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• (1630)

[*English*]

The Chair (James Maloney (Etobicoke—Lakeshore, Lib.)): Good afternoon, everybody. I call this meeting to order.

Welcome to meeting 20 of the House of Commons Standing Committee on Justice and Human Rights.

Pursuant to the order of reference of October 1, 2025, and the House order of March 10, 2026, the committee is meeting to continue its clause-by-clause study of Bill C-9, an act to amend the Criminal Code regarding hate propaganda, hate crime and access to religious or cultural places.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely by using Zoom.

I believe Mr. Fortin is there.

Can you hear us, Mr. Fortin?

[*Translation*]

Rhéal Éloi Fortin (Rivière-du-Nord, BQ): Good morning, Mr. Chair. Yes, I am here and my sound checks have been carried out. Everything was perfect.

[*English*]

The Chair: Thank you.

The sound tests have been done. That's great.

I would like to make a few comments for the benefit of members. Please wait until I recognize you before speaking. For those participating by video conference, click the microphone icon to activate your mic. Please mute yourself when you're not speaking. For those on Zoom...

Mr. Fortin, you know how the system works. I don't need to explain that to you, I'm assuming.

Rhéal Éloi Fortin: That's okay.

The Chair: Thank you.

I remind you that all comments should be addressed through the chair. If you wish to speak, raise your hand—including you, Mr. Fortin, on Zoom. The clerk will manage the speaking order.

There are no questions for the officials, but, having said that, I want to welcome our witnesses: Kristen Ali, manager and senior counsel, criminal law policy section; Joanna Wells, senior counsel

and team lead, criminal law policy section; and Marianne Breese, counsel, criminal law policy section.

We're all here as a result of this bill being here, first of all, but also pursuant to the order that was passed in the House of Commons yesterday. The order was adopted yesterday that the meeting cannot be adjourned until we conclude our study of clause-by-clause of this bill.

Once we begin the meeting, which we have, questions will be put, beginning with new clause 11.1 and its subamendment, which was debated when we adjourned on February 25, and then we'll go to the subamendment from Mr. Brock to Mr. Lawton's amendment CPC-8.1, followed, in order, by other amendments as stated in the agenda. Votes will continue forthwith, successively, on the remaining clauses and other votes necessary to dispose of Bill C-9 at the committee stage.

Let's get right into this.

Andrew Lawton (Elgin—St. Thomas—London South, CPC): On a point of order—

The Chair: Okay. I wasn't going to read this, but I will: Points of order are permitted, but you have to cite the rule that you're referring to, and it has to be related to the procedure adopted by the House yesterday.

Go ahead, Mr. Lawton.

Andrew Lawton: The rule is, and the Standing Orders are clear, that committees are masters of their domain.

I think it needs to be noted for the record that we have been silenced by your government on—

The Chair: This is not a point of order, Mr. Lawton. You're out of order.

Pursuant to the order yesterday, there is no debate, and there are no submissions. We're here to go through it clause by clause and vote—

Andrew Lawton: No speeches—yes, exactly.

The Chair: No speeches, Mr. Lawton. We've had more than 30 hours of opportunity to do that.

We now move to Mr. Lawton's—

• (1635)

Roman Baber (York Centre, CPC): On a point of parliamentary inquiry, the order is silent on further subamendments.

The Chair: There are no amendments and no further subamendments allowed once the meeting starts.

Roman Baber: I'm not sure how the chair concluded that.

The Chair: That's what the order says, and that's the way we're proceeding today.

Roman Baber: Where in the order does it say that there are no subamendments?

The Chair: We're going to move into clause-by-clause, Mr. Baber. That's the procedure we're operating under today, so let's move on.

We're now voting on Mr. Lawton's subamendment to Madame Lattanzio's amendment about new clause 11.1. When we are done with these two, we'll go back to Mr. Brock's subamendment to CPC-8.1.

We're calling new clause 11.1 and the subamendment to LIB-6.

Roman Baber: On a point of privilege, Mr. Chair, with respect, I read the order—

The Chair: Mr. Baber, we are not going to do this. It's very clear that we are here to vote on it. We are not making submissions. We are not making speeches.

Roman Baber: I'm not—

The Chair: I understand, Mr. Baber. We spent the last two days voting in the House on this. This is the procedure we are operating under, and this is what we're going to do, so I'm going to—

An hon. member: The order doesn't preclude points of privilege.

Roman Baber: I'd like to talk about the order. I'm specifically referring to the order. The order does not preclude subamendments.

The Chair: Yes, it does.

Roman Baber: Can we please look at it?

The Chair: No. I've just ruled on it.

Andrew Lawton: I challenge the chair.

Roman Baber: Hold on one second. Before the challenge, can we—

The Chair: No. Mr. Baber, it's very clear. There is no debate. There are no submissions. We're voting today.

Roman Baber: This is a point of privilege, not debate.

The Chair: Okay, I've heard your point. You can raise your point of privilege. You do not get to make submissions on it. You do not get to make arguments on it. If you want to challenge my ruling, so be it.

Larry Brock (Brantford—Brant South—Six Nations, CPC): There was a challenge to it.

Roman Baber: Chair, can you please look at the text and consider—

The Chair: I have looked at the text. I was in the House yesterday, and the day before.

Roman Baber: The text doesn't deal with subamendments. It talks about no debate on existing subamendments.

The Chair: Mr. Baber, that's the end of the discussion.

Roman Baber: I'm not sure why you're denying me a fair point of privilege when I'm looking to interpret the order of the House.

The Chair: Mr. Clerk, please go ahead.

(Ruling of the chair sustained: yeas 5; nays 4)

The Chair: Thank you.

We go back to new clause 11.1 and the subamendment by Mr. Lawton.

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

The Chair: Thank you.

Next is LIB-6.

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

(On clause 4)

The Chair: We're now on Mr. Brock's subamendment to Mr. Lawton's amendment, which is CPC-8.1.

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

The Chair: Now we're voting on CPC-8.1.

● (1640)

Roman Baber: I just want to check where we're at, because we moved forward, and now we're moving back. Could you kindly let us know what page we're on, please?

The Chair: It's CPC-8.1

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: Now we're moving on to LIB-4.

Anthony Housefather (Mount Royal, Lib.): I had withdrawn LIB-4. LIB-4 is identical to CPC-9, and in our earlier discussions, I thought we had all agreed on CPC-10. We haven't voted on it yet, but anyway, if I can withdraw it, I'll withdraw it. Otherwise, I'll vote against my own amendment, because I agreed with the wording in Mr. Baber's.

Roman Baber: In that case, are you withdrawing LIB-4?

Anthony Housefather: Yes, I am, because I agreed with you on CPC-10, which is your wording.

The Chair: LIB-4 is being withdrawn.

Roman Baber: That is correct. Thank you.

Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Mr. Chair, I remember clearly that it was pulled out.

The Chair: All right. Thank you, Mr. Housefather.

Now we're on CPC-9.

Roman Baber: That one, I believe, has been withdrawn.

Larry Brock: I'm prepared to withdraw that, Chair.

The Chair: It has been withdrawn.

Thank you, Mr. Brock.

Mr. Fortin, go ahead.

[*Translation*]

Rhéal Éloi Fortin: Mr. Chair, I believe that, after amendment CPC-8.1 and before amendment LIB-4, there was amendment BQ-4.

• (1645)

[*English*]

The Chair: BQ-4 was already adopted, Mr. Fortin.

Rhéal Éloi Fortin: Okay. I'm sorry.

The Chair: That's okay. There's no need to apologize.

Roman Baber: I don't think it was adopted. It just became irrelevant because we agreed.

The Chair: It's been dealt with.

Okay, that's fine.

Andrew Lawton: I have a point of order, Chair.

If I may, there's no standing order, but I think you'll appreciate this. We are clearly unable to debate. You've made that clear.

The Chair: Actually, the House of Commons made that clear.

Andrew Lawton: We are trying to follow through. Can the amendments be read to ensure that we are aware of what we're voting on, given the fact that we all seem to have inconsistent packages?

The Chair: No.

Andrew Lawton: Okay, so you don't even want to hear that. Understood.

The Chair: It's not my decision. It's already been made.

We're now voting on CPC-10.

(Amendment agreed to: yeas 9; nays 0 [*See Minutes of Proceedings*])

The Chair: BQ-5 is identical to CPC-10, so we can move on.

Shall clause 4 as amended carry?

(Clause 4 as amended agreed to: yeas 5; nays 4)

(On clause 5)

The Chair: That takes us to clause 5. If CPC-12 is moved, CPC-13 cannot be moved, as they are identical.

We're now on CPC-12.

Larry Brock: What happened to CPC-11? Did we go through it?

The Chair: It was dealt with already.

Roman Baber: Is BQ-5 now off the table because we passed CPC-10?

The Chair: It's been dealt with already. Yes.

The vote is on CPC-12.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 5 agreed to: yeas 5; nays 4)

The Chair: All right, we're voting. We're going through this. There's no debate, no discussion.

We're now on clause 6.

(Clause 6 agreed to: yeas 9; nays 0)

(On clause 7)

The Chair: We're on clause 7. If LIB-5 is moved, then CPC-14 cannot be moved, as they are identical. Also, if LIB-5 is adopted, CPC-15 cannot be moved due to a line conflict.

Let me just suspend for a few seconds here. I lost track.

• (1650)

(Pause)

• (1650)

The Chair: I apologize. I call the meeting back to order. Thank you for the indulgence.

I reviewed this. LIB-5 is out of order, which means that CPC-14 is also out of order, which, I believe, takes us to CPC-15.

Anthony Housefather: I have a point of order, Mr. Chair, just to clarify, because you're saying it's out of order. It's out of order because we should vote down the clause. Is that right? You're basically saying that because we're deleting the clause, we should vote down the clause, and the amendment is out of order for that reason. Is that correct?

The Chair: Yes.

Anthony Housefather: What Larry proposed removes the entire clause. In that case, we're just supposed to vote down the clause and not—

The Chair: Okay, Mr. Housefather, I have to be clear on both sides: There's no debate or explanation.

We're now on CPC-15.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 7 negatived: nays 5; yeas 4)

(Clauses 8 and 9 agreed to: yeas 9; nays 0)

(Clauses 10 and 11 agreed to: yeas 5; nays 4)

The Chair: Now we're on new clause 11.1 and CPC-16.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(On clause 12)

The Chair: We're now on CPC-17.

• (1655)

[*Translation*]

Rhéal Éloi Fortin: What about clause 11.1, Mr. Chair?

[*English*]

The Chair: I didn't hear what he said.

An hon. member: He is asking where we are.

The Chair: We're on page 26, Mr. Fortin.

[*Translation*]

Rhéal Éloi Fortin: I was simply asking about clause 11.1. Should we not pass it?

[*English*]

The Chair: We've dealt with new clause 11.1.

We're now on clause 12, which is CPC-17.

[*Translation*]

Rhéal Éloi Fortin: I understand, but I am referring to clause 11.1. Earlier, we adopted amendment LIB-6. I have a technical question. You know this better than I do, but I wonder whether we need to vote on clause 11.1 or whether the vote on amendment LIB-6 is sufficient.

[*English*]

The Chair: They become two separate clauses, or new clauses, Mr. Fortin.

Anthony Housefather: Mr. Chair, we created a new clause by voting on amendment LIB-6, and he's asking if there needs to be another vote to adopt that clause or if the vote on LIB-6 was sufficient to adopt it. I think the clause itself was created by voting on LIB-6, but that's what he's asking.

Rhéal Éloi Fortin: Yes, I just want to make sure.

Thank you, Mr. Housefather.

The Chair: Let's just suspend for a moment.

• (1655)

(Pause)

• (1700)

The Chair: I call the meeting back to order.

Mr. Fortin, the amendment we voted on created a new clause, so, by passing the amendment, we voted on the clause. That's the answer to your question.

[*Translation*]

Rhéal Éloi Fortin: Thank you, Mr. Chair.

[*English*]

The Chair: Thank you.

Now we're on CPC-17.

If CPC-17 is adopted, CPC-18, CPC-19 and CPC-20 cannot be moved, due to a line conflict.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: That takes us to CPC-18.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: Now we go to CPC-19.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: Okay, we'll vote on CPC-20.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 12 agreed to)

The Chair: Okay, now we are going back to some of the clauses that had been stood down, starting with new clause 1.1, which is CPC-1.

Shall CPC-1 carry?

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: Now we're on to CPC-2.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: Next is CPC-3.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(On clause 2)

The Chair: Now we're moving to clause 2 and CPC-4.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 2 agreed to: yeas 9; nays 0)

• (1705)

The Chair: Shall the short title carry?

Andrew Lawton: I have a point of order. Pursuant to Standing Order 116(2)(a), I seek unanimous consent to rename the bill the "combatting freedom of expression act".

Larry Brock: I second that.

The Chair: There are no amendments. Thank you.

Shall the short title carry?

(Clause 1 agreed to: yeas 5; nays 4)

The Chair: Shall the title carry?

(Title agreed to: yeas 5; nays 4)

The Chair: Shall the bill as amended carry?

(Bill C-9 as amended agreed to: yeas 5; nays 4)

The Chair: Shall the chair report the bill as amended to the House.?

(Reporting of bill to the House agreed to: yeas 5; nays 4)

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

(Reprint of the bill agreed to: yeas 5; nays 4)

● (1710)

The Chair: Thank you. Okay, so that is Bill C-9 done.

Ladies and gentlemen, that was a lot of work.

I'm adjourning the meeting.

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