want to talk about today as I am wrapping up. It seems like time flies very quickly here. We have talked a lot about the difference between pardons and expungement, and those kinds of things. The government has made its choice; others have very different ideas.

One of the things I want to bring up goes back to the taxpayers. There is a bill here of somewhere between zero and \$600 million to do this process. I have a question as to why the taxpayers should be stuck with this bill one more time. The government seems comfortable spending everyone else's money.

This morning, we heard a Liberal member talking about his friend who, when he graduated from university, could not get a job at 7-Eleven, but now he is a public servant. He is a public servant and is probably doing really well. Why should the folks who are now working at 7-Eleven be expected to pay for his pardon or expungement, whichever direction the Liberal government finally goes in with this legislation?

We have gone so far away from considering where money comes from. The government takes it out of the pockets of average people and does not think a thing about it. We have a situation here where people have broken the law, and they typically broke it knowing what the law was and that if they got caught there was going to be a punishment.

The law is now changed, and I do not have any problem with people getting pardons or expungement of these records. The question is, why should the taxpayers, those folks who are working for an hourly wage, be expected to then pay that bill?

I suspect that this is going to be much less successful than the Liberals said it will be. I was surprised a little earlier when one of my NDP colleagues talked about the pardons that have been made available to the gay and lesbian community. He said that only seven people so far have applied to the process. That probably means the process is too complicated for people to be bothered with and people have not done that.

Today I have heard figures that 10,000 people will apply, that there are 200,000, up to 400,000, who will be impacted by this. My question to the government today would be, why does it expect that the taxpayers of Canada would once more pick up the cost for a government bill that has a number of unintended consequences that were not considered ahead of time?

● (1645)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am a little confused with some of the closing remarks from the member opposite. I do not now know whether the Conservatives support or do not support a pardon or an expungement. It is becoming more and more difficult. I think we are hearing a lot of personal opinions, but Canadians would be interested in hearing the official position of the Conservative Party on this important piece of legislation.

*Government Orders*

It has been an interesting process, which dates back to the last federal election back in 2015. As members know, the NDP did not support the legalization of cannabis, and the Conservative Party also did not support it. Now, from what I understand, the NDP supports not only the legalization of cannabis but the legalization of everything else, and the Conservative Party would not retract the legislation, which I think is a good thing. My question for the member opposite is related to that.

Over the last few years we have been evolving this progressive social policy. It has been going relatively well, and many would argue that it is going exceptionally well. Would the member not agree that when we look at Bill C-93 and Bill C-45 combined that in fact we are on the right track? Even the opposition critic's personal opinion indicated that she is in favour of a pardon.

• (1650)

**Mr. David Anderson:** Mr. Speaker, I noticed that the member did not touch on the issue that I raised at the end of my presentation, which is the cost to Canadian taxpayers.

The member talked about progressive social policy. The Liberals will spend Canadians' money until it is all gone. That is what the Liberals specialize in. It is not a progressive social policy that works. They specialize in taking money out of people's pockets, spending it and then not being accountable for it. It started with a trip to the Bahamas. It certainly has continued with massive spending with deficits they cannot control and with very little interest in accountability for that money as well. This is just one more place where that kind of carelessness has shown up. They do not plan ahead of time. They do not think about the consequences.

He mentioned Bill C-45. They were told that the bill would be taken to court pretty much immediately in terms of the impaired driving components of it. The people who said that were right. We see that has been challenged in multiple places across Canada, because the Liberals did not consider the charter in the application of that bill.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, hon. members can be forgiven because it just happened a little while ago, but we just heard testimony from the Canadian Association of Black Lawyers, as we did from the Native Women's Association of Canada. Neither were consulted about the bill. This is kind of shocking and hypocritical of the government, because those are, in particular, two of the groups of Canadians that have been identified historically and presently as being discriminated against, particularly on marijuana laws and particularly when seeking a pardon. The Liberal system has been set up very well for middle- and high-income folks, folks who are white, folks in the suburbs, but not for folks who are overrepresented in our prisons and in our justice system.

Mr. Cudjoe, a representative for the Canadian Association of Black Lawyers, said that in his community, this will be seen as a token gesture. Why? When it comes to a simple possession charge combined with any charge of administrative justice, which is a failure to comply, a false identity presentation, and what Liberals themselves have said are very low level discriminate crimes, the combination of those two things will exempt people from this pardon process. They simply will not be able to get a pardon under this system.

I ask Liberals consistently, if the whole target of the bill is to help people get back into the system, particularly those who are marginalized, racialized, low income, if those people will not be able to qualify under the rules that the Liberals have set down in the bill, then what is the point of this exercise and who is it actually going to serve?

**Mr. David Anderson:** Mr. Speaker, I appreciate my colleague's intervention. He asked if it is a token, and I think it is. When we take a look at the timing of the bill, it comes at the end of a long session with very little time to get it implemented. We can look at the lack of consultation that was put in place with those very communities, which we have heard all day today are the concern of the Liberals, and when we see the content in the bill, we have to take those three things, put them together and say that the Liberals are not really serious about this. This is one more of those public affairs exercises that they want to do to try to make themselves look good in front of people without actually having done the work.

In regard to the consultations, the Liberals have a lot of consultations, but it is typically with the people they want to meet with, who say the things they want to hear. That is why so many of their other initiatives have gone badly, because they find out what Canadians really think, which is that they reject the leadership the government has provided.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Mr. Speaker, I rise today to speak to Bill C-93. The bill has come forth from the lack of foresight from the government. The Liberals have tried to hurry this legalization through on a self-imposed political timeline of the Prime Minister's own making. This is done in spite of concerns which municipalities, law enforcement, health care professionals and other stakeholders have had with the legislation around the legalization of recreational marijuana in the first place. As issues arise with the recreational use of marijuana going forward, there have to be due diligence and proper steps taken to protect Canadians. Because of this, I will be very cautiously supporting this bill to see amendments come forward at committee.

By its very nature, the process and rollout of marijuana legalization draws parallels with prohibition and re-legalization of alcohol in Canada during the first half of the 20th century. Prince Edward Island was the first province in Canada to successfully enact an alcohol prohibition statute and the last to repeal it. As such, there are some similarities to draw between the government's re-legalization of alcohol and the government's legalization of marijuana.

*Government Orders*

In 1900, Prince Edward Island banned the possession or sale of alcohol except for sacramental or medical use. It could be prescribed by a doctor for a variety of ills. If a person were to be charged and found guilty of violating prohibition, he or she would face a \$100 fine or two months in jail. This was a stiff sentence at the time, and the premier would often see many letters from convicted persons and their families asking for a pardon or an adjustment of the sentence. By the mid-1930s, Prince Edward Island saw some 1,700 convictions for possession, consumption or sale of alcohol, but after that point, attitudes began to shift on the subject of prohibition and it seemed to be rejected by a growing number of the population. This is very similar to how the social thought on marijuana use has changed over the last decade. Following the shift in social acceptance in both cases, enforcement efforts began to wane.

In the last few years of prohibition, many bootlegging operations were running openly, quite similar to how we saw many illegal marijuana dispensaries openly operate all across the country in the last few years before the legalization of recreational marijuana. Even after the legalization rollout, there are still many illegal dispensaries operating, unlicensed and unregulated, across the country. There seems to be little being done about them. These illegal dispensaries are making it much easier for minors to get their hands on marijuana outside of the particular provincial regulation schemes, either provincially run stores or private businesses.

The island's prohibition era ended with the Temperance Act effective in 1948 which established government liquor stores and regulated sale to residents and tourists through a system of permits and quotas. Many of the arguments we heard in favour of legalization of recreational marijuana were also used back then with the re-legalization of alcohol, everything from combatting the black market to collecting revenue. In both cases, the government's effort to mitigate the black market sale of these substances has had little effect in reality. Bootlegging operations still ran in P.E.I. until a massive crackdown in the mid-2000s, and today the black market accounts for 80% of marijuana sales, making for billions of dollars every year.

In the wake of legalization, there are still so many questions that remain. It is clear that the government was hasty in its rollout of this legislation.

Many groups, including law enforcement, were concerned about an increase in drug-impaired driving after legalization, but the Liberals assured the public that this would not be the case and they would equip police forces properly to deal with and enforce the new law. Now it has come out that the roadside marijuana testing devices that the Liberals quickly approved in time for last year's legalization rollout are giving regular false positives. This failure is taken right out of an episode of *Seinfeld*.

● (1655)

During testing, these roadside testing devices were giving false positives for subjects who had recently eaten something containing poppyseeds, like a bagel or poppyseed loaf. All of these people tested positive for opiates in their saliva and in their urine. If someone ate a poppyseed bagel and then was pulled over and was tested positive by the police, the person would be arrested and taken to the station for a urine test. If that tested positive, then that person

could be charged with impaired driving, all for having eaten a bagel or a slice of lemon poppyseed loaf with his or her coffee at Tim's that morning. This is just one of a long list of failures for the Prime Minister and the Liberal government.

In 2015, we heard the Prime Minister say, as he was looking Canadians right in the eye, that he was going to balance the budget. It was in the same time frame that he admitted the budget would perhaps balance itself. We have learned that neither were true: promise made, promise broken. This will affect Canadians for a generation or more with deficits projected past the year 2040.

The carbon tax is nothing more than a tax grab. It is a tax plan dressed up as an environmental plan. Hopefully, with enough HST charged on that new tax, the Liberals will be able to pay for some of the reckless spending by the Prime Minister.

The same Prime Minister promised transparency and to bring a new level of ethics to politics. However, scandal after scandal has proven that to be a failure. With the illegal vacations on a billionaire's island and giving lucrative fishing contracts to family members, the Prime Minister is anything but ethical. That is not to mention him interfering politically in the criminal prosecution of his friends and Liberal donors at SNC-Lavalin, where he was caught pressuring the attorney general at the time, and when she talked, he fired her.

Most recently, the Prime Minister has continued his string of failures on the world stage with his actions, or lack thereof, on China. Two Canadians have been arbitrarily detained. We have recently heard of an additional Canadian being sentenced to death. China has blocked billions of dollars' worth of Canada's world-class canola and we are adding pork exports to the list. All of this has been going on while the Prime Minister has been absent. He has not even replaced his hand-picked ambassador and we see the effects it has had on Canadian interests and security.

With the Prime Minister's track record of failing to deliver on his commitments, it is important to be diligent and cautious when we are dealing with any piece of legislation that the government has put forward, particularly at this stage in this Parliament, when we know that the Liberals are looking to deliver on at least one of their campaign promises. However, when it concerns the safety of our children and the safety of the driving public, we need to be very diligent in ensuring we get this right.



*Government Orders*

We hope that at committee we will be able to have the good work done that is necessary to implement a strategy that protects Canadians. I will be very cautiously supporting this bill to see it amended in the best interests of Canadians. We are hopeful this promise, having been made in the best interests of the safety of Canadians, is one promise the Prime Minister is willing and able to keep.

• (1700)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I think the member's speech encapsulates a great deal of the Harper style of planning or strategy employed by the current leader of the opposition for the last couple of years. That is to try to make as personal an attack as possible on the Prime Minister, or if not the Prime Minister, another minister. It is to make it as personal an attack as they can. That has been the official opposition's mantra. That is what they have to do.

While the opposition wants to focus on the character assassination of members of this government, we on the other hand have been saying that we will continue to be focused on Canadians and bringing in policies, legislation and budgets that are going to be there for Canadians in a very real and tangible way. That is what Bill C-93 is really all about. It not only delivers on an election platform issue but also delivers something that is going to make a very positive difference in every region of this country, I dare say even in the constituency of the member who just spoke.

My question to the member across the way is this. Would he not agree that sometimes it might be nice to recognize legislation that is so progressive in its nature that it is going to be helping Canadian society and just leave it at that, as opposed to taking on the Harper style of personal attacks against the government?

• (1705)

**Mr. Michael Barrett:** Mr. Speaker, that was a very interesting question from the member opposite. On issues of character assassinations and attacks on the Prime Minister, I might say that the call is coming from inside the House. Those are Liberal issues that they need to sort out, and as the opposition, we will hold them to account.

However, talking about progressive legislation that is worthy of the praise of Her Majesty's Loyal Opposition and of this member, I will absolutely say that a progressive piece of legislation that I am very supportive and very proud of is the child benefit. Under the former Harper government that the member opposite is referring to, we introduced a universal child benefit. Now that we are talking about attacks, the opposition at the time, the Liberals, said that parents could not be trusted and would spend it on beer and popcorn. Providing that type of choice to parents, to Canadians, is the kind of progressive legislation that certainly I support.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I do not know if anyone else is picking up on this point. It seems as though the Liberals want to rerun the 2015 election, and I wonder why that is the case after four years in office. One would think that they would want to run the 2019 election, but instead they want to go back and rerun the 2015 election, when they promised that it was going to be the last election under first past the post. Here is a news flash for my Liberal friends: Apparently 2019 is going to

be under first past the post. The Liberals promised all sorts of things, so they are selective when they say that they are delivering on their mandate.

Here is a specific question to the Liberals who know.

Here are the facts of the matter: Marginalized Canadians, indigenous Canadians and poor Canadians will not have the same opportunity to receive a pardon as wealthier white middle-class Canadians will have. How do I know? It is because that has been the testimony on this bill at committee.

I have a simple question for my friend, and I would like his personal position, not the party position.

Marginalized, indigenous and poor Canadians again are over-represented when there is a combination of a simple possession charge with an administrative justice charge, such as a failure to appear. These people have the worst access to the criminal justice system, and the Supreme Court of Canada has said they will face racism and systemic discrimination in that criminal justice system. The combination of those two things means that those Canadians will be excluded from ever receiving a pardon and will drag that criminal charge around for the rest of their lives. We know the impact that this will have on them and their families.

Would my friend see an amendment to allow people with those administrative justice charges to also have an opportunity to receive a pardon under this legislation?

**Mr. Michael Barrett:** Mr. Speaker, certainly at committee the types of examples cited by the member are exactly what we would like to see studied and exactly the type of testimony that we would like to hear, so that if we as a country undertake a process to right administrative wrongs, we do it in a fashion that is equitable for all Canadians and provides equal access to justice for everyone, regardless of their means, where they are from or their race.

I certainly look forward to having the opportunity to hear the proposed amendments at committee.

[*Translation*]

**Mr. René Arseneault (Madawaska—Restigouche, Lib.):** Mr. Speaker, I am pleased to participate in the debate on Bill C-93 at second reading. This bill will make things fairer for Canadians and their families. There was an ineffective prohibition of cannabis for far too long and, as a result, many Canadians ended up with a criminal record after being convicted of simple possession of cannabis.

Criminal records can make it hard for people to get jobs, find housing or even volunteer in their communities. The associated stigma can create the impression that the individual will always be seen as a criminal.

Criminal records are obviously necessary in the context of public safety. However, they can run counter to their objective when they prevent people who do not represent a danger from actively participating in society. This is particularly true when the activity for which the individual was convicted is no longer illegal and when the members of certain communities are disproportionately affected.

*Government Orders*

This is why our government has introduced Bill C-93, which would streamline the process for getting a pardon, also known as a record suspension, by waiving the waiting period and the application fee.

Generally speaking, an individual convicted of simple possession of cannabis must wait five years for a pardon, although the waiting period can be as long as 10 years. With Bill C-93, applicants could apply as soon as they have finished serving their sentence. The application fee, which has been \$631 since 2012, would be waived. On top of that, the usual criteria, like determining whether people have shown good behaviour and whether a pardon would bring them a measurable benefit, would also be waived.

The Parole Board of Canada is taking additional steps, such as simplifying application forms and doing community outreach, with the goal of allowing people with past convictions for cannabis possession to clear their records and move on with their lives as quickly and easily as possible.

This is one of the final chapters in the unfortunate story of cannabis prohibition in Canada, which goes back almost a century. Billions of dollars have been wasted enforcing an ineffective legal regime, not to mention the billions that lined the pockets of organized crime.

In spite of the prohibition, Canadian youth are among the heaviest users of cannabis in the world. Some of them, especially members of marginalized communities, were saddled with criminal records that limited their educational and economic opportunities.

Because of the many different courts and police services in urban and rural communities all across our country, each with its own archives of convictions that go back decades, we do not know the exact number of Canadians with simple possession charges on their records. However, we do know that a simplified pardon process with no waiting period or application fee would make it easier for people to get the pardons they need to finally turn the page.

During the last election, we committed to ending the ineffective and counterproductive prohibition of cannabis. The NDP, on the other hand, wanted to maintain the prohibition of cannabis, with a decriminalization system that would have seen police issuing fines to people in marginalized and low-income communities. As for the Conservatives, they still think that people who possess a small amount of cannabis for personal use should be thrown in jail.

Canadians gave us the opportunity to enact our proposal in October 2018, and we did exactly that. With the coming into force of Bill C-45, we put in place a system of legal, strictly regulated cannabis production and distribution, designed to keep cannabis out of the hands of Canadian youth and to keep profits out of the hands of criminals. At that time, the government announced that it intended to provide recourse for individuals who had been convicted of simple possession of cannabis only. Once again, we have delivered on our commitment.

A pardon with no waiting period and no fee is a very effective measure available to everyone in our society.

● (1710)

When a person is pardoned, their criminal record is sealed and sequestered. A criminal record check by a prospective employer or landlord would come up empty, and U.S. border services would not find anything in the Canadian police database either.

The criminal record could only be disclosed or reinstated in exceptional circumstances, for example, if a new criminal offence is committed.

The effect of a pardon is fully recognized and protected under the Canadian Human Rights Act, which prohibits discrimination based on a person's criminal record.

Many provinces and territories offer similar protection. Waiving the usual wait period and application fee are unprecedented measures. By doing so, we would be removing the major obstacles in the path of Canadians seeking to lift the stigma and burden of a criminal record for possession of cannabis, allowing them to participate fully in society and become responsible Canadians.

We cannot go back in time and give them back the opportunities they have lost, but we can give them a way of moving forward. When people fully reintegrate into Canadian society by going to school, getting jobs and generally participating in community life and Canadian society, we are all better off.

It was in our collective best interest to end the prohibition of cannabis, because a system governed by a rigorous legal framework is safer for us all than a black market operating without oversight of any kind. Now that we have a legal framework in place, it is in our collective best interest to enable Canadians who have previous convictions for possession of cannabis to clear the criminal records imposed on them under the old regime.

Bill C-93 is a step in that direction. I strongly support this bill, and I urge all my hon. colleagues to do the same.

● (1715)

[English]

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, if we look back, the whole idea for legalization was to take marijuana out of the hands of kids and the profits away from organized crime, which we have not seen happening so far. In Oshawa, we had a horrible situation of kids taking marijuana edibles to school, and it was a big issue. The concern a lot of us have is that the Liberals have fumbled this legislation all the way through.

*Government Orders*

With this piece of legislation for these pardons, what does my colleague think about the question of equity, as previous questioners have asked? There are low-income Canadians and Canadians who can afford to pay for pardons. What does he think about using Canadian taxpayers' dollars exclusively for these pardons, when in many cases these convictions were plea bargained down from more serious offences? Does he not see that there could be some potential danger to the public by giving across-the-board pardons to people? [Translation]

**Mr. René Arseneault:** Mr. Speaker, I am pleased to answer my colleague's question.

Before I answer, I would like to note that I have been involved in the justice system, since I am a lawyer by training. I did a lot of volunteer work in my community and I saw the damage caused by having a criminal record, even for simple possession of cannabis.

There are people who wanted to do volunteer work in their community or coach a sports team, but they were prohibited from doing so. Some people wanted to get a job, but could not. Many fields of employment require people to have a clean criminal record.

As far as the impact this could have on the public purse, there is no possible comparison between the government's finances and giving someone the opportunity to reintegrate into the working class, giving someone who wants to work the opportunity to rejoin the workforce.

No measure can compare to that. The positive impact of a free pardon that is available to everyone is a billion times better.

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I thank my colleague for talking about the NDP's position.

It seems to me the Liberals do not realize they can take yes for an answer. We voted in favour of Bill C-45. Anyway, let's get back to the difference between a pardon and an expungement.

As my colleague from Beloeil—Chambly mentioned in his speech, most of the U.S. states that legalized cannabis have expunged simple possession offences from criminal records, and the sky has not fallen as a result. We know that expungement has brought relief to individuals and unclogged the system. As our neighbours to the south have shown, it costs society nothing.

I would like to know why my colleague supports this bill's proposal to pardon an offence, leaving criminal records intact, rather than the record expungement approach, which most U.S. states have taken.

• (1720)

**Mr. René Arseneault:** Mr. Speaker, I thank my colleague for his excellent question, to which there is a simple answer. The Canadian pardon system has a proven track record. I know all about that, having been a lawyer and helped clients get a pardon. The Canadian experience is a success story.

The United States, like every sovereign country, has their way of doing things. In Canada, the problem is that it is hard to find every conviction since you would have to go to the registries of every small town in every territory and every province, not to mention the various levels of justice.

When an individual travels abroad and is asked if they have ever consumed cannabis and if they have been accused of cannabis possession, they can answer yes, then provide written and tangible proof of the pardon. We believe that is much more effective than doing the reverse.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I will ask my question in English since this is a very complex subject.

[English]

Indigenous people and black Canadians are dramatically over-represented in possession charges. We heard from the Native Women's Association of Canada, along with the Canadian Association of Black Lawyers. Not only were they not consulted about this legislation, but the groups affected, particularly low-income Canadians, indigenous people and rural people, are much more likely to have also faced penalties for what are called administration of justice offences, such as failure to appear and false name. The combination of those, what is determined as a very low-level, non-violent crime plus a marijuana charge, would exempt them from the pardon system that the member's government is promoting.

Would my friend comment on the idea of actually allowing the discretion of parole boards to allow those who face an administrative justice penalty along with a possession penalty to also receive a pardon? As he talked about in his speech, allowing people not to carry around that penalty, that criminal record, would open them up for opportunities of travel, but most importantly, jobs.

We know the circular effect of the criminal justice system, which has been described by the Supreme Court of Canada as inherently racist and systemically biased against these people. We do not want to circle around by having the simple combination of possession and administrative penalty exclude them from ever having that record pardoned and having the ability that all Canadians hope to have, which is to make their lives and the lives of their families better.

[Translation]

**Mr. René Arseneault:** Mr. Speaker, I thank my colleague for his question, which is based on the premise that systemic discrimination might exist based on the background of the individual applying for a pardon.

My wife and I practised law together for 23 years. We had a small law office in a very rural region. We assisted on loads of pardon applications for people from all walks of life: white people, indigenous people, francophones, anglophones, the rich and the poor, and people on social assistance.

*Government Orders*

There were of course some difficult situations, but the only discrimination possible at that point was whether the individual could afford to pay for the pardon. Therefore the fact that this bill removes all costs associated with the pardon application makes it extremely accessible to everyone at any time. I cannot imagine how anyone, regardless of their background, could be discriminated against in that respect here in Canada.

**Mr. Guy Caron:** Mr. Speaker, I would like to revisit my earlier question because I did not get a clear answer.

Some of the U.S. states that decided to legalize cannabis expunged criminal records. It is very important to make the distinction between this process and a simple pardon.

If you are crossing the border and are asked if you have ever been convicted of an offence such as simple possession of cannabis, you must answer yes, even if you have been pardoned. This is not the case, however, when the record is expunged. The United States decided to use expungement, completely erasing the record, which makes life so much easier for people convicted of simple possession who want to travel.

Once again, I am trying to understand why the government is not doing what the U.S. did and making life easier for people convicted of an offence that no longer exists and that makes things very difficult when they want to travel or find a job?

• (1725)

**Mr. René Arseneault:** Mr. Speaker, I thank my colleague for his question.

I will give just one real-world example.

In the past, when describing a sentence for drug possession, the type of drug involved was typically not specified. There may be a difference between possession of cannabis and possession of cocaine. Because of the way things were done, it can be hard to determine, just from reading a criminal record, whether an offence refers to a specific drug or to drugs in general.

When a person receives a pardon for simple possession of cannabis, they can firmly and compellingly argue that they were charged with this type of crime in the past and show their pardon. That is just a working example.

[*English*]

**Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC):** Mr. Speaker, this afternoon's debate on Bill C-93, an act to provide no-cost, expedited record suspensions for simple possession of cannabis, gives me the chance I have long sought to make a clear statement in the House of Commons as to the principles that underlie my long-standing views on cannabis legalization. This is actually my second chance, as I was also able to do so in addressing the private member's bill on the same subject a couple of weeks ago.

I have long favoured the legalization of marijuana. Indeed, I have favoured it since I first sought elected office, almost 20 years ago. My views on the subject were first expressed at a public policy conference in 2001 and published in *Policy Options* the same year, so my comments on this subject have been on the record for a very long time.

I have always couched my arguments in practical rather than abstract terms. However, the debate today, like the one a couple of weeks ago, allows me to discuss the civil liberties issues associated with the war on drugs separate from the discussion of marijuana legalization. We are not discussing marijuana legalization today. That deed is done and cannabis is legal. If this bill is defeated tonight, cannabis will still be legal. If after tonight's discussion the bill goes on to receive royal assent by the end of this Parliament, cannabis will retain the same legal status.

Tonight we are not talking about the impact that chemicals in drugs could have if we were to legalize them. Today we can say that this is irrelevant to the discussion. We are talking purely about the harm caused by the act of turning a victimless act into a crime.

Today, I want to say, as I did 18 years ago when I first published on the subject, that it is morally wrong to criminalize the personal use of any substance when the use or misuse of that substance would cause no harm to any individual other than the user himself or herself. The act of ingesting cannabis or alcohol, for example, and then driving a vehicle on a public roadway endangers others and is not a victimless crime. That is why it is illegal. That is why it ought to be illegal. However, consuming cannabis and then staying home for the weekend is victimless. For that matter, consuming alcohol and staying home for the weekend is also victimless.

When no person is victimized, other than the person engaged in the act, then it is a moral evil for the state to penalize the person who engages in that act. This principle would apply even if it were the case that none of the following conditions were true.

This principle would apply even if it were not the case, for example, that some people suffer from trauma that causes them to make impulsive choices, especially with regard to mood-altering substances. When these individuals are penalized, the law in effect singles out for punishment those who have suffered from the abusive behaviour of parents or partners, or from the trauma of war, or from fetal alcohol syndrome, or from simple brain trauma. The principle that victimless acts should never be punishable would apply even if it were not true that some people are endowed from birth with genes such as the NRXN3 gene, which in 2011 was identified as being associated with a greater likelihood of becoming addicted. In this case, the law is singling out for prosecution those who have lost the genetic lottery.

The principle would apply even if it were not true that those who have greater influence and power are far less likely to be prosecuted than an average Canadian who has committed the same offence. A case that makes this point is that of the Prime Minister's brother, Michel Trudeau, who escaped prosecution for marijuana possession 21 years ago because of the intervention of his father, who was at the time himself a prime minister.

Here is how our current Prime Minister put this in a speech two years ago. He reported that back in 1998, his father, Pierre Trudeau, "reached out to his friends in the legal community, got the best possible lawyer and was very confident that he was going to be able to make those charges go away." He continued, "We were able to do that because we had resources, my dad had a couple of connections, and we were confident that my little brother wasn't going to be saddled with a criminal record for life."

*Government Orders*

• (1730)

The principle that no one should be punished for a victimless act would be true even if it were not the case that disadvantaged Canadians who are statistically more likely than their fellow citizens to be caught, prosecuted and saddled with a criminal record for life are far likelier to be members of social or racial groups that appear to be marginalized in other ways too.

Two criminologists from the University of Toronto found that in the period of 2015 to 2017 in Halifax, black people were five times more likely than white people to be arrested for cannabis possession. The same researchers found that in Regina, in the same period, 2015 to 2017, very recent history, indigenous persons were nine times more likely than white people to be arrested for this offence.

Akwasi Owusu-Bempah, who was one of the two criminologists, stated, “We know that rates of cannabis use are relatively similar across racial groups. So the fact that specific groups have been disproportionately targeted for drug law enforcement, especially black and Indigenous populations, strengthens that need for amnesty and for pardons. Because those groups have not only been disproportionately targeted, they have been disproportionately harmed by the consequences of having a criminal record.”

Therefore, it is not merely the issue of cannabis legalization that affects people on a racial basis. It is the removal of those byproducts of that racialization of the legal system. Given these facts, I think we can say that this is the very definition of systemic racism, regardless of the proximate cause of each individual arrest.

Of course, the foregoing examples of inequity really do exist and therefore, the provision of the Criminal Code prohibiting the possession of small quantities of marijuana, which happily is now repealed, was wrong at all of these levels too.

If the underlying offence ought never to have been an offence in the first place, which is not merely what I feel but what has already been decided by Parliament when it enacted the Cannabis Act a year ago, then it stands to reason that the retention of any long-term penalty such as a criminal record for the formerly unlawful activity must be wrong for exactly the same reasons. This is true whether it is a charter-protected right that we are talking about or whether it is merely the practical impact on some groups that have been discriminated against in the application of the law. It is true even when the issue is not whether the wrong is a charter prohibited wrong but whether it is merely a wrong when viewed from the point of view of natural justice, a point which is of very considerable significance when we speak about the distinction of the reasons why the government will not issue record expungements as it has done for offences under the Criminal Code at a time when homosexual acts between consenting adults were illegal.

To be clear, the retention of criminal records for persons who used marijuana when it was a criminal offence represented an ongoing injustice and represents today an ongoing injustice that must be remedied. Quite frankly, a provision expunging the records of persons found guilty of possessing less than 30 grams of cannabis ought to have been included in the Cannabis Act a year ago. Why it was not, particularly given the heartfelt civil libertarian sentiment that must have been the motivation for the Prime Minister to share

that very personal story about his father and late brother, remains a mystery to me. I note that in other jurisdictions that have legalized the non-therapeutic use of cannabis, the recreational use of cannabis, such as California and Vermont, provisions expunging the records of those convicted under the repealed statutes are part of the repeal legislation itself.

Now, it is too late for Canada to make a perfect copy of that enlightened example, but it is not too late for us to correct the oversight. Bill C-415 standing in the name of my colleague, the member for Victoria, was an effective and well-designed instrument for achieving an end to this lingering injustice.

• (1735)

Bill C-93 is a less perfect and less complete way of achieving the same end for many, although not all, of those who face this injustice. About 500,000 Canadians, which is around 1% to 2% of our adult population, have criminal records for the possession of small amounts of cannabis for personal consumption. Had Bill C-415 passed, it would have expunged all these records.

An expungement is not quite the same thing as a pardon or record suspension, which is what the current piece of legislation, Bill C-93, proposes. It differs in a number of ways. For one thing, a pardon must be formally requested. Any person can apply for a pardon, but under normal circumstances, only after waiting for a period of not less than five years, in the case of a summary conviction, and only upon the payment of a fee of just over \$600. Had Bill C-415 gone forward, expungement would have been immediate and costless.

Bill C-93 would not do quite the same thing. The bill's very long title tells the entire story. People would not pay a cost and there would be no waiting time, but they would have to make the application, and then the Parole Board would decide whether to issue that pardon, if the applicants met a series of conditions. It is therefore called an act to provide no-cost, expedited record suspensions for simple possession of cannabis. It would get rid of the five-year waiting period and eliminate the \$600 fee, and that is it. As far as it goes, that is good, and for this reason, I will be voting for the bill in principle, to send it off to committee later on this evening.

However, I want to be clear. Bill C-93 does not go far enough, because a record suspension is not an expungement. Unlike an expungement, a record suspension does not result in the permanent destruction of a record of a conviction in federal databases. Unlike expungement, where the person is deemed under Canadian law never to have been convicted of the offence in the first place, one would still be guilty of that offence. One would still have been convicted. It is just that no one could see that anymore.

*Government Orders*

There are some significant, meaningful differences here. As everyone knows, American border control officials reserve the right to ask Canadians who are crossing the border if they have a criminal record for using marijuana. Canadians are regularly turned back at the border if the answer is yes. Everyone should know that if people answer this question untruthfully and lie to an official of the U.S. Citizenship and Immigration Services while on American soil, as people do when they are going across a land border, as opposed to in the Toronto or Vancouver airports, where they do so while on Canadian soil, they can be arrested on the spot. If records were expunged, but not if pardons were issued, it would be possible for people to answer truthfully, whether travelling by land or air, that they did not have a criminal record for this former offence. This is a very meaningful distinction.

The government uses the following rationale for not using expungement in the case of cannabis offences. I am quoting from the Liberals' press release of March 1, 2019, which is the day Bill C-93 came out. It said:

Expungement is an extraordinary measure reserved for cases where the criminalization of the activity in question and the law never should have existed, such as in cases where it violated the Charter.

I just want to be clear about what is wrong with that logic. The Liberals were making specific reference to the fact that consenting homosexual acts were once illegal, and now any law that prohibits them is regarded as a violation of the charter. It is true that this is a charter distinction, whereas cannabis could be recriminalized without violating the charter. That is about the charter. It is not about the morality of the underlying act. We have said in Canada that there is nothing wrong with consuming cannabis for personal use and possessing small amounts for personal use. There is nothing wrong with it.

I defy any member of the government to stand up here and say that she or he believes that it was morally wrong, that the underlying act was morally wrong a year ago or two years ago or 10 years ago or 50 years ago, that it was morally wrong then and it is morally okay now, any more than it was morally wrong to commit a homosexual act 10 or 20 or 100 years ago and now it is okay.

• (1740)

The fact is that it was never wrong in the case of a consenting gay act between adults, and it was never wrong with regard to cannabis. This distinction, which has to do with what made it into the charter and what did not, because sexual orientation almost did not make it into the charter, is just nonsense.

The fact is that more people who are marginalized because they are poor, mentally ill or come from a group that suffers racial discrimination, and there are different kinds of racial discrimination in different parts of the country, are being prosecuted and persecuted, and they have been in the past. The fact that the cops have been acting in a racist way in different parts of the country at different times does not make what happened to these people somehow less bad than what happened to people who were convicted for committing the supposed crime of engaging in consensual homosexual activity. This is a nonsense distinction.

I point out that I was down in Washington, D.C., last week meeting with members of the House of Representatives in the

Senate, who are considering making changes to their cannabis laws. They are not necessarily looking at legalizing it for recreational purposes, as we are doing here, although some favour that. Many want to look at medical marijuana changes, which would make it available to veterans who suffer from post-traumatic stress disorder. One bill would prohibit officials of the U.S. border services from asking Canadians if they have a cannabis-related conviction. Another one would deal with interstate banking laws as they affect cannabis operations that are legal under state law.

In the United States, they are very aware of the civil liberties issues and the racially inequitable way in which these laws have been applied in their country. The word that is used universally when discussing getting rid of criminal records is "expungement". There is no reason in the world the government should not accept expungement of these records.

This bill, as I have said, is good as far as it goes. Later on this evening, I will be voting for it, and I encourage my colleagues to do so. However, it is not good enough. It is not acceptable to leave a systemically racist pattern of law enforcement in effect after we have said that the crime itself should never have been a crime and that it was never wrong and is not wrong.

It was okay for the Prime Minister, who was never caught, to use pot when it was illegal. He just did not get caught. He admitted after the fact that he used it. Somehow that is okay, right? I never heard him say that he used it when it was illegal and that it was morally wrong then. I never heard him say that if he had been caught, it would have been right for him to go to prison or to have a criminal record for life. He did not say that. He said that it should not have been wrong, so we are getting rid of that law. He was right about that. He would have been right to make sure that nobody who did not have a prime minister for a dad or the world's best Rolodex would ever face a situation of having a criminal record for life.

The bill is good; it is not good enough. I will be voting for it. I will be very much encouraging members on the committee to vote for some form of amendment to encapsulate the very important consideration brought forward by my colleague from Skeena—Bulkley Valley about taking care of those who have some kind of minor procedural item on their criminal records and are therefore going to face this being left on their records for life. It is an excellent idea. I hope the Liberal government will show some flexibility in this regard. It would be an excellent litmus test of whether the purpose of this bill is to help people or to simply take an issue away from the New Democratic Party, which produced an earlier and better bill on the same subject.

• (1745)

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I always appreciate the intellectual arguments the member opposite brings forward, whether it is in the House or during filibusters. I would like to ask him about one he brought forward tonight related to victimless crimes. Does he believe that administrative penalties, such as not showing up for a parole hearing, etc., for any crimes are victimless crimes and therefore should not be crimes?

*Government Orders*

**Mr. Scott Reid:** No, Mr. Speaker, that was not what I meant. I do think there needs to be some kind of penalty for these kinds of behaviours, or else people who have been charged and are allowed out on parole or who are awaiting sentencing would not have to be compliant with the law. That is absolutely not what I am saying.

What I am saying is that in this case, we have said that the initial offence should not have been wrong. We have gotten rid of the offence.

Things can happen that are contextual. Certain acts committed in a time of war are more serious at that time, and once we are no longer at war, those items that were unlawful are no longer unlawful. That is not what we are saying with regard to cannabis.

The problem here is that we have said that the particular offence ought not to be an offence and the kind of procedural problems that arose were in the context of having a hearing in relation to that particular offence, which ought not to have been unlawful in the first place. That is where the problem lies, and that is the item we can address.

I certainly would not classify that as a victimless crime.

A victimless crime is where one does something that only involves oneself. One might harm oneself, but that is one's affair, not the affair of the state. The state, as the Prime Minister's dad once said, has no place in the bedrooms of the nation. He was right then. It was the wisest thing he ever said. Now that the state is out of the bedrooms of the nation on this issue, maybe it should also allow us to shut the door and the windows and have a little more privacy.

**Mr. Richard Cannings (South Okanagan—West Kootenay, NDP):** Mr. Speaker, I would like to thank the member for supporting and mentioning my colleague, the member for Victoria, and his private members bill, Bill C-415, that calls for the expungement of all criminal records for people charged with simple cannabis possession.

The member mentioned the fact that the Liberals have said that the reason they do not want expungement is that it is very special and is only for crimes that we now think, through the charter, should never have been crimes. Yet most of the charges of possession of cannabis have come about from arguably charter-related incidents, where racialized Canadians, Canadians of colour, poor Canadians and indigenous Canadians have been vastly overrepresented in these charges. This could be easily related to our charter.

I am just wondering if the member could comment on that aspect of it. These are crimes that we do not believe are crimes anymore, and we should just expunge these records so that people do not have records anymore and we can let them get on with their lives.

● (1750)

**Mr. Scott Reid:** Mr. Speaker, first let me say something about Bill C-415. After it was over, the member for Victoria, who is always a gentleman, sent out letters to members who had voted in favour of the bill to thank them. I wrote back to him and thanked him for having raised this issue in such a thoughtful, intelligent way and that the entire country owed him a debt of thanks for having done so. I am glad to get that on the record. I feel quite strongly about what a service he did for all of us.

With regard to the issue of these being charter-related incidents, this is a matter that was before the House. There was a committee struck to deal with the issue of systemic racism, Motion No. 103, in the name of the member for Mississauga—Erin Mills. That is to say, as one witness put it, the racism that exists when the racists are gone.

The shadow of administrative racism exists, and it is very hard, as a practical matter, to address these in the form of charter challenges. We can see why this would be the case. There is a pattern of arrests, for example, a statistical phenomenon, but no one act has caused this. It is very hard to engage in charter litigation on it, although better minds than mine have been put to that question.

This is fundamentally a civil liberties issue, and I use that advisedly. However, it is important to point this out. If the member heard all my remarks, he will be aware that I mentioned two examples of racial groups, indigenous people in Saskatchewan and blacks in Nova Scotia, who have been arrested at several multiples of times as the rate for whites in those areas.

This is also an issue in an electoral district like my own, which is almost entirely white. Those who are poor, who are members of the social underclass, who suffer from mental illnesses, who have fetal alcohol effect, have genetic disorders, a gene that makes people more prone to becoming addicted, or an impulse control gene, are more likely to face prosecution and therefore institutional persecution. It is inherently unfair to them as well.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the member made reference to the March 1 press release. Within it, the Government of Canada sets out a basic standard referencing the charter issue in terms of expungement versus a pardon. That provides a great deal of clarity.

If one contrasts that to what the member across the way is suggesting, he is saying that in this legislation a charge should be expunged as if it did not ever happen. However, for all intents and purposes, a future government could make cannabis illegal again. If one looks at the debates in the last federal election, I think there is significance in terms of the difference between a charter and a non-charter issue and using that as a reference.

I am going to go specifically to the example that the member gave. He made reference to crossing the U.S. border and how it would be inappropriate for someone to lie. If that person is told that their record has now been expunged, in other words, it is as if it never happened, when the person goes to the border, he will say that he does not have a record. Does the member not recognize that the U.S. border control might still have the record and that could lead all sorts of issues? I would like to hear his thoughts on that.

● (1755)

**Mr. Scott Reid:** Mr. Speaker, in the example that the member offered and I referred to in my comments, by definition, there would have to be some form of record or else the border control agent would have no basis on which to execute an arrest, which is what happens to people who lie to a border guard. The person can answer truthfully, "I have no criminal record. I have broken no Canadian law."

*Government Orders*

If the border agent asks it differently and asks if the person has used marijuana before, the person should also not lie. When I cross the border, I have the advantage of never having used marijuana. It comes in handy to be able to tell truth.

However, everyone I have spoken to thinks that the danger is much greater for the scenario I am describing than the one the member is describing. After all, the Americans are not trying to gratuitously arrest people. If we adopt this expungement, it will ensure that those people will not find themselves in a situation where, when an American border official is making inquiries, it causes them, if they choose unwisely, to lie to that official.

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, following up from the previous member, I would like to say that I too would not have to lie at the border, as I have never used marijuana or even inhaled a cigarette. I am happy to make that task easy.

I want to comment on several items that have come up in debate. The first is that one of the members suggested that one of the goals of legalizing marijuana was to take money away from organized crime and that it had not occurred. That is, of course, patently false. The facts are totally different. There have been a lot of legal sales of cannabis, so huge amounts of funds have been taken away from organized crime. I do not think anyone in this House would argue that is not a benefit to our community.

There was another point by the same member, that there was a danger of pardoning someone who had a more serious offence than simple possession of marijuana for personal use. That was a good point. The bill has been crafted to make sure that in the investigation of that pardon, it was not for some other crime. Sometimes the records may be vague and not specify exactly what substance was involved in the offence, or it may not be clear at the outset that the possession was not for personal use but was for the purpose of trafficking. That is one of the reasons that the bill was crafted the way it is, so that these things are investigated.

I have to agree that the member for Skeena—Bulkley Valley brought up a good point. I hope that is looked at by the committee when witnesses are brought forward. The effects of an administrative offence coming out of the possession offence needs to be investigated, especially in difficult circumstances, to see how that should be dealt with.

One of the big points which was brought up quite well by the member for Rimouski-Neigette—Témiscouata—Les Basques related to crossing the border. Before I address that, I want to say that I have great respect for that member and the way he comports himself. I was hoping to meet him in the halls in the next few days to tell him this. He is very positive. He does not attack people personally. He makes his arguments in a very rationale, positive and diplomatic way, the way that parliamentarians should. I want to commend him for that.

However, on the point about crossing the border, expungement would make it easier. This is where some members might be confused. It could be more difficult. As members know, with an expungement, the record disappears. When crossing the border, a person could think that if the Americans ask if they have had a record for the use of marijuana, they could say no, thinking the record has totally disappeared. The record has totally disappeared in

Canada. However, unfortunately, when there are pardons, expungements and things in Canada, the Americans do not erase their records. Something could show up in the American records that the person had an offence for marijuana, but they said no because they thought it was erased. That person is then caught not telling the truth to the border agents, and, of course, we know the serious results of not telling the truth to an American border official.

● (1800)

Expungement does not necessarily make crossing the border easier. In some ways, it could make it more difficult, especially if an American border agent wants reaffirmation from Canada of a record suspension and an assurance that everything is fine. If a Canadian official cannot find the suspension, then the American border agent will wonder whether this is because there was no record originally or because Canadian officials cannot find it because of poor administrative practices. This may, in some cases, make things more difficult under certain circumstances.

I will begin by noting that I will be referring to record suspensions as pardons, even though they are technically called record suspensions.

Bill C-93 is about making things fair for Canadians and their families. For far too long, many Canadians have had the burden of a criminal record simply for possessing cannabis. Imagine trying to apply for a job, only to be turned down due to something like this. Imagine being unable to find housing or even to volunteer in the community just because of a conviction for simple possession of cannabis. Imagine the stigma of a criminal record, which can be difficult to navigate even when the burden is removed.

Indeed, a pardon would help many Canadians get back on their feet. That is why the government wants to do the right thing and the fair thing.

Bill C-93 would streamline the pardons process by waiving the wait periods, which could last up to 10 years, for applicants whose only convictions were for simple possession of marijuana. This means that they will be immediately eligible to apply for a pardon, provided they have completed their sentence and have not incurred any other convictions.

An interesting point was brought up by the member for Skeena—Bulkley Valley related to administrative convictions of simple possession. I hope the committee will look at this issue, should the bill pass second reading.

Previously I made another a point related to administrative provisions. I would like to remind members that the private member's bill I brought forward related to FASD. People with fetal alcohol syndrome disorder have brain damage, through no fault of their own. They do not necessarily understand that it is important for them to show up for their appointments and that there are ramifications for not doing so. As a result, they get into a never-ending spiral, going into and out of prison through a revolving door. This should never occur.



*Government Orders*

Although I was not able to get that bill through during this Parliament, I hope that someone will move that concept through the next Parliament so that people with FASD are not unreasonably convicted for things they do not even understand are crimes.

In the past, there were barriers to applying for pardons. Not only could getting one take a huge length of time, but there was also a cost. The \$631 Parole Board application fee was definitely a barrier for many people, especially because many of those convicted were earning low incomes.

Under Bill C-93, this fee would be totally waived. This would allow people to turn their lives around, as they would no longer have a criminal record for simple possession of cannabis. That is the approach the government has determined to be the fairest and most sensible.

Of course, there has already been a robust debate and conversation about how best to approach this issue. Much of it predates the introduction of the Cannabis Act itself. In fact, it goes back decades.

Recreational use of cannabis has been unlawful in Canada since the prohibition era of the 1920s. However, its use was not popular until the 1960s.

• (1805)

In 1961, following the enactment of the Narcotic Control Act, convictions for simple possession of cannabis began to rise. The Narcotic Control Act was replaced with the Controlled Drugs and Substances Act, which remains in force today.

We know that charges and convictions for simple possession have disproportionately targeted marginalized groups in society, including indigenous and black Canadians, which is definitely a point that should be dealt with at committee when this bill is discussed.

All of this underlines the fact that, in understanding that a legalized cannabis regime would someday be a possibility in this country, the debate about pardons for those convictions has been around for a long time.

Fast forward to the royal assent to the Cannabis Act in June of last year, and its coming into force in October, at which point we made the public announcement of our intent to provide recourse for those convicted only of simple possession of cannabis. We promised and we delivered.

On the topic of pardons, the debate has largely centred on amnesty in the form of either pardons or expungement as a possible recourse. A number of parliamentarians had also expressed public support for granting amnesty for simple possession. We now have a variety of experiences to learn from and a wealth of ideas at our disposal as we move forward. What we do now must be in the best interest of Canadians to make things as fair as possible, in the most sensible and practical of ways.

The government has chosen to allow Canadians who have served their sentences for convictions related only to simple possession of cannabis to apply for a pardon with no Parole Board application fee or wait period. This is a fair approach. For instance, we could have authorized the expungement of convictions for simple possession of cannabis, as was suggested earlier. However, possession of illegally

obtained cannabis continues to be unlawful today. That is why a pardon, which we are proposing under Bill C-93, is a very effective remedy.

Under this proposal, it bears no extra waiting time following completion of the sentence, and it bears no \$631 Parole Board application fee. Under this proposal, an individual's record would be sealed and sequestered. This record could be examined again only in extraordinary circumstances, for example if some other offence is committed in the future. The suspended record could be disclosed in those exceptional circumstances only with the approval of the Minister of Public Safety. As we can imagine, anything that needs the approval of a minister of the Crown would not occur very often, and the suspended record would be disclosed only in these very extraordinary circumstances.

The effect of a pardon is fully recognized and protected under the Canadian Human Rights Act, which means that the crime previously committed but pardoned cannot be used as any form of discrimination in areas of federal responsibility. Most provinces and territories have similar legislation that protects against discrimination. Usually, when the federal government issues a pardon or a record suspension, the province or territory will do the same.

Waiving the wait period and application fee is unprecedented, and it carries the impact we want, which is helping to lift the stigma and burden of a criminal record from many Canadians and allowing them to participate meaningfully in society. We can imagine how many members of society are affected. There are tens of thousands of people in Canada who have used marijuana for personal reasons. Therefore, the procedure of legalizing cannabis for personal use that is not harming anyone, and then granting pardon to those who were criminalized in the past for such use, is a very important thing for our society. People can feel good about themselves and be able to compete in society for jobs or houses or for anything else on a level playing field with everyone else.

• (1810)

The practical effect and purpose of a pardon is to reduce the barriers to reintegration so that people can apply for jobs without being discriminated against or so they can become involved in a number of NGOs, things which they could not participate in if they had a criminal record. Sometimes housing is not allowed for people who have a criminal record. When they apply for any of these things, if they have a pardon, people would not know their past because the records would be sealed and would not be available to the people asking about them. We believe it is the most effective tool at our disposal to achieve the result we want for those people who have been carrying that record and that stigma around for too long.

*Government Orders*

The first step is to get the pardon in place. Bill C-93 would allow Canadians who have been previously convicted of simple possession to apply for a pardon. Once their sentence has been served, there would be no application fee or wait period. Barriers to reintegrate into society would be reduced for those individuals.

I look forward to the tens of thousands of people who were unjustly harmed by these rules and considerations in the past now being treated the same as anyone else in society. I commend Canada's leading role in this. I think a previous speaker said that we are only the second country in the world to do this. It will be another example of how Canada has provided some examples for the world on how to provide true justice for individuals who really did not harm anyone but were charged with simple possession of the substance for their own use and enjoyment, which in and of itself has certainly not been harmful to other people. There are other substances that could be more harmful to people and society because of what people do while under the influence of those substances, some of which are legal, some of which are not.

Certainly, this has had such a massive effect on Canadian society and I think it is really uplifting that it is now legalized and many Canadians will be able to get a pardon so that it will not have a negative effect on their lives.

I thank those who are looking at this as a positive change.

• (1815)

**The Deputy Speaker:** It being 6:15 p.m., pursuant to an order made on Thursday, April 11, 2019, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the second reading stage of the bill now before the House.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Deputy Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

**The Deputy Speaker:** Call in the members.

• (1840)

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

*(Division No. 1307)*

YEAS

Members

Aboultairf  
Albrecht  
Alghabra

Albas  
Aldag  
Alleslev

Allison  
Anandasangaree  
Arseneault  
Ayoub  
Bagnell  
Barlow  
Barsalou-Duval  
Beaulieu  
Bennett  
Berthold  
Bibeau  
Blair  
Boissonnault  
Boucher  
Bratina  
Caesar-Chavannes  
Carrie  
Casey (Charlottetown)  
Champagne  
Chong  
Cooper  
Cuzner  
Damoff  
DeCoursey  
Dhaliwal  
Diotte  
Drouin  
Duguid  
Easter  
El-Khoury  
Erskine-Smith  
Eyolfson  
Fast  
Fillmore  
Finnigan  
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Ludwig  
MacKenzie  
Maloney  
Massé (Avignon—La Mitis—Matane—Matapédia)  
McCaughey (Edmonton West)  
McCrimmon  
McGuinty  
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| Cannings                     | Caron                              |
| Choquette                    | Christopherson                     |
| Cullen                       | Davies                             |
| Donnelly                     | Dubé                               |
| Duncan (Edmonton Strathcona) | Dusseau                            |
| Hardeastle                   | Hughes                             |
| Jolibois                     | Kwan                               |
| MacGregor                    | Masse (Windsor West)               |
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## PAIRED

Nil

**The Speaker:** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Public Safety and National Security.

(Bill read the second time and referred to a committee)

**ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[English]

## TELECOMMUNICATIONS

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, the Liberal government has spent months ignoring the advice of our allies and refusing to ban Huawei from our future 5G network.

Countries and providers across the world are acknowledging the reality that it is far too dangerous to allow a Chinese government-controlled company to have access to every level of our communication network. However, the government is refusing to make a decision, leaving the industry and the Canadian people in limbo.

Now we see that while the government stalls this decision, it is denying anyone who is opposed to Huawei from providing any input on whether the Natural Sciences and Engineering Research Council of Canada should allow Huawei to fund a research chair. It seems that no one opposed to Huawei is allowed to provide any input on whether it should be allowed to further entrench itself in our scientific and technical research infrastructure. This is typical of the government: make a decision, and then only allow those who agree with it to provide any input. It is certain that if anyone opposed to Huawei's funding research is barred from participating, then only those in favour will be heard.

Right now, UBC is partnering with Huawei on 5G research because the government has not told it that it should not do so, although three former directors of our key security agencies have said that Canada should cut ties with Huawei when it comes to the development of our 5G infrastructure.

The director of CSIS has said we need to be wary of state-sponsored espionage on the 5G network, yet one of the largest universities in the country is allowing Huawei into its network, with zero guidance from the Liberal government. Universities like Stanford, Berkeley, and Oxford are severing ties with Huawei, while the Canadian government is basically welcoming it with open arms.

It is unthinkable why the government is helping Huawei embed itself into Canada's research infrastructure and 5G network while saying it has not decided on whether to allow it at all. We cannot have a government that pulls the wool over its eyes and pretends that everything is fine while Canadians await execution in China. It is unreasonable to allow Chinese government-controlled Huawei to infiltrate our 5G networks and our universities.

It is far past time for the government to listen to our allies, do what is right, ban Huawei from our 5G network and also stop signing research deals with it.

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, our government takes the cybersecurity of Canadians very seriously, and we will never compromise on national security. We are investing more than \$869 million to fund a new cybersecurity strategy to ensure secure and resilient cyber-systems and to encourage innovation.

As part of this strategy, the Communications Security Establishment received funding to establish the Canadian Centre for Cyber Security. The new centre is a hub for the government's leading cybersecurity experts and can address rapidly developing cyber-threats throughout the world in real time.

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Together with Canadian and international partners, Canada's national communications intelligence agency is constantly working to identify threats, and we will continue to listen to its advice. We have the utmost confidence in the CSE's cybersecurity expertise, but, of course, it cannot do it alone.

Security is a collective effort that involves 31 telecommunications service providers. We have been partnering with industry and vendors since 2013 to make sure that the equipment in our telecom networks is safe and secure for all Canadians. The success of this program demonstrates the willingness, transparency and good faith of the private sector to work with the government.

Canadians can be confident that our telecommunications networks are properly protected. They are among the best and most secure in the world. We are leveraging that experience, and that of our allies, to ensure that Canada continues to raise the bar for security globally. Some of our closest allies around the world have restricted certain equipment from inclusion in their 5G deployments.

We will continue to engage with our allies around the world as the government works to formulate Canada's position on this issue. 5G will be the backbone of the digital economy and a platform for innovation. Beyond improving telecoms, 5G will enable new technologies across other sectors such as transportation, energy and health care.

Canadians can rest assured that we are working to make sure that these networks are properly and thoroughly protected.

• (1845)

**Mr. Dan Albas:** Mr. Speaker, the hon. member said she believes that the process the government is using is transparent. She also believes that it is working with telecoms across the country. She also said that the government is always going to put our national security in place.

First of all, the government has not been transparent. We have been asking for quite a long time for Canada to join with our Five Eyes partners, like Australia, New Zealand and the United States, in banning Huawei. When it comes to transparency, we have no idea when that process will be there.

I mentioned some of the university infrastructure. Universities have publicly asked for the government to be clear as to what partnerships they should engage in. The member opposite did not even refer to that.

The former executive vice-president of NSERC recently wrote in *The Globe and Mail* that the Chinese government is using research deals in seemingly unrelated fields to support Chinese military development, and the Chinese government has the power to force companies to comply with the government in undertaking espionage.

It is absurd that the government is not focused on these key issues in this country at this time.

**Mrs. Karen McCrimmon:** Mr. Speaker, we are not going to pre-empt the government's review of 5G security. We will not commit to any specific course of action until all considerations have been taken into account. All options remain open. We are well aware of the urgency of this issue given that the race to 5G is well under way, and we are working hard to develop an approach that is right for Canada.

## NATURAL RESOURCES

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Mr. Speaker, this past December, I asked the Liberal government an important and straightforward question: When will the Liberal government finally start standing up for the Canadian energy sector and kill Bill C-69, a bill which absolutely suffocates this critical sector with additional regulation burdens and uncertainty? I received the usual Liberal response of another non-answer.

Tonight, I know the Liberals have no intention of backing away from Bill C-69, even though this bill would have a very severe impact on many of the thousands of Canadians who are employed in the energy sector throughout this country. Instead of working to support Canadians, the Liberal government continues to stubbornly persist in working against Canadians.

We know the policies of the Liberal government when it comes to our energy sector, a sector which represented nearly 11% of our country's normal GDP in 2017. The Liberals, we should be reminded, killed the northern gateway pipeline. They stopped the energy east pipeline by piling on the red tape and additional regulations. They passed Bill C-48 in the House to place a moratorium on the traffic of oil tankers along B.C.'s northern coast. They failed to support the construction of the Trans Mountain pipeline. As a result, they had to spend \$4.5 billion of taxpayer money to buy the existing Trans Mountain pipeline just to keep the project from collapsing entirely.

It is clear that the Liberals have never had a plan to support the Canadian energy sector. It is clear, through their insistence on passing Bill C-69, that the Liberals do not intend to support our energy sector any time soon.

The Liberal government has a responsibility to look out for the hundreds of thousands of Canadian workers who are employed in the Canadian energy sector, and it is obvious that it is failing to do so. Through the dangerous and reckless policies of the Liberal government, investment in our resource and energy sectors is collapsing like never before. In 2018, Statistics Canada reported capital spending on oil and gas extraction fell for the fourth straight year, decreasing by 12% from the spending of 2017.

Why is the Liberal government doing nothing to protect the livelihoods of the many thousands of hard-working Canadians who actually work in Canada's energy sector? When will the Liberals finally scrap Bill C-69?

• (1850)

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, of course, we are going to see the issue differently. Our government has said since day one that economic growth and environmental stewardship can and must go hand in hand. They are not competing interests. They are not opposing goals. Canadians have made that clear.

*Adjournment Proceedings*

With help from indigenous peoples, representatives from our natural resource sectors, environmental groups and Canadians from coast to coast to coast, Bill C-69 proposes a number of key improvements over the current system.

These changes would ensure that decisions are transparent and guided by robust science and indigenous knowledge. They would ensure that project reviews consider a wider range of impacts, including those on the economy, the environment, our health, indigenous rights and local communities. They would also support more timely and predictable reviews, advance reconciliation and partnership with indigenous peoples, and reduce duplication and red tape through a one project, one review approach.

Canada has a new wave of projects on the way which makes this legislation not only important to address existing concerns, but necessary for us to take full advantage of future potential.

Our latest inventory indicates there are more than 400 resource projects either already started or planned over the next decade worth a combined value approaching \$585 billion.

The time is now. If we want to keep seizing all of these opportunities and build a Canada that works for everyone, we must develop our resources the right way. That is the purpose of Bill C-69 and the reason for creating a new Canadian energy regulator to replace the National Energy Board. Canadians deserve a federal regulator that reflects Canada's and the world's changing energy needs. It does so in five key ways.

First, it proposes a modern governance and management model. Second, it would enhance investor certainty by reducing red tape, duplication and unnecessary delays in the decision-making process. Third, the new Canadian energy regulator would renew public trust in the review process by making it more inclusive, transparent and meaningful. Fourth, the new Canadian energy regulator would support indigenous participation and ensure meaningful engagement throughout the review process. Fifth and finally, the new federal energy regulator would have the tools it needs to safeguard the public and protect the environment.

Through all of these measures we can reap the benefit of the tremendous future in front of us, ensure Canada is competitive and our future is bright for our kids, grandkids and future generations.

• (1855)

**Mr. Kevin Waugh:** Mr. Speaker, there is a billboard on Wellington Street just outside West Block, and my office in the Confederation Building which reads, "First nations are opposed to Bill C-69". I think it is sponsored by the Indigenous Resource Council, which represents over 130 first nations in this country. It is an interesting ad outside the House of Commons.

I should add that the only winners right now are the suppliers of foreign oil, such as Saudi Arabia. Statistics Canada reported that in the last five years, Canadian oil imports from Saudi Arabia have risen over 66%. The real winner is Saudi Arabia. The real losers are indigenous and other Canadians.

**Mrs. Karen McCrimmon:** Mr. Speaker, let me be clear. We heard Canadians when they said they wanted a better process for reviewing major resource projects, because all Canadians have a stake in ensuring that good resource projects can move forward and

grow the economy, create good middle-class jobs and do so in a way that protects the environment and our health.

The bill does that and provides better opportunities for meaningful participation at all stages by introducing a new early planning and engagement phase and by ensuring Canadians have the information and tools they need to participate fully.

It is a response on behalf of every Canadian who wants our natural resources sector to be competitive, to be sustainable, to be a source of good, middle-class jobs now and into the future.

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Mr. Speaker, tonight I rise in Adjournment Proceedings to take up a question that I asked quite some time ago now, but it is still timely. Given the response to the question from the member for Saskatoon—Grasswood, I am disappointed with what I have heard so far.

My question was to the Minister of Natural Resources. I asked him to apologize for remarks he made in December on *Power and Politics*, when he said, "Any intelligent person will tell you that northern gateway was overturned by the Federal Court of Appeal.... Not moving forward on energy east was a decision of the company."

I renew my call to the minister to apologize for insulting the intelligence of Canadians, who see quite clearly what the government has done to ensure that pipelines do not get built, and the extreme lengths that it will go to.

On the question of northern gateway, it is as if that minister was not even aware of Order in Council 2016-1047. This was the order in council that terminated northern gateway. It was a minister's decision to terminate approval for that project.

It was also as if that minister was not aware that his own government had introduced Bill C-48, which is right now struggling its way through the Senate, where hopefully it will die, but this House had passed Bill C-48, a bill that would render the northern gateway project impossible.

For him to say that "any intelligent person will tell you" and that it was not the government that rendered this project unviable is insulting to Canadians, who can see very clearly how the government's policies have affected pipelines.

Let us look at where we were when the government took office. There were four very large pipeline projects. Two were already approved: the Keystone XL project and the northern gateway project. There were approvals in place on both of these projects. The energy east project was contemplated. It had not reached the stage of a formal application, and there was also the Trans Mountain expansion, again, which was at the pre-approval stage.

*Adjournment Proceedings*

The Liberal government chased away all of these projects in its own way. It failed to champion Keystone XL and wasted time during the Obama administration, and that project is still not built.

As for the northern gateway, we know that the Liberal government deliberately killed it by order in council and by the shipping ban.

In the case of energy east, we know that the Liberal government moved the goalposts to render approval an impossibility and not even worth pursuing by the proponent.

In the case of Trans Mountain, time does not even allow me to get into the entire debacle of the Trans Mountain expansion. The Liberal government ignored all of the problems that were mounting on that project. It voted against opposition motions calling upon the government to take positive steps to ensure its approval. Then it bought it, paid \$4.5 billion for it and promised construction would begin immediately, and still there are no shovels in the ground.

That makes four projects, but none built.

• (1900)

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, I want to thank the hon. member for Calgary Rocky Ridge for his question.

Through Bill C-69, we are delivering on a promise to Canadians to review and streamline our environmental review and regulatory processes. We know that this legislation will put in place better rules to protect our environment, fish, and waterways and help rebuild public trust in how decisions about resource development are made, all while strengthening investor confidence and advancing indigenous reconciliation. How? It is by implementing a single, integrated and consistent approach based on the principle of one project, one review, and by ensuring that good projects move forward in a predictable and timely way.

Indeed, Bill C-69 would tighten timelines, eliminate overlap among review panels and make government more accountable. This new approach would also help to diversify Canada's energy markets, expand our energy infrastructure and drive economic growth. That is what Bill C-69 would do. It is about ensuring that the economy and the environment go hand in hand. That was our vision behind Bill C-69 and the reason for creating a new Canadian energy regulator to replace the National Energy Board.

We want to create a new federal regulator that reflects Canada's changing energy needs, with an expanded mandate, greater diversity and enhanced powers. This is important, and frankly overdue, because the NEB's structure, role and mandate have barely changed since it was created in 1959. We need a modern regulator to integrate Canada's energy, economic, environment and climate goals, and at the same time, renew Canada's relationship with indigenous peoples.

All of these things are clearly illustrated in our government's comprehensive response to the Federal Court of Appeal's decision on the Trans Mountain expansion project. We instructed the National Energy Board to reconsider its recommendations on the project to include the effects of marine shipping related to the pipeline's expansion. We relaunched our government's phase III consultations with indigenous groups affected by the project. These actions are among the things that make Bill C-69 transformational: earlier public consultations and indigenous engagement, greater collaboration with the provinces and territories and decisions based on science.

Through all of these measures, we can create a Canadian energy sector for tomorrow's clean economy, one that is globally competitive, attracts investments and ensures that we are developing and transporting our energy responsibly. These are all things that Canadians have told us were important to them. Bill C-69 shows that we were listening.

• (1905)

**Mr. Pat Kelly:** Mr. Speaker, Bill C-69 demonstrates exactly the opposite. It confirms that the government is not listening.

The member spoke of collaboration with provinces. She spoke of competitiveness of our resources. I bring to her attention the catastrophic differential on Canadian crude for the lack of pipeline capacity, and the testimony of Premier Kenney and Minister Savage at the Senate energy committee last week. The member will note from the testimony there that Bill C-69 is the absolute wrong approach and the most disastrous thing that the Liberals could do to rectify the inability under the current government for any of these other pipelines to be built. This is the bill that would ensure that no similar project is ever proposed in Canada.

**Mrs. Karen McCrimmon:** Mr. Speaker, we believe that economic prosperity and environmental protection are not mutually exclusive. They go together. We can look at LNG Canada's recent decision to proceed with a \$40-billion project on the west coast of British Columbia. It will create thousands of good jobs and generate billions of dollars in new revenue for government, all while building the cleanest large-scale LNG facility in the world.

That is our vision for this clean-growth century. It is a vision where Canada is leading the way, creating the prosperity we all want while protecting the planet we all cherish.

[*Translation*]

**The Deputy Speaker:** The motion that the House do now adjourn is deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:07 p.m.)







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