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**Thursday, June 22, 2006**

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**Chair**

**The Honourable Judy Sgro**

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## Standing Committee on the Status of Women

Thursday, June 22, 2006

• (0915)

[English]

**The Chair (Hon. Judy Sgro (York West, Lib.)):** Good morning, everyone. I'll call to order our 11th meeting of the Standing Committee on the Status of Women. If everything goes as planned, this will be the last meeting for this session, and we will all get off and have, I hope, a good summer rest and some time in our ridings.

We have 40 or 45 minutes before the minister comes this morning. It's very important for us to look at the work plan we have. Our analysts have put it together in a couple of sections. We could deal with, let's say, the economic security issues first, trying to break it down into doable pieces of things that we might be able to accomplish, and be able to submit some sort of a report, say, by Christmas on what we have done in the next term.

They have suggested that we need to focus on one of these areas, as far as the economic security section is concerned. We'll deal with the other section after. But initially we need to narrow down quite clearly what we want to accomplish in pieces, where the whole broad area is far too large, and if we were here for four years, we might be able to spend four years on it.

Effectively, what are the roadblocks that women are facing to prevent them from being confident, secure, and financially secure? There are various areas here. So if we focus on the economic security, what particular part should we focus on in the fall so that we can accomplish something between then and December?

Ms. Smith.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Thank you, Madam Chair.

Also, we had on the last agenda our motions that we want to discuss. If we could discuss them this morning, too, it would be great. Thank you.

**The Chair:** Yes, very much so.

The analysts have prepared some lists with various things on them—which we have in front of us—as to where we want to go, to give them some direction so they can prepare over the summer. If we could deal with this, then we would deal with violence against women. We're trying to narrow it down. We have a motion from Ms. Smith when we get into that section on the human trafficking, which is very much a part of that, but on the economic situations, where should we be focusing and preparing for the fall? Specifically, what are the roadblocks to economic security of women, and where would the committee like to have the analysts prepare during the summer for the fall?

I have Ms. Bourgeois, and then Ms. Mathysen.

[Translation]

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Thank you, Madam Chair.

We do indeed have a lot on our plate. If I understood correctly, we have three themes to explore. The first is the economic security of older women, which ties in with the whole question of unpaid work that I've already raised in this forum. This will allow us to look at employment insurance. As I indicated to you, there are 238,000 women in Canada who do not receive employment insurance, but who pay EI premiums.

We'll also have an opportunity to examine the budget of Status of Women Canada. Three or four years ago, this Office did some analyses of employment insurance, although its findings were not released at the time.

Violence against women is a critically important topic. However, by studying the economic security of older women, we would also be touching on this theme indirectly. I remind you that when an older woman has no income security, she is the victim of a certain form of violence. I propose that the committee, for all of the reasons I mentioned, examine the economic security of older women and in so doing, it can broach subjects such as women and the justice system, access to legal aid, women and employment insurance and women and health care. We could touch on all of these themes.

In conclusion, Madam Chair, I want to say that for the past several years, in conjunction with my duties in the House of Commons, I have been working with women's groups in Canada and in Quebec. When we reconvene for the fall session, I think we could quickly address a number of irritants. I think that would make women's groups very happy.

That concludes my remarks.

[English]

**The Chair:** Just to try to narrow it down, of the issues you referred to, specifically which ones do you suggest we might be able to resolve rather quickly?

[Translation]

**Ms. Diane Bourgeois:** By focusing on the economic security of older women, we would also be able to explore the three related areas that I mentioned.

Older women who have no source of income experience physical and psychological problems. They have difficulty obtaining financial assistance and legal aid. Mr. Cotler talked about these problems earlier. The committee could address all of these issues, not merely in terms of how they affect Caucasian women, but also in a broader sense, in terms of their impact on Aboriginal and immigrant women.

[English]

**The Chair:** Thank you.

Ms. Mathysen.

**Mrs. Irene Mathysen (London—Fanshawe, NDP):** Thank you, Madam Chair.

I want to thank the staff for the work plan. It's wonderful, and I agree that the economic security of senior women is very important and we should look at it carefully.

My concern is that we have a rather extensive plan here, and in view of the shortage of time, there's absolutely no way we can waste any time. It is always a concern when we lose time. So in that regard, I think it's very important that we look at violence against women. But I'd like to point out to the committee that there's already been a great deal of work done on human trafficking.

In fact, I have here a bill that was proclaimed in November 2005. On the Department of Justice website, a great deal of information is currently available. There's a pamphlet warning women, in 16 languages, about the perils of trusting people to bring them into the country—trafficking in persons, questions and answers. All kinds of information and work has already been done.

I must commend the Conservative caucus. If we look back at the Hansard from last week, Ms. Smith said that trafficking is a deplorable crime that the government is addressing, and a crime that won't be tolerated.

So if it has already been addressed and is currently being addressed, perhaps we can delete that section and move on to things that are perhaps more pertinent. We have very limited time, and I think it's incumbent upon us to strike new ground and move ahead. There are so many things we haven't done, and I would like to go forward rather than simply staying in place.

● (0920)

**The Chair:** Ms. Smith.

**Mrs. Joy Smith:** I would like to speak on the human trafficking issue. It's an issue I've been working on for the better part of 10 years, and I want to take a moment to explain that it has not been explored. What is happening right now is the former government passed a very useful bill on human trafficking, and it's very helpful. A few weeks ago in Solberg's shop he did the same.

I've been working with police officers. I've been working on three continents...Ukraine, Israel, and North America. I just met with the RCMP last week. They finally have a new video out. They're training their police officers on this, because it's a growing crime. What is happening is it's spreading in an insidious way. There were 800 women trafficked last year to Canada and over 2,200 trafficked through Canada to the U.S. It's a very serious issue. It is growing, and it's all about organized crime and drugs.

I think it's very important that we as a status of women committee examine human trafficking and take it seriously, because our daughters and the young boys are being affected today in our schoolyards.

There are aboriginal women. I just talked to one two days ago.

I had a big forum in Winnipeg two weeks ago on a Saturday. It was packed. The ambassador from Ukraine was there. I've been working with her. Ambassador Miller's chief of state for human trafficking was there. They're all saying the same thing. They're saying this is a crime. They're saying we have to put resources in and we have to examine...and I think the status of women committee is a perfect place for us as women to stand up and say we will not tolerate this horrendous crime.

I think, of course, we have to look at EI and aspects like that as well. So we do have limited time, I can understand that. I think it would be prudent of us to divide that time between maybe something like EI or some very important aspects of financial concerns, especially for senior women and immigrants. I think we do have to take, in this day and age, some concentrated time and bring witnesses in. I have the witnesses. I have listed them. They can come and educate us.

Each one of us as women parliamentarians needs to take a stand on this. We need to work on it and we have to stop it, ladies and gentlemen, because this is a crime that is growing.

My son was in the ICE unit, the Integrated Child Exploitation Unit. I didn't know about this until he got into it—well, I knew about it before, but not to the extent I know now. I have to tell you that this is on our streets, and I think it behooves us to listen to the witnesses, to listen to the people who can come and tell us what's going on, because every child is in jeopardy in our country—if they go to school, if they're on the streets. It's not just some child who is on the streets on his own. You would be surprised if you heard these witnesses.

So I'm going to appeal to you to please support the study of human trafficking. It's important for all of us. It is not a party thing. It's important for all of us as women.

● (0925)

**The Chair:** Ms. Minna.

**Hon. Maria Minna (Beaches—East York, Lib.):** Thank you.

Let me talk first to the issue of trafficking. I put that in, when we talked about violence against women, as a key topic, so I believe we need to address it. However, I do know the research and the work that was done when the previous bill was put through the House. And in my recent discussions with Mr. Cotler, the former Minister of Justice who put forward the bill, he suggested to me he would make some amendments to the bill to strengthen certain sections.

So I think that's an area we could probably deal with. I'm not quite sure that it needs a huge amount of hearings, because a lot of the work has been done and the research is there. What we need to do is look at where we need to strengthen or add to what we did last time. We have September to November, basically, because then Christmas gets in the way and then you're finished. So we have three months, because we don't come back until September 18.

So my suggestion would be that we could carry two topics, as we did this session. We did do that, and we just got started on others. So we could deal with the issue of trafficking by first informing ourselves over the summer and getting information on the previous bill, on what it actually does, and then information from the ministry as to.... And I can ask our colleague, Mr. Cotler, what he meant when he suggested that he would make some improvements. Then we would be ready with information, and trafficking might be something we can address without having to take the whole of the fall on it. I don't think it requires that, given the fact that a great deal of work has already been done, as has already been mentioned. It may mean adjusting or adding certain aspects to close loopholes and to ensure that the police or others have certain powers they need to actually do their job.

The other key issue that I think we would deal with is, obviously, income security for women.

My question to you, Madam Chair, would be, do we want to address income security for existing seniors only, or do we want the committee to discuss income security for women in general, and then identify seniors' needs within that, as we go along? There are now women who are working and looking after family and/or others, including seniors. They are themselves going to be seniors very soon, so there's an issue there.

We've dealt with pay equity, for instance, if we're looking at income security. I'm looking here at some of the issues you want to focus on, but we've dealt with pay equity. Well, we've re-tabled it, and the issue has been studied, so I don't know that we need to go back to that as an issue, except to put it down as one of the major issues that need to be addressed in order to address income security.

Housing affects women's security. Unemployment insurance benefits also affect income security for women, because a lot of women don't qualify under the current legislation, so that's a major problem we need to look at. And there is the child care issue, and we need to see how effective we are in that area. Then, of course, the other is pay equity, which is a huge one. Unpaid work would be the other one. And there's pension-splitting.

So I think we would start focusing in on income security in terms of the different pieces that impact women's income security and income levels, and take them apart and make a list of them to see how we could get at them. That's what I would suggest, because I think in the three months we should identify three or four major areas that affect women's incomes the most, in terms of their security and their ability to both have a decent income while they're raising their families and then a decent income—at least comparable to that of men—when they are retired. You have to look at income security throughout their lives, not just in one snapshot.

We may want to give a bit of time to focus on current seniors, because they have no choice, as they're poor already; they're there now. They may require some more quick or immediate changes, or adjustments, to ensure they don't spend the last few years of their lives in dire poverty, as some of them are now.

So that's what I would say.

• (0930)

**The Chair:** That's been very helpful. Thank you.

Ms. Mourani.

[*Translation*]

**Mrs. Maria Mourani (Ahuntsic, BQ):** Thank you, Madam Chair.

First of all, I totally agree with Ms. Smith and Mis Minna that the committee must examine the problem of human trafficking. This problem has already been studied extensively. A bill was introduced and eventually, the provisions could be strengthened. I think we need to invite some people here to discuss this growing phenomenon with us, because the problem shows no signs of going away.

We mustn't delude ourselves into thinking that the problem is only prevalent in certain countries. Contrary to what some may believe, groups such as street gangs, biker gangs and the Italian mafia are engaged in human trafficking on a large scale right here in Canada. It's a major problem that we must not ignore.

In my humble opinion, we need to take a two-pronged approach. I don't mean that we should address the problem in two days, but in two stages. The first step would be for committee members to agree on a global vision. Where does Canada stand on this question? What's happening here in Canada compared to other world countries? Subsequently, we could move on to more specific points.

Is human trafficking growing in countries that have decriminalized prostitution? What connection is there, if any, between the decriminalization of prostitution, the legalization of prostitution and human trafficking? Personally, I haven't seen any data on this, unless you have some information you can share with me. I'm not talking about research that may have been done, but about studies Parliament may have done.

What possible link might there be between human trafficking and other forms of criminal activity, be it drug trafficking or terrorism, since all of these activities are connected? I think it's important to have a good grasp of the issue if we plan to strengthen the legislation or formulate other solutions. In my opinion, our first priority should be to focus on human trafficking.

As Ms. Minna was saying, the committee should also turn its overall attention to the economic situation of women. For one day, we could focus on the plight of older women. In fact, during this session, we set aside two days to examine issues pertaining to older women. Eventually, we could hear again from certain individuals about the economic situation older women face.

Social housing is another very important topic, as is employment insurance and day care. These are three very interesting themes, in addition to the status of older women.

In terms of our timetable and schedule, I do hope that the committee will not set aside four meetings to explore human trafficking, and spend a total of nine weeks on the economic situation of women. At the very least, I hope we can hear from a range of witnesses with different viewpoints and insights. I find the list submitted to be quite interesting because it covers the spectrum. It's important, in my view, that we hear from a cross-section of the population.

Getting back to the Subcommittee on Solicitation Laws which is going to sit in September, I think it's very important for us to explore the whole question of human trafficking within the context of solicitation. We would need to set aside at least one day to examine possible links between the increase in human trafficking and the decriminalization, or legalization, of prostitution. I didn't see any mention of this in the material handed to me. I feel that we need to devote an entire day to exploring this important theme. We could study human trafficking from September until the end of October, and then turn our attention for a period of four or five weeks in November and December to the economic situation of women.

• (0935)

[*English*]

**The Chair:** We do have 22 meetings, by the way, between September and December. We could have 12 weeks dedicated to our work plan, because we have several reports, the pay equity and other reports, that will be coming back to us, I expect, by the fall with responses from the government, and we're going to want time to focus on that.

We have the minister coming in, so based on that, we have 12 meetings that we can be looking at to be focusing on both issues if we want to try to get something completed by the end of December. So we would take those 12 meetings and focus them in on the two issues we're trying to do.

Ms. Neville is next, and then Ms. Bourgeois, Ms. Davidson, Ms. Guergis, and Ms. Stronach.

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Thank you, Madam Chair.

I'll begin by apologizing for being late. I got caught in a telephone conversation, so I don't know what's been said.

We have a huge agenda to undertake, and my concern is that we do something real that makes a difference in the lives of Canadian women.

I was hearkening back, and I realized that many members who are here today were not part of the consultation process that went on last year, when we met with approximately 60 different women's groups across the country to try to prioritize what the issues were for women in Canada.

I don't know whether we received them...I haven't reread it, so I don't know, but I think it's important to go back to that. My own preference would be to try to focus on the whole issue of economic security. I think that encompasses so much for Canadian women and makes a difference to so many aspects.

We talk about the issue of trafficking. I listened to Ms. Mourani fairly carefully and she linked it back to the subcommittee that is looking at solicitation.

There is legislation in place, and I'm trying to think how one might deal with it. I looked at the list of witnesses put forward by members of the committee to deal with the issue of human trafficking, and it strikes me that while it's not unimportant that it's missing a whole component...if we're going on a global basis, we have nothing from Southeast Asia, Cambodia, the Philippines, and Thailand, where we know of the prevalence and brutality of human trafficking.

We have nothing here in terms of aboriginal young people. Today's headline in the *Globe and Mail*—and I haven't read the story—deals with the highway of tears in British Columbia. It has pictures of nine women who were brutally murdered.

I know in my own city I have met with a number of individuals, and I know the gang activity...well, it's really solicitation and prostitution that potentially moves into some aspect of trafficking, but it's growing, and it's growing in impact in the inner city of Winnipeg.

I would like to either do something small and concrete, that we look at the existing legislation and make some suggestions on how to improve the existing legislation, or we do a much broader consultation that includes the various other parties to trafficking, both at home and abroad.

It's part of the trafficking and prostitution issue, but we heard a great deal about the issues of violence against women, aboriginal women and all women, when we heard from the women's groups.

I would be very happy if we could come up with some concrete recommendations to the government, either in terms of service or potential review, although it's been studied to death and the studies are out there. That would certainly be a priority for me, to look at the whole matter of domestic violence and perhaps look at some of the links into trafficking.

I think the trafficking proposal that's here right now is broad but not broad enough. My suggestion would be to either narrow it much more or broaden it substantially.

I don't know whether that's coherent or not, but those are my thoughts.

• (0940)

**The Chair:** Ms. Bourgeois.

[*Translation*]

**Ms. Diane Bourgeois:** Thank you, Madam Chair. I'm a little nervous over what I'm about to say. Since we are sitting in camera, I'd like us to remember our mandate.

[*English*]

**The Chair:** We are not in camera at the moment.

[*Translation*]

**Ms. Diane Bourgeois:** That's good.

[*English*]

**The Chair:** No, it's only to make sure of this.

[*Translation*]

**Ms. Diane Bourgeois:** I don't wish to cast aspersions on anyone, but I would like to call to mind the mandate of our committee. If I'm not mistaken, fundamentally, our mission is to speak to the government for Canadian women. When representatives of CARAL and FAFIA came to see us five years ago, — at least, they came to see me, as well as Judy Wasylycia-Leis from the NDP and some Conservative Party MPs as well — they called for a status of women committee. These women were experiencing first hand a number of problems that they wanted brought to the government's attention.

While human trafficking is a problem that affects women, there are also other problems that typically affect Canadian and Quebec women and these cannot be ignored.

If we remember our mandate and what women's groups want, and if, as Ms. Neville was saying, we really want to do something tangible, we must use last year's consultations and the priorities identified by women's groups as a starting point. It's important for us to have that information at hand. That shouldn't be too difficult.

I see a representative of FAFIA in the room. I asked her which topic she'd opt to examine. Obviously, the economic security of older women would be a very interesting choice, because it ties in with all kinds of issues related to the status of women.

I remind you that last year's Subcommittee on Solicitation Laws couldn't come to an agreement. Moreover, the public perception of this committee was very negative because women's groups argued that certain problems affected all Canadian women. There was also the whole question of financial considerations associated with the committee.

What is it that we want as federal MPs representing Canadian women? There's no denying that solicitation is a serious problem, but perhaps we could hold off and focus our attention on the problems affecting all Canadian and Quebec women.

Furthermore, the new government has never made its position known on matters such as the economic security of older women. Hearings would give us the opportunity to ask our new government to state its position on the status of women and share its plans with us.

As we know, the Vice-Chair of this committee is a staunch feminist. Does she stand alone in advocating for women's issues? Women's groups are demanding protection and demanding to have their voice heard on issues of concern to them.

I'll say no more. It's up to you to decide, but you'll have to live with the consequences.

Thank you, Madam Chair.

• (0945)

[English]

**The Chair:** I'm looking at the clock, and we have about seven minutes. We can be very quick on a recap here.

I'm sorry that I'm looking at the clock.

We have Ms. Davidson, Ms. Guergis, and Ms. Stronach. After those three speakers, at that point, we are going to have to recap where we want our analysts to focus on over the summer.

Ms. Davidson.

**Mrs. Patricia Davidson (Sarnia—Lambton, CPC):** Thank you.

I think we have a fairly comprehensive work plan here, and I commend the analysts for the job they've done.

I've listened with interest to what everyone else has said, and a lot of very good comments have been made thus far. I think the human trafficking issue is of great importance, and we need to be looking at that. I think it is an issue for Canadian women. I don't disagree with

Ms. Neville when she says it either needs to be made a bit more concise or broadened. I would be more in favour of broadening it at this point.

I'm trying to be concise so everyone gets a chance, but I think human trafficking is very important; we need to be studying that along with the other issues on violence against women. We heard about issues those women face when we listened to NWAC, and they're not the only ones. It can be a common concern across the country.

The economic security of women is extremely important and, as it says here, "the economic security of senior women". If we look at that first, we may need to look further, but we need to concentrate on "senior". If we open it wide, we could be here for six months trying to get through that topic. It's huge. We'd be trying to bite off too much. We need to look at security for senior women to start with, and that topic may broaden in the spring. I'm not saying we don't need to look at it in other areas, but it's much too large to try to get done in the timeframe we have.

**The Chair:** Thank you.

Ms. Guergis.

**Ms. Helena Guergis (Simcoe—Grey, CPC):** Thank you.

This is a really good work plan, and I want to commend our researchers for taking the time to put this together.

I'm taking a look at the economic security of women. I'm always talking about income splitting, and that is what I will continue to push for around this table. At least on the first page, I note we have a majority of the pension organizations that were listed to talk about EI, OAS, and CPP. They were specific in wanting to speak only about income splitting when they made their requests, and the Association of Canadian Pension Management may want to come forward to speak about income splitting. To reiterate my comments, probably a minimum of two meetings should be designated to the economic security of women, and probably one other meeting focused entirely on understanding income splitting. From the questions I have asked of the small number of witnesses, they don't know what I'm talking about, or how they would answer, or have a position on what we're trying to talk about.

For us to fully understand it and then be able to put our questions, with the knowledge we will require to be able to do so, asking some of these groups prior to their coming in, giving them the information we've discovered, asking them to look at what we've discovered and what they have to say, and helping them form their arguments and their positions on income splitting might be a good strategy.

**The Chair:** Thank you. That's very helpful.

Ms. Stronach, and that will be the last speaker. Then we'll need to recap where we're going.

• (0950)

**Hon. Belinda Stronach (Newmarket—Aurora, Lib.):** I'll be fast, as much has been said.

I'd also like to commend the analysts on the work plan. I think it's good, and if we had more time we could probably go through it all, but as the chair said, we want to have something completed by December.

I also think human trafficking is important, but we shouldn't waste the good work that's been done. We should pull that out. We should get an analysis of where it's at and then build on it very quickly so we can accomplish something. But I also think we must focus on economic security, because if women can attain economic freedom, then they have real choices, and that affects so many other areas, as well as trafficking and housing. The foundation has to be economic security. It always frustrates me when we lose sight of the good work that's been done. Regardless of which party brought it forward, we should take it, see what's good about it, and build on that.

I understand some very good work has been done on human trafficking, and suggestions have already been made as to where the work can be improved, so let's find out what that is, build on it, and get it done.

**The Chair:** I think the analyst is nodding as if she's gained enough....

If we were to come back in September, we could get the existing legislation and have those particular people speak directly to what's there. We had some suggestions that came out of committee on beefing up the existing piece of legislation and hearing from a couple of very pertinent witnesses to the issue to keep us very focused. We may decide at that time that we then need to make it much broader, because it's bigger than what we had.

A lot of work has already been done. Let's pull together what's been done in the existing legislation and have the appropriate officials give us a top-notch briefing on where we are. Is it growing? To what extent is it growing? What else can we do as a status of women committee to give some focus and bring that issue to a head? It encompasses an awful lot of other issues.

On the economic side of the issue, I think the financial independence of women is key. If women have financial independence, whether they're young or old, they won't find themselves in a variety of other situations, which we are constantly dealing with.

Ms. Smith.

**Mrs. Joy Smith:** Madam Chair, human trafficking is not a political thing.

**The Chair:** No, not at all.

**Mrs. Joy Smith:** I do not want to negate leaving out the witnesses.

I agree that we need to pull everything together. I commend the former government's work on that. It's excellent, and we need to pull it together. But it doesn't mean that's the only thing we need to focus on.

I want to have witnesses here, because there are new things. We need to pull this together and make sure it really happens.

I agree with you. If we could have a half-and-half split, with income splitting as well, I would agree to that.

**The Chair:** I think it's important that we make sure we know exactly what is going on and what else we can do to move it along.

We still have two motions on the floor, which were put here a week ago, that we need to deal with.

We'll quickly go to Ms. Mourani and Ms. Minna.

[Translation]

**Mrs. Maria Mourani:** Thank you, Madam Chair.

I totally agree with Ms. Smith. I think we need to use the information that we already have as a starting point for our study. We shouldn't throw everything out and start over at the beginning, but we also need to hear about any new developments or progress made on this front.

Again, I maintain that we should also focus on solicitation in connection with the decriminalization or legalization of prostitution and human trafficking. It's critically important to examine this aspect of human trafficking.

[English]

**The Chair:** I'm sorry. Ms. Mathysen has been trying to get a word in edgewise, and I hadn't noticed.

Are you okay, Ms. Mathysen?

**Mrs. Irene Mathysen:** I actually want to have the floor for a moment.

I think much of what's been said is very important. I believe the economic security of women is the basis for a great deal of the violence and the problems that women face.

I would also like to speak to my motion.

I'm looking at the time. I realize how very limited it is and that 12 weeks isn't a great deal of time. In those 12 weeks, if we haven't talked about the basis of the problems that face women, I think we've missed an opportunity.

I would like to refer to my motion, as I said. I think the lack of representation of women in the legislatures and in Parliament is the basis for this—hence, my motion.

If you look at the literature, including the report “The War Against Women” and reports from CIDA, it cites the fact that women are underrepresented. If we can bring attention to that and make some definite gains in that regard, I think addressing some of the subsequent ills and misfortunes of women will begin to fall into place.

We have a forum. We have a voice for women in the places of power. The problem has been that women have not had representation in places of power.

●(0955)

**The Chair:** On the motions, Ms. Smith's motion on human trafficking hasn't officially been adopted.

**Mrs. Joy Smith:** Can we quickly adopt it and go on to Ms. Mathysen's motion?

**The Chair:** Yes. All right.

**Hon. Maria Minna:** There's already a motion to that effect, which I put forward before. Why do we need another one?

With respect, I won't play games with this issue. I think Madam Smith should withdraw her motion, if she wants to show some respect for her colleagues.

I already have a motion, which is why it's on the order paper. It's the motion addressing the issue of violence against women and it includes trafficking, which is why trafficking is part of our work. If we're doing the work already, why do we need another motion in addition to the motion that's already on the table as a result of our work?

I quite frankly find it offensive.

**The Chair:** The committee had already formally agreed at the beginning that we were going to include human trafficking—

**Hon. Maria Minna:** It was part of the motion I presented, Madam Chair.

**The Chair:** Yes, and it was already part of what we all agreed to do at the very beginning. So, effectively, it is unnecessary to table the motion. Thank you anyway, but it has already been agreed upon.

**Mrs. Joy Smith:** That's fine, as long as we have it on record.

**Hon. Maria Minna:** It's wasting people's time.

**Mrs. Joy Smith:** Madam Chair, I'm not trying to offend Madam Minna. I just wanted it on the agenda. Sorry to have hurt your feelings.

**Hon. Maria Minna:** We worked on the motion, we passed it, it's part of our work.

**Mrs. Joy Smith:** I forgot.

**The Chair:** That's fine.

Regarding Ms. Mathysen's motion, it's talking about initiating a study. Given the workload we have, it's a question of how we deal with that. Do we want to defer dealing with that motion until the fall, when we look at what we will have coming back on those other two issues, and see if there is an opportunity at that time to see if we can figure out how we might fit that into the process?

Ms. Neville.

**Hon. Anita Neville:** Thank you.

It's certainly a motion that I would think most of us have sympathy with, Madam Chair. I don't want to discuss it in two minutes, but I would appreciate if there are studies available that Ms. Mathysen refers to here...or maybe you don't refer to them. But if the researchers could give us some information on what's being done in other countries that we could look at over the summer, then perhaps we could discuss this with some full information in the fall. I'd be prepared to deal with this motion at a very early meeting in the fall, because I think it is important to everybody here.

**The Chair:** Ms. Mathysen, would it be all right to deal with it in the fall?

**Mrs. Irene Mathysen:** Yes, as long as I have the assurance that we will—

**Some hon. members:** Agreed.

**Mrs. Irene Mathysen:** As I indicated, it is very important. Our provincial counterparts are actually moving on it.

**Hon. Anita Neville:** We need some information.

**The Chair:** Can I ask the analyst, even though we're not in Ottawa over the summer—we are, for the most part, working in our ridings—to send us the information you gather on these issues over the summer so that we would have time to read up on it? Whether there are some issues pertaining to the existing bill on human trafficking, some of the financial issues in and around the income splitting that we're talking about, as well as the issue about the representation of women, we would like to have that information over the summer.

**Ms. Diane Bourgeois:** I have information.

**The Chair:** Does anyone know if the minister is here?

**A voice:** Not yet.

**The Chair:** Okay, so we can continue.

Ms. Bourgeois.

[Translation]

**Ms. Diane Bourgeois:** I have some information to share. Here in Canada, we have an expert, Manon Tremblay, who works at the University of Ottawa. She is recognized worldwide for her research on women's role in government. In my estimation, she has the expertise to give us an overview of the situation. I think we should get in touch with her.

On the subject of human trafficking, a Quebec researcher, Yolande Geadah, has published several books in recent years. We absolutely should consult her, if we go ahead with the study.

● (1000)

[English]

**The Chair:** Ms. Mourani.

[Translation]

**Mrs. Maria Mourani:** Madam Chair, could we agree on our agenda right here and now? We've all made our views known and indicated how we'd like to proceed. Can we be frank and say what we really want in terms of a timetable, sittings and witnesses? We've given you a list that we could review while we await the minister's arrival. Who would we like to hear from? How many meetings would we like to devote to examining the problem of human trafficking and the economic situation of women? Can we do that?

**Ms. Julie Cool (Committee Researcher):** Committee members have submitted a list of suggested witnesses. Of course, it could be more complete and present different viewpoints from all parts of the country.

I could draw up a more complete list for the committee for distribution at our first meetings. I could also include a more detailed list of study options for committee members.

**Mrs. Maria Mourani:** Would we begin by examining the problem of human trafficking? Is that what we're deciding now?

**Ms. Julie Cool:** As I understand it, there are two themes to discuss: economic security and human trafficking.

**Mrs. Maria Mourani:** I specifically want to know if we will begin by addressing the problem of human trafficking.

[English]

**The Chair:** I think it's the committee's decision. Do you want to do the first four weeks on the issue of violence against women or economic security?

[Translation]

**Mrs. Maria Mourani:** Can we decide now?

[English]

**The Chair:** It's the will of the committee which one they would like to focus on.

Sometimes it's a question of getting the witnesses we need for these, which is why it's best to leave it up to the analyst and the clerk as they're putting together their witness list. If we can't get the appropriate people we want in on human trafficking, but we can on the other issues, then we should have the flexibility of doing either one.

**Hon. Maria Minna:** In this last session we carried two or three topics. We already started on economic security with the witness from the welfare council that day, so we've actually started that study. We also did a couple of other things. So why can we not start off with economic security, which is a big piece, the research and stuff, and then the second meeting go into the trafficking and see what we have by that time, see how much work needs to be done to give direction, and go back to doing that? I don't see why we can't carry...because economic security is the biggest piece, at the end. I would like us to finish it before we leave for Christmas, because at the end of the day, if we do not address the core issues of why women are vulnerable, then we have a problem.

**The Chair:** Ms. Mathysen, very quickly.

**Mrs. Irene Mathysen:** Might I ask that "The War Against Women", 1991, be circulated. It covers so much of this, and it's an excellent document.

**The Chair:** I think we have enough to be able to move forward in a fairly flexible way.

**Mrs. Joy Smith:** I have the witness list already for human trafficking.

**The Chair:** You can suggest those; that would be fine.

To summarize, we will be studying two main topics, human trafficking and the economic security of women, as we move forward into the fall. We will be in touch over the summer.

I would just like to remind the committee that we have accomplished a fair number of things in this short period of time. We've submitted a report on the division of matrimonial real property on reserves and a report on the economic security of senior women and violence against women. We have re-tabled the recommendations on the funding for women's organizations, the report on gender-based analysis, the report on pay equity, and the report on parental benefits. And we tabled our own report on matrimonial real property rights on June 21.

So we are moving fairly quickly along, even though a lot of us are impatient to do more.

Now I'm very pleased to welcome Minister Prentice and his staff. Thank you so very much for finding time to appear before our committee and for the action you have already taken on the report the committee just completed and tabled yesterday.

On behalf of the committee, thank you very much for that. We welcome you as we all work forward on some issues that are extremely important to all Canadians.

Welcome, Minister Prentice.

• (1005)

**Hon. Jim Prentice (Minister of Indian Affairs and Northern Development):** Thank you very much, ladies and gentlemen, Madam Chair, colleagues, and fellow parliamentarians.

Let me just begin by saying that the steps we announced this week in respect of moving forward on matrimonial property are steps that I regard as extremely important. This is an initiative that I regard as very important. In the time that I've been in Parliament, prior to the time, even, that we were in government, I have been moved by the people I've met concerning this issue, many who would describe themselves as the poorest of the poor in our society and who I think deserve our attention as parliamentarians in dealing with this issue.

It's an issue that cuts across party lines. I've had discussions with all of the critics from each party in the House of Commons, and I think there's a high degree of consensus surrounding this issue and a great deal of goodwill. I certainly hope that carries through in the process. I'm pretty confident in saying that every single person who's at this table today probably shares my desire to see us move forward on this issue, move forward expeditiously, do it in a way that we'll have broad support in the country and that the rights of aboriginal women will be brought in line with other Canadian women. I just make those comments as I begin.

I would like to thank the standing committee formally for the opportunity to be here, and to highlight how we're going to go forward and what we're doing to help resolve this issue of matrimonial real property as it affects aboriginal women and children and families on reserve.

[Translation]

The government is deeply concerned about all forms of discrimination and violence against Aboriginal women. We are committed to providing support where it is needed and we are determined to resolve, once and for all, the longstanding issue of matrimonial real property on reserves.

For me, personally, this is an extremely important issue. During my years in politics I have spent a great deal of time talking to the members of the Native Women's Association and their voices have moved me. I want to ensure that Aboriginal women are protected and that there are matrimonial property rights for Aboriginal women living on reserves.

[English]

Evidence shows that the issue of matrimonial real property affects a disproportionate number of first nations women and children, especially those experiencing family violence. When a marriage or a common law relationship breaks down, many women who live on reserve do not hold a certificate of possession, or do not have ownership, by custom, of the family home, and they are forced to leave. When there's no alternative to on-reserve housing, these women and children are forced to leave their communities.

Again, I think all of us around the table are fully aware of how many women are living in urban Canada very often in circumstances of poverty. They have essentially been driven there by the circumstances of a lack of protection for their matrimonial home. Matrimonial real property on reserves is therefore obviously a pressing equality issue, and it's a human rights issue that we are all committed to resolving. Human rights have to be protected, regardless of where people live in Canada.

The Indian Act does not include provisions for the division of matrimonial real property in the event of a marital breakdown, and provincial law is also limited on reserve with regard to these issues. I think everyone is aware that this extends back, as I recall, to 1986 and the Derrickson case, a decision by the Supreme Court of Canada that essentially said that provincial matrimonial property laws do not apply on reserve.

Moreover, self-government agreements do provide an opportunity to address the legislative gap, but of course we do not have self-government agreements in place in most first nations. There are 617 first nations across Canada. At this point, there are, as I recall, only 17 that have self-government agreements in place.

So obviously that is not a fulsome protection of matrimonial property rights. There are essentially close to 600 first nations with no protection.

Self-government agreements will specify that first nations will develop rules and procedures to address matrimonial real property. Westbank is a good example of that, specifically with respect to the use, occupation, and possession of reserve land and the division of interests in the case of marital breakdown.

• (1010)

[Translation]

And while the Indian Act currently is silent with respect to the division of the matrimonial home upon marriage breakdown, the First Nations Land Management Initiative enables participating First Nations to enact laws with respect to matrimonial real property. But more needs to be done.

[English]

As committee members are aware, on June 20 I announced a series of measures that we will be proceeding with to help improve the lives of aboriginal women, and particularly aboriginal women and children, by ensuring that their fundamental rights are respected. These are measures that will tackle some of the devastating obstacles, including the issue of matrimonial real property, that for far too long have hampered the lives of aboriginal women and their children and the health of their communities.

Our first measure directly addresses the issue of matrimonial real property and its potential negative impacts on women, children, and families. Under this measure, consultations on this issue involving Indian and Northern Affairs Canada, the Native Women's Association of Canada, the Assembly of First Nations, and other organizations will begin this fall. The objectives will be to bring forward options, including specific legislative options that can be introduced into the House of Commons.

I'm very pleased to confirm that Ms. Wendy Grant-John has agreed to assist in the consultation process as my ministerial representative. She will be essentially responsible for the consultation process as my personal designate, responsible to shepherd the consultations along, responsible to bring back to me as the minister a legislative solution that I can bring to you as parliamentarians to decide upon in the House of Commons.

Ms. Grant-John will work with the Native Women's Association of Canada and the Assembly of First Nations in developing first a plan of consultation that will help facilitate the process to ensure that all interested parties are heard. She will then present specific recommendations for action, including legislative solutions.

[Translation]

Ms. Grant-John is very knowledgeable about this issue and is well-known and respected by Aboriginal organizations and communities. A former Chief of the Musqueam First Nation, she is a National Aboriginal Achievement Award recipient who has devoted her 30-year career to strengthening First Nations communities, cultures and economies.

As you know, the Government of Canada has already done a lot of work examining the issue, including research reports by my department and information sessions across the country with First Nations communities and Aboriginal organizations.

[English]

In addition to the work of your committee, the Senate Standing Committee on Human Rights held hearings on matrimonial real property and provided us with the valuable and insightful report that has really been of great assistance to my department and to all of us as parliamentarians. I think we're all also aware of the work of the House of Commons Standing Committee on Aboriginal Affairs and Northern Development in the last Parliament that increased our store of knowledge and clarified perspectives on this issue.

I think it's worth pointing out that the approach we are following is essentially the approach that was recommended in the last Parliament by the standing committee, in terms of proceeding with consultations. The result is that consultations will therefore build on a solid foundation of research, hearings, and reports, but, most importantly, we know the time has arrived for concrete action and for real change.

As the title of the standing Senate committee report encapsulates it, "Walking Arm-in-Arm" is our way forward. Working together with the aboriginal organizations, with NWAC and the AFN and the communities, we will succeed in bringing down the barriers that continue to impede aboriginal women and children in this country from exercising their full rights as Canadian citizens.

The second measure that I announced on Tuesday will focus on strengthening programming to prevent family violence through a broad range of services for aboriginal women, children, and families. To this end, my department is currently working with other federal departments, aboriginal organizations in the provinces and territories, as well as experts in the field of family violence, including experts who administer and operate shelters. By early fall, I plan to be back to articulate options for improved programming that will be more effective in reducing family violence.

• (1015)

[Translation]

I will be proud to champion all these measures which will help Aboriginal women and their children to feel safe and secure in their own homes and communities, and to enjoy their fundamental rights as Canadian citizens. That is very important.

[English]

Thank you once again, ladies and gentlemen, for this opportunity to address this important issue. As we work forward, I very much look forward to having the support of this committee and all of the people at the table. As I said in my opening remarks, I have spoken to enough of you to know that you share my desire that this Parliament act on this issue and that this Parliament translate the good work that's been previously done across party lines, in the Senate and in the House of Commons, into specific action that is going to protect aboriginal women.

Thank you.

**The Chair:** Thank you very much, Minister Prentice. I appreciate that. Would you like to introduce your staff who are with you?

**Hon. Jim Prentice:** Suppose I let them tell you a bit about themselves and what they do. I'm very proud of them; they do extraordinary work.

**Ms. Sandra Ginnish (Director General, Treaties, Research, International and Gender Equality Branch, Department of Indian Affairs and Northern Development):** Thank you, Minister.

My name is Sandra Ginnish, I'm the director general of treaties, research, and international and gender equality. I've been in the department for over 20 years.

**Ms. Holly King (Acting Director, Women's Issues and Gender Equality Directorate, Department of Indian Affairs and Northern Development):** Hi. My name is Holly King. I'm the acting director of women's issues and gender equality. Sandra is my director general.

[Translation]

**Mrs. Christine Aubin (Legal Counsel, Legal Services, Department of Justice):** Good day. My name is Christine Aubin.

[English]

I'm with the Department of Justice, more specifically DIAND legal services, and I'm adviser to Sandra and Holly's team.

**The Chair:** Welcome. Thank you very much.

We very much appreciate your comments, Minister Prentice. This is certainly an issue that all of this committee cares passionately about, and I'm sure we'll all look very carefully at where we're going and at the opportunity for us to work forward.

I'd like to suggest to the committee that since we have 40 minutes, in order to give everyone an opportunity, rather than taking seven minutes, we reduce it to five. I will keep a very close watch on the clock. The five minutes includes the question and the answer, in order to give everybody an opportunity.

Ms. Minna.

**Hon. Maria Minna:** Thank you, Madam Chair, and thank you, Minister, for appearing before us. Thank you for the announcement as well. That's what we call quick action.

NWAC appeared before us recently, before we sent you the information. One of the things they mentioned was the importance of having proper financing for them to be able to do their work. In the past that has generally been a major problem.

Can you tell us if a budget has been set aside to facilitate the participation of NWAC and the AFN in developing the consultations, the recommendations, and the time? If so, will both organizations be able to get equal funding? I understand that has been an issue in the past.

• (1020)

**Hon. Jim Prentice:** I have spent a lot of time discussing this issue with Beverly Jacobs and people who preceded her, such as Marilyn Buffalo, whom I have enormous respect for. I have spent a lot of time working through this proposal with them, and they are supportive of it.

You open up a question that relates to this proposal, but it goes beyond that and relates to the question of the parity of funding on this issue and ensuring that the Native Women's Association has adequate funding generally to advocate on behalf of women's issues in this country. That is important to me, and it is something I'm addressing.

In the context of this initiative, \$9 million has been budgeted and set aside. There will be equality of funding between the Native Women's Association and the AFN, with each receiving \$2.7 million. That also involves regional components of each organization. So for NWAC proper and AFN proper it's \$1 million apiece, but through the subsidiaries there's other funding.

**Hon. Maria Minna:** So there will be \$1 million for both AFN and NWAC.

**Hon. Jim Prentice:** It's \$2.7 million each for NWAC and AFN and \$1 million for other organizations.

**Hon. Maria Minna:** When you say NWAC and the subsidiaries, do you mean that the various groups across the country, the members of NWAC, will get a certain amount, or will NWAC get to decide how that money is distributed?

**Ms. Sandra Ginnish:** I can speak to that. Each organization, AFN and NWAC, will receive a total of \$2.7 million. That will include funding for planning, consultation, and a consensus-building phase. Another \$1 million has been set aside for other organizations not represented by NWAC or AFN, like the Indigenous Bar Association.

**Hon. Maria Minna:** That's good. I just wanted to understand it clearly.

**Hon. Jim Prentice:** It will be for Inuit organizations as well.

**Hon. Maria Minna:** When NWAC were here they emphasized that carrying out consultations exclusively in first nations communities would not be sufficient, as some women might not feel free to discuss issues in their communities. In addition, she noted there was a need for recognition that the AFN represents the Indian Act chiefs and NWAC represents women.

What steps will be taken to ensure that first nations women feel safe and comfortable participating in this whole process and are quite free to speak?

**Hon. Jim Prentice:** It's an important issue and it has been discussed with Wendy Grant-John. She's alert to the issue, and we've had meetings with NWAC about it. Wendy Grant-John will have flexibility in designing the consultation process to make sure it's done in a way that women feel safe coming out to speak, whether it's within their communities or outside the communities. Shelters, for example, can be used as venues.

**Hon. Maria Minna:** She will design the consultation in partnership with NWAC—the actual structure.

**Hon. Jim Prentice:** Absolutely.

**The Chair:** Thank you very much.

Ms. Mourani.

[*Translation*]

**Mrs. Maria Mourani:** Thank you, Mr. Chairman.

We've met with QNW and AFN representatives. What emerged from our meetings is that these organizations view the Indian Act as colonialist and would like to administer their own affairs, regardless of the issue involved.

How do you plan to proceed to respect this desire for autonomy, or to be treated as a nation, and ensure that in the case of women and children, customary law can be combined with equality. As Ms. Jacobs mentioned, Aboriginal customary law can be discriminatory at times.

I'd also like to know if women will be involved in the process of developing new legislative measures. I'm thinking here about the QNW, the AFN and possibly other stakeholders. Among other things, will these measures take into account common law spouses and persons with a different legal status, in so far as band

membership is concerned. Will the interests of children have priority?

Finally, can you tell me how much the government plans to invest, or has already invested, in social housing and in preventing violence?

• (1025)

**Hon. Jim Prentice:** Thank you.

While you've asked a number of questions, I don't have a great deal of time. I'll answer them in English.

**Mrs. Maria Mourani:** That's fine.

**Hon. Jim Prentice:** I can speak French when discussing political matters, but not when it comes to discussing legal questions.

[*English*]

The questions you've asked are very important. The Indian Act has been described as a piece of colonial legislation. That's not language I use in particular, but I've been very critical in saying that the Indian Act is a compilation of pre-Confederation statutes. It's not acceptable for 500,000 to 600,000 people in this country to have their lives governed by a legislative base that was developed 150 years ago. We have to move beyond that collectively as parliamentarians.

I think there's agreement on that. The issue is really to try to achieve a consensus on how to go forward, and I hope we can all make some progress on that. I'm a very strong believer in self-government, and I've been committed to the self-government progress. But that can only go so far so quickly. As I mentioned in my introductory comments, we have really close to 600 first nations in Canada that are not at this point operating under a self-government regime; they are still under the Indian Act, which is not working very satisfactorily.

The process we are following here will help us arrive at legislative solutions that will break away from the discrimination you've spoken about. I don't wish to pre-judge what those solutions are. I know that previously, in both the Senate work and the House of Commons work, suggested drafts were put forward. A private member's bill has been tabled in the House. There have been previous private members' bills, all of which propose language. One of the common themes is the need for some sort of default code or default legislation that would apply until a first nation put a self-government regime in place.

So it's that interim period that is most difficult. If all first nations end up where Westbank is, for example, where matrimonial property laws are in place through a self-government agreement, that would be wonderful. Of real concern is the interim period, which could be lengthy for many first nations. During that period we need to ensure that there are matrimonial property rights that are consistent with the provincial rights that neighbouring women enjoy. So generally speaking, that's the target.

[*Translation*]

**Mrs. Maria Mourani:** Have you worked with these groups?

[English]

**The Chair:** You have 10 seconds left.

[Translation]

**Mrs. Maria Mourani:** Are you planning to develop new legislative measures, working in concert with the QNW and the AFN?

**Hon. Jim Prentice:** We are indeed working together.

[English]

**The Chair:** Okay. Thank you very much.

Ms. Smith.

**Mrs. Joy Smith:** Thank you so much, and thank you for your announcement. This issue has been something that people on all sides of the House, around this table, have been very concerned about, and this year, in the status of women, we made it a top priority. So thank you so much for that announcement.

Minister, could you please address the timeline? I know this is an issue that's very much in the forefront of what you want to get accomplished. One thing that has been said around this table is that real property rights have been discussed for years and nothing actually happened. What is your timeline, and how committed are you to making sure that this is accomplished?

**Hon. Jim Prentice:** Thank you very much, and I acknowledge the great work you have done on this cause as well, Joy.

This has been discussed a long time, ladies and gentlemen. It has reached the point where, as a nation, we have an obligation to deal with this. The law was changed by the Supreme Court of Canada in 1986. That's a long time ago. Several years later in Manitoba—in 1988, as I recall—the Aboriginal Justice Inquiry of Manitoba called for legislative action on this; it hasn't happened. RCAP, the Royal Commission on Aboriginal Peoples, called for legislative action; it hasn't happened. The standing committees of the Senate and the House have called for action on this, and it hasn't happened. So it behooves us to move forward and to be the Parliament that deals with it.

There have been various discussions about the length of the consultative process, and to address this question squarely, why is there a consultative process? There are several reasons. One is that it's good policy to do so. There is also the Supreme Court of Canada reasoning that would suggest that it is necessary, from a constitutional perspective, to do this. But it's not simply that. It's the process of building a consensus and support for matrimonial property rights, and that's why we're proceeding down this road.

I've asked Wendy Grant-John to come back to me in about December. She will be spending the next couple of months getting the process up and running. She will then be into a period of consultation through September, October, November, and December. We will take stock of where we are in December and determine if further consultation is necessary into January.

My hope is that we will be finished the consultation process at that stage and we will be in a position to introduce legislation into the House of Commons in the late winter or early spring. It's my hope that there will be a consensus around that legislation and that this

Parliament will be prepared to act and to do so with integrity and dispatch.

● (1030)

**The Chair:** You have a minute and a half, Ms. Smith, if you or your colleagues wish to use that.

**Mrs. Joy Smith:** I've finished. That is the main aspect.

I just want to say again, it's very hopeful to see these wonderful things happening. I think all of us are very grateful for that, because it's something that has been around this table, as I said, for a long time. So thank you.

**Hon. Jim Prentice:** I might just say, Madam Chair, I would encourage all of you to have Wendy Grant-John appear before your committee at some point. She is a remarkable Canadian, well respected, knowledgeable, and on this subject she is a very articulate spokesperson for the empowerment of women and advancing the interests of women and their families and children through some of the legislative initiatives that we need to undertake. She can speak more articulately than I ever could about why that's necessary in first nation communities and what it will achieve over the next generation.

**The Chair:** Thank you. We'll make sure that we put that on our list to have that happen.

Ms. Mathysen.

**Mrs. Irene Mathysen:** Thank you very much, Madam Chair.

Thank you to the minister for your announcement and for how quickly you reacted. You can imagine how pleased we were that your reaction actually preceded the tabling of our report.

I have two quick questions. The first has to do with the announced extensive consultations—you've reiterated that here—with regard to the importance of resolving matrimonial property rights concerns. Of course, we're cognizant of the fact that a lot of the problem, how long this problem has continued, has a great deal to do with the lack of recognition of first nations and their abilities and right to deal with the issues.

What I want is an assurance from you, Minister, that these consultations are real, that legislation is not being drafted and will not be drafted before they are concluded, and that your ministry will absolutely listen to the solutions that first nations bring to this problem.

My second question has to do with your remarks. You said that a great deal of the problem of women and their children being forced off reserve has to do with the fact that there simply isn't enough on-reserve housing. Clearly, the money that was allocated in this year's budget only begins to address that issue. There's a great deal more to do. I wonder if you would be prepared to support future allocations of money in budgets beyond March 2007 to address what is a very significant problem on reserves with regard to the lack of adequate housing.

● (1035)

**Hon. Jim Prentice:** Let me try to address the first question about the reality of consultation and how we're going about this. I'll deal with it head-on.

I've asked one of the most respected aboriginal women in this country to be my ministerial representative on this. Wendy Grant-John is not a person with whom I have worked in a political sense in the past. She has never been involved in politics, to my knowledge, other than in her community. She is an independent, respected, strong person, and I've asked her to take this on and come back with her recommendation to me. I intend to reserve my judgment. Other people can draft as they will, but I intend to reserve my judgment until I see what she brings back to me.

I've been very clear with her as well that I expect her to... I've asked her to consult with the critics of each of the parties that are represented in the House of Commons and to spend time talking with the critics to ensure that she hears your points of view on this. And I hope she'll come to the committee as well.

So all of that is part of a pretty extensive consultation process. Let me make one thing very clear. Consultation is a process on the road to decision-making. It is not a process to achieve unanimity, and I intend to act on this, with or without unanimity. When the consultation point has reached its logical conclusion, I will bring legislation to the House of Commons and I will fight to have it adopted by the House of Commons.

I don't want anyone to misinterpret consultation as a process to achieve unanimity on this subject. I don't think unanimity will be possible.

**Mrs. Irene Mathysen:** And can you answer my second question?

**Hon. Jim Prentice:** With respect to housing, that's an issue we are working on. Obviously a lot of these issues are interrelated. I acknowledge that.

I met, as recently as yesterday, with National Chief Fontaine and discussed the whole subject of housing, and we have a working group that is working on that topic.

**Mrs. Irene Mathysen:** And the funding?

**Hon. Jim Prentice:** Did you mean funding for housing?

**Mrs. Irene Mathysen:** Yes. It ends on March 31, 2007. There's nothing for any housing beyond that date, and clearly the moneys that are in place will not meet the need. We need assurance that you will work to make sure those moneys are extended beyond that date.

**Hon. Jim Prentice:** That's an issue we're working on. I'm aware of the circumstances relating to housing. As I've said, I had discussions with the Assembly of First Nations. We want to ensure that we follow up on some of the good work that's been done on housing and how to proceed forward and leverage public money with private money so we can achieve more housing.

I think it's worth pointing out that in the budget that was previously introduced in the House, there was \$300 million allocated for northern housing and \$300 million allocated for off-reserve housing.

**Hon. Anita Neville:** Minister, thank you very much for being here today, and thank you for the process you've introduced. Thank you also for acknowledging the past work that's been done, because many people have been engaged on this for a long period of time. I agree with you that everybody around this table would like to see real progress made on it.

I have many questions and only five minutes, so let me follow up with questions on consultation. I appreciate your desire to move along and make something happen, and I understand that Ms. Grant-John will be guiding the process. My concern is—I think it's one shared by others—that the process be real and do justice to the issue and not be aborted. Like you, I don't expect there will be unanimity either, but I think the process is as important for the success of the outcomes. That was my comment.

Has INAC done any studies or had any materials prepared as to custom land allotment when it comes to matrimonial real property? I'm interested to know that. I'm interested to know what you're considering doing with section 67 of the Canadian Human Rights Act, whether you're moving forward on that.

I am assuming from your comments—and maybe it's a wrong assumption—that you will not be looking at interim provincial legislation as an outcome for matrimonial real property. I would welcome some comments on that as well, and if we have time, I have more questions.

• (1040)

**Hon. Jim Prentice:** I'll deal with two of the three quickly, and then I'll ask Sandra to deal with the custom land allotment studies we've done.

First, on interim provincial legislation, the point I would make is that I'm not prejudging any of the alternatives. That is one of the alternatives that has been discussed previously—

**Hon. Anita Neville:** I'm aware of that.

**Hon. Jim Prentice:** —in reports. Properly, that should be part of what's in front of Wendy Grant-John, and I'll expect to hear back from her.

I really do not come to this with a legislative solution in my mind that I expect the process to ratify. That's not what's happening here. I want a consultative process, and I want a respected Canadian to bring back a recommendation following a fair process of hearing from as many people as she can.

On section 67 of the Canadian Human Rights Act, again, I'm sure that's familiar to everyone in the room, but essentially, 32 years ago we passed a human rights act in this country and we exempted first nation citizens from its application. First nation citizens in this country are the only people who don't have the protection of the Canadian Human Rights Act in respect of a large number of matters. The price being paid for that is largely being paid by aboriginal women, who are not in a position to achieve fundamental justice on a lot of issues that relate to their personal circumstances. That has to be changed. I think 32 years is sufficient time for everyone to get their heads around it, and I intend to deal with the issue.

**Hon. Anita Neville:** You're aware that there was an effort to do that in earlier legislation introduced, with Bill C-7.

**Hon. Jim Prentice:** Fair enough. But we intend to deal with it. It didn't seem appropriate to roll that consultation process into what we're doing with matrimonial property. There was a fear it would become confused and more difficult; it would not simplify issues. So more to follow on that later.

**Hon. Anita Neville:** Thank you.

**Hon. Jim Prentice:** I'll ask Sandra to deal with the custom land allotment study.

**Ms. Sandra Ginnish:** Actually, it would be Holly.

**Ms. Holly King:** The Department of Indian Affairs does not manage or have anything to do with custom allotments. They're administered by the first nation communities.

**Hon. Anita Neville:** I'm aware of that.

**Ms. Holly King:** As such, in regard to matrimonial property, we've had trouble getting the communities to talk to us about the custom allotments and how their matters are decided under the governing systems. That's why we felt that consultation was important on how to find solutions to custom allotments.

**Hon. Anita Neville:** I don't have any more time, do I?

**The Chair:** Twenty seconds.

**Hon. Anita Neville:** I'll leave it, then. Thank you.

**The Chair:** Thank you very much.

Mr. Stanton.

**Mr. Bruce Stanton (Simcoe North, CPC):** Thank you, Madam Chair.

Thank you and your staff, Minister, for appearing before us today. It's great to be brought up to speed on a topic that we have spent considerable time discussing, particularly this week.

My question is on something you've actually dealt with briefly.

As we discussed the whole issue of matrimonial real property as it relates to native women in particular, it was easy to fall into discussions of other important and related topics—housing, and the whole question of how we can expedite native self-government agreements—and even as early as this week we talked of issues relating to the rights of children vis-à-vis custody. When you get into these discussions, it's easy to get sidetracked.

Could you comment on what kinds of terms of reference or framework could be put in place to avoid getting into an expanded discussion that might in fact lengthen the process to getting to the real object of this exercise?

•(1045)

**Hon. Jim Prentice:** Thank you very much for those comments.

I think the first and most important thing is to have a person heading up the process who will keep it focused and targeted. Frankly, in determining the way forward here, we made a conscious choice to have a process that was headed up by someone who would represent me as minister. There were other models that were looked at, but I felt very strongly that having a respected Canadian take the lead on this would give it the focus you're talking about and the sense of direction you're talking about.

I know of the work Wendy Grant-John has done. She's extremely well respected by the Assembly of First Nations and by NWAC. She is a former chief of the Musqueam First Nation and has that experience as well. She is, to my mind, essentially the best person in Canada to do this. I know that she'll keep it targeted. Certainly other issues will be discussed. I expect we will stay focused on the whole issue of empowering aboriginal women to move forward their communities and their children.

I have a very strong-willed mother, four strong-willed sisters, and three strong-willed daughters, so I'm firmly of the view that a big part of social progress here lies in empowering aboriginal women to advance the interests of themselves and their children in the education and political processes. We have more women emerging as chiefs in communities, and they're doing an extraordinary job, without exception, in those communities.

I think things like section 67 of the Human Rights Act and the matrimonial property reform create a more level playing field so that the interests of women, and thereby the interests of families, can be advanced. I predict, ladies and gentlemen, that if we take some of the steps we're talking about here today, in ten years you'll see enormous changes.

**Mr. Bruce Stanton:** Do I have any time left, Madam Chair?

**The Chair:** Yes, you have 1.17 minutes.

**Mr. Bruce Stanton:** Thank you.

On another matter, I know this announcement is as recent as a couple of days ago, but at this stage, has there been any reaction from native leadership or representatives of native organizations across the country that you could comment on? What sort of response are you getting? Are there any concerns coming your way with respect to how this initiative might proceed?

**Hon. Jim Prentice:** There's actually been less media pick-up on it than I would have expected. Certainly the Assembly of First Nations has been very positive. The Congress of Aboriginal People have been positive about it. The Native Women's Association is very excited about it. At that level it's been quite positive. To be frank, I haven't heard anything negative anywhere at this stage, and I expect it'll be a positive process.

I would encourage all of the people at the table here today, as you are respected parliamentarians, to speak up about this issue in your communities and about what we as a Parliament are trying to do about this. Speak positively of the initiative.

**The Chair:** Thank you.

Ms. Bourgeois.

[*Translation*]

**Ms. Diane Bourgeois:** Thank you, Madam Chair.

Ladies, Mr. Minister, welcome to the committee.

We've heard a great deal about you, sir, in particular about your expertise on Aboriginal rights. We're pleased that you could join us.

I'd like to speak to you first about Ms. Wendy Grant-John. Could you clarify her mandate? Is she expected to achieve some results? If so, what are they? What do you expect of her by the end of her mandate?

You pointed out in your opening statement that the Government of Canada has already done a lot of work examining the question of rights for Aboriginal women. Many reports have been produced, considerable research has been done, and countless hearings have been held. Don't you think that there have already been too many consultations, if we include Ms. Grant-John's consultation process, given that women continue to wait for some results?

You are a man of considerable experience. Do you know if the rights issue was discussed at all in the Erasmus-Dussault report?

If the rights of Aboriginal people were recognized, as Aboriginals are now asking the UN to do, could we not, in your opinion, come to some sort of arrangement with First Nations so that Canada would no longer have to pass laws and keep Aboriginal peoples under their control?

• (1050)

**Hon. Jim Prentice:** Thank you for your questions and comments.

I've also heard many good things about you.

**Ms. Diane Bourgeois:** Surely from the Bloc Québécois.

**Hon. Jim Prentice:** However, I don't believe it was during Question Period.

**Ms. Diane Bourgeois:** You're a little like Mr. Loubier who worked on the Aboriginal peoples file. He admires you a great deal for your diligent work.

**Hon. Jim Prentice:** I'll respond in English.

[English]

The mandate of Wendy Grant-John is very specific. We've asked her to be responsible for the consultation process and to bring back a specific recommendation on a legislative solution. She's been asked to come back to me in a very specific way, initially in December. If it takes a little longer in terms of consultation, we'll extend the period, but we've asked her to essentially ensure that we have a legislative recommendation from her before us in the early winter, late winter, early spring of 2007. So that's her mandate.

To address your question of why further consultation, there are really two reasons. As I mentioned earlier, the Supreme Court of Canada in the Haida and Taku cases in 2004 set forth a principle that if legislation is going to be introduced that affects aboriginal rights, there is a constitutional obligation to have consultation. Those cases

did not relate to matrimonial real property obviously; they related actually to resource development situations.

So one can argue the legal niceties of how far that duty to consult goes, but at the end of the day, I think most legal scholars agree that there is a duty of some description to proceed with consultation, and frankly, nothing could impact more directly on aboriginal rights than the difficult questions of matrimonial real property and the division of assets between spouses. So I think it's only proper that we proceed with recognition of the Supreme Court of Canada.

Secondly, though, consultation is important to try to work towards building a consensus. As I said, I don't think unanimity is possible, but I think going through community-level consultation will help build support for this initiative. It will ensure that there's buy-in for it—maybe not everywhere, but I think it will help show people that this is not something to be feared. It is something that will ensure that the rights of aboriginal women are consistent with the rights of other Canadian women. I think there will be some positive benefits from that.

In terms of your other question about proceeding with agreement, it is fair to say that there is no agreement in this country at this point on this issue. There have been lengthy reports from both the Senate and the House of Commons standing committees. There is no unanimity on this subject. There are people who do not agree that aboriginal women on reserves should have property rights that are commensurate with those of non-aboriginal women off reserve, and I suspect some of those people will disagree when this matter arrives at the House of Commons.

So I don't think agreement is achievable. I think we're talking about consultation, broadly based, community-based, followed by the House of Commons accepting its responsibility to act in the interests of equality and protecting women.

• (1055)

**The Chair:** Sorry, Madame Bourgeois, we have run out of time, and there is another committee, of course, waiting for our committee room. If you have some further questions, you could put them in writing to Minister Prentice, and I expect he would be quite happy to comment.

Minister Prentice, thank you so very much for your earnest commitment to an issue that we all want to see resolved. I wish you well with it. Thank you very much for coming.

**Hon. Jim Prentice:** Thank you, Madam Chair.

**The Chair:** I wish everyone a very successful summer and a peaceful one.

The meeting is adjourned.





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