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Chair

Ms. Candice Hoeppner

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

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● (0850)

[English]

The Chair (Ms. Candice Hoeppner (Portage—Lisgar, CPC)): Good morning, everyone. I would like to call this meeting to order. This is meeting 31 of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

Just prior to beginning our orders of the day, I would like to ask the committee if we could just very quickly approve a motion, which would enable us to bring our budget for this bill forward and to complete it. So could I have someone move the motion that's before you?

Madam Folco.

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: Thank you very much.

Then pursuant to orders of reference of Wednesday, April 28, we are looking at Bill C-343, An Act to amend the Canada Labour Code and the Employment Insurance Act (family leave).

We will begin the first half hour with the sponsor of the bill, Madame Bonsant.

Welcome. We'd like to ask you to introduce your bill, and then we'll just have one short round of questions and answers. Then we'll continue and introduce the rest of the witnesses who are here.

If you want to begin, Madame Bonsant, with a 10-minute introduction, then we'll ask you some questions. Thank you.

[Translation]

Ms. France Bonsant (Compton—Stanstead, BQ): Thank you, Madam Chair.

I am very pleased to have this opportunity to appear before you today to discuss Bill C-343, which I have been working on now for almost four years.

The bill, entitled An Act to amend the Canada Labour Code and the Employment Insurance Act (family leave), has two parts to it. First of all, it proposes amending the Canada Labour Code to provide unpaid leave to employees who are required to be away from work following a suicide, the disappearance of their child or the commission of a criminal offence against a member of their immediate family.

The leave of absence proposed in the bill would work as follows. For the parents of minors, a leave of absence of up to 104 weeks would be available in cases of death resulting from a criminal offence or serious bodily harm requiring the employee to stay with the child. The same would apply to a missing child: the parents could retain their work attachment and take a leave of absence of up to 52 weeks. For the spouse, common-law partner or parent, the bill provides for a leave of absence of up to 52 weeks for death by suicide, and 104 weeks if death is the direct result of a criminal offence.

This bill also amends the Employment Insurance Act to allow these individuals to receive a new type of special benefits for family leave. Having said that, for parents whose minor children are missing or suffered serious physical injury as the direct result of a criminal offence, for parents whose children committed suicide, for an employee whose spouse committed suicide, for the parents of a minor child who died as the result of a criminal offence and for an employee whose spouse died the result of a criminal offence, eligibility for the new benefit would be based on the current rules for special benefits. A beneficiary would have to have accumulated at least 600 hours of insurable earnings in order to be eligible for up to 52 weeks of benefits.

In December of 2007, the Quebec National Assembly led the way in this area when it passed Bill 58. Under that legislation, employees and their families who are victims of crime are entitled to take unpaid leave and still keep their jobs for a period of up to 104 weeks. The families of Quebec workers who are mourning a suicide or have a missing child are entitled to 52 weeks of benefits.

Unfortunately, current federal legislation discriminates against the 275,000 Quebecers whose work falls under the Canada Labour Code. These workers do not benefit from their job attachment and are simply entitled to 15 weeks of sick leave. Up until now, the inaction of lawmakers in this area has resulted in two tiers of workers being created: those who are able to get through difficult times with their jobs intact, and those who are forced to choose between losing their jobs and returning quickly to work. Furthermore, it is one thing to allow people to take leave, but if they have no income to live on in the meantime, the results will be the same. They will have no choice but to return to work quickly. It is that much more difficult for them, under the circumstances, to rebuild their life.

In the opinion of the Bloc Québécois, which has always shown concern for victims and their families, the federal government should immediately follow Quebec's lead. It is a well-known fact that suicide, violent crimes and disappearances cause great psychological distress for many parents and spouses. The waiting and worrying, mourning and often feelings of depression are part of the everyday lives of victims' families, often for extended periods. Indeed, in case of murders and disappearances in particular, more than two years can sometimes pass between the criminal act and the completion of the investigation. Throughout that period, family members are deeply affected by the events and cannot resume their normal activities. They have access to support and help, but they have no financial support. Additional financial worries are the last thing they need.

●(0855)

It is terrible to think that these people are simply being left to fend for themselves and have to keep working throughout that period as if nothing had happened, because they have to provide for their family, as we all do.

These people need time to come through such an ordeal and gradually rejoin the workforce at their own pace. It is in order to help these families that I am fighting today, and calling for the cooperation of all the parties. After all, given their pain and suffering and the other effects of violent acts, are the victims' families not victims themselves?

The mourning process following a disappearance, murder or suicide is longer and more complex than in other instances, particularly when rape or violence has taken place. People are more likely to experience feelings of frustration, rage and powerlessness. This is especially true when a crime or suicide is involved.

Those who oppose my bill claim that these new measures will be too costly. I have heard some members of Parliament say that this bill will cost \$400 million, which is incorrect. Fortunately, this kind of tragic event giving rise to the payment of 52 weeks of benefits is rare. For the same reason, there are few people who will be eligible for these new employment insurance benefits if the bill passes.

Every person has his or her own way of mourning the loss of a loved one, but for some eligible people, the loss of income associated with EI benefits is not an option. It is also clear that, for some people, remaining at work is a way to return to a normal life after a certain period of time. There are also people who do not work or who cannot find work that is insured under the Employment Insurance program, or who do not work enough hours to be eligible for benefits.

Therefore, self-employed workers are automatically excluded. Individuals who have not worked a minimum of 26 weeks in the year preceding the criminal act or the disappearance would not be eligible. They represent approximately 18% of the labour force. Acts of suicide by a single person or individuals without close family members would also be excluded.

For all these reasons, we are nowhere near the \$400 million projected by this government. Although it is difficult to determine exactly how many people would receive the benefits created through this legislation, a Bloc Québécois study has established that

approximately 8,000 people would be affected by this bill's provisions.

With the benefits set at \$340 and the eligibility threshold at 65%—which is one of the goals of the Bloc Québécois' overall agenda—the cost would be approximately \$50 million a year. However, based on the current eligibility threshold of 45%, it is realistic to assume that an investment of \$30 million would be needed were Bill C-343 to pass. Thirty million dollars a year to encourage victims' families is a very small amount of money.

The Employment Insurance program is adequately funded by workers and employers to allow families afflicted by such a traumatic event to receive benefits. The government is not actually investing anything in employment insurance.

Since I have been working on this project, I have received messages of support from ordinary people and from civil society. It is clear that this initiative touches people and means something to them. A number of citizen efforts have emerged from the solidarity observed among these families. For example, in 2004, Quebec families affected by these tragedies came together to create the Association des Familles de Personnes Assassinées ou Disparues, a Quebec organization that helps the families of victims.

Right from the start, the AFPAD has supported our bill enthusiastically, because it includes most of their demands. In fact, I would like to express my thanks to its president, Mr. Michel Laroche, for his cooperation on this issue. Their unrelenting efforts to support families have allowed members of the Association to realize that families must be able to come through their ordeal without financial worries.

AFPAD members actually met with the Conservative caucus in 2007. They expressed their total support for the bill. I hope that they intend to keep their promise three years later.

The Association québécoise Plaidoyer-Victimes, of which Ms. Arlène Gaudreault is President, is another example of aid groups that were set up out of solidarity for victims and their families. I want to thank her for her devotion and hard work.

●(0900)

In closing, I sincerely believe that these measures will provide indispensable support for victims' families who are currently going through a very difficult period without any financial support. I got involved in politics to bring about change, and I hope that my colleagues will be as touched as I am by what the families of these victims are going through now.

Thank you, Madam Chair.

[English]

The Chair: Thank you very much.

We will begin. We have time for only one round of questions with Madame Bonsant.

We'll do five-minute rounds, and we'll begin with Madame Folco, please.

[Translation]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Thank you, Madam Chair.

Welcome, Ms. Bonsant. I am delighted to be able to hear your plea today, one made with heartfelt emotion. I do have some questions, however.

I think it's important that your bill move in the same direction as the one we passed for compassionate leave. I remember that, as I was Parliamentary Secretary to the Minister at the time. We wanted the Employment Insurance system to recognize that family members sometimes need to stay home in order to help a father, mother or other family member under dramatic and tragic circumstances. I think your bill is in keeping with that goal.

First of all, I have a question of clarification. Your bill applies to someone who dies as a result of a criminal act, but I don't fully understand how this would work for the family of a person who committed suicide—in other words, who committed this act himself. I would like clarification on that.

Since I only have five minutes and I have another question—you are familiar with the system—I would ask that you be fairly brief.

Ms. France Bonsant: Thank you.

When we drafted the bill, we reached the conclusion that the mourning process for the loved ones of people who have committed suicide is not the same. Suicide is not an act of violence; it is a personal choice. We believe that the mourning process is less difficult and quicker because it is in fact a personal choice. That is why we set a limit of 52 weeks, but I am open to the idea of amending the bill if you feel that is insufficient.

Ms. Raymonde Folco: I am surprised to hear you say that. I would have thought it would have been the opposite for the spouse of someone who committed suicide. Since there are a lot of young people who commit suicide, the father or mother wonder what they did that prompted their child to do such a thing.

My other question has to do with self-employed workers. As you know, there are more and more of them. Many self-employed workers are women with children. If I'm not mistaken, you want to exclude them, as you mentioned in your verbal presentation. Because of the way you presented this, I have the feeling that, when you were told that this would cost between \$340 million and \$410 million, you felt that it was a lot of money and that you would have to cut down on the cost. And you did that by excluding self-employed workers. I hope that's not the real reason, but that was my impression as I listened to you earlier.

Another category is single people. In urban areas at least—but also in rural areas—people are increasingly living alone, particularly seniors. I know that families spring up to look after these people. They may not be families with a blood relationship, but they certainly are families in terms of the relationship that binds them together. Why are you excluding them from your bill?

• (0905)

Ms. France Bonsant: This bill does not affect self-employed workers because another bill, Bill C-56, was tabled last year to deal with special benefit for them.

Ms. Raymonde Folco: Bill C-56.

Ms. France Bonsant: Yes, that's correct. My bill, Bill C-343, is intended to amend legislation to include the concept of “family leave”. You can't go from one bill to the next and keep on repeating the same things. Bill C-56 was aimed at self-employed workers and people who have their own business, while my bill applies to a different category of people—those affected by violence.

Ms. Raymonde Folco: Bill C-56 is a government bill, though.

Ms. France Bonsant: Yes, that's correct.

Ms. Raymonde Folco: Do I have any time left? No? Well then, thank you.

[English]

The Chair: Thank you.

Mr. Lessard, please.

[Translation]

Mr. Yves Lessard (Chambly—Borduas, BQ): Thank you, Ms. Bonsant for being here this morning to present your bill, which I would describe as highly humanitarian.

I would like to continue along the same lines as Ms. Folco and try to clarify a couple of points. Please correct me if I'm mistaken, but I believe your bill was tabled at a time when self-employed workers were not entitled to employment insurance.

Ms. France Bonsant: That's correct.

Mr. Yves Lessard: Which means that Bill C-56 was tabled after yours. I take from that that this bill can be improved—and that is where Ms. Folco's question seems particularly appropriate. This is probably something that will have to be considered when the time comes to pass amendments that will reflect the new legislative reality.

You have referred to crimes and acts of violence. I think suicide is also an act of violence sometimes. It isn't necessarily a crime, however, for the reasons you cited earlier.

I would like to come back to the costs you referred to earlier. Since I have been in the House of Commons, I have learned that, in keeping with the saying “give a dog a bad name and hang him”, all you have to do is exaggerate the cost of a bill to be sure that it won't pass. Can someone—you perhaps—explain to me how you arrived at the figures you presented earlier?

Ms. France Bonsant: Thank you, Mr. Lessard.

I would like to turn it over to Mr. Couture, my Research Assistant. He will explain all the numbers, because they can be somewhat complex.

Mr. Eric Couture (Researcher, Bloc Québécois Research Bureau, As an Individual): Good morning and thank you.

With respect to the cost of the bill, we based ourselves on Juristat statistics. They allowed us to arrive at an approximate number of suicide victims. It's important to realize that the parents and spouses of suicide victims represent the group most affected by the bill. According to Statistics Canada, there are approximately 3,500 suicides every year.

After that, there are the cases involving children who have gone missing or who suffered serious physical injury. According to National Missing Children Services, in 2009, there were 86 cases of children reported missing for long periods of time—in other words, cases that would be covered by the bill. All in all, the numbers are fairly low. However, the Library of Parliament—

Mr. Yves Lessard: What period are you referring to, Mr. Couture?

Mr. Eric Couture: These figures are for 2009.

However, the Library of Parliament also did a costing of our bill. Based on certain assumptions, the Library of Parliament analysis suggested a total cost of between \$14.6 million and \$72.8 million. The Bloc Québécois had initially assessed the cost to be \$50 million based on available statistics, but we have no trouble accepting the scenario put forward by the Library of Parliament.

● (0910)

Mr. Yves Lessard: I have time for one more question. I tried to find the answer to this question, but perhaps you could help me with that.

With respect to the actual benefit period, my understanding is that it would begin from the moment the person went missing and end 11 days after the child was found or information about the case became available. What was your rationale for ending the benefits 11 days afterwards?

Ms. France Bonsant: According to the statistics, many children are found within two weeks. That's the reason why we chose 11 days, which is what is currently reflected in the legislation that Quebec was the first to introduce. So, the short answer is that, according to statistics, a child who has gone missing or has run away is generally found within a ten-day period.

Mr. Yves Lessard: So, within 10 days.

Thank you.

[English]

The Chair: We'll now go to Mr. Allen, please.

Mr. Malcolm Allen (Welland, NDP): Thank you, Madam Chair.

Thank you, Madam Bonsant, for bringing this forward.

On the costing period, as I read through it, it talked about an offset, if you will. In a sense, if you're covered by some other—I believe the example was the case of Quebec, where there is some compensation to offset for the leave, if you will, that would reduce the unemployment. When Mr. Couture actually gave us the stats, were we looking at that offset as well, or was this simply a pure number of x number of folks times x number of benefits becomes this? Or was the offset actually looked at in that comparator?

I say that based on, for instance, the fact that there are many private insurance plans through employers that would cover extended periods of sick time.

[Translation]

Ms. France Bonsant: When we looked at the statistics, we considered those people who would want to return to work immediately. Some people simply are not capable of staying home alone. So they go back to work. We considered people's arguments.

The Government of Quebec provides no financial compensation, because EI is a federally-administered program. The only thing the provincial government provides is a two-year period—

Mr. Eric Couture: The job attachment.

Ms. France Bonsant: Yes, job attachment. Forgive me, but this is an emotional issue for me. Everyone knows someone who has been killed or died.

So, the two-year work attachment is maintained, but there is no compensation during that period. The statistics we looked at, and direct testimony from the people we talked to, show that some people want to return to work, that some are not ensured, and that others aged 65 and over are not entitled to Employment Insurance. That is what we took into consideration. We looked at the current proportion of people eligible for Employment Insurance, which is 45%. That is how we arrived at a specific costing.

[English]

Mr. Malcolm Allen: So it might be fair to say that the number is actually high. If we look at offsets across the entire country outside of Quebec, potentially the cost to the federal treasury actually could be reduced, depending on the plan.

I'll use my own example of my previous employer, who has a short-term disability plan that runs for a year, which then leads to a long-term disability plan, which could indeed offset all of the cost.

[Translation]

Ms. France Bonsant: Yes.

[English]

Mr. Malcolm Allen: It would be applied to me, necessarily, if—heaven forbid—something like that were to happen to my family.

I'm assuming the numbers are predicated on the entire workforce across the country, when you looked at deaths and suicides, especially criminal deaths, rather than just the effect on federal employees, because basically that's what the legislation looks at. You don't want to have jurisdiction beyond that, other than moral suasion that others would continue to do what you've suggested, which is to have a leave process that's either 52 or 104 weeks.

I don't know if you've thought through this process, and I appreciate if you haven't.

My other question is if indeed you have a short-term disability plan that takes you to a year, and you're entitled under your bill to 104 weeks, how do you see the paid portion from EI being affected by the fact that the first 52 weeks actually removes you from the workforce? Then how do you reapply for unemployment benefits, based on the fact that you're now detached from the workforce for 52 weeks?

● (0915)

[Translation]

Mr. Eric Couture: That's an excellent question.

You are raising the fact that there is actually a gap in the bill, in that the reference period for calculating income would have to start when the employee stops working and goes on leave.

[English]

Mr. Malcolm Allen: That's 104 weeks.

[Translation]

Mr. Eric Couture: Yes, exactly.

Mr. Malcolm Allen: Perfect; thank you.

[English]

The Chair: You have 30 seconds.

Mr. Malcolm Allen: I'll allow Madam Bonsant the last 30 seconds.

[Translation]

Ms. France Bonsant: You know, this is the first time we have discussed this bill here in committee. I am very open to your ideas. There are people who have experienced things that I have not experienced. That is why I brought witnesses with me today.

With respect to the bill, if anyone at this table has great ideas on how to improve the program and help these families, I want you to know that I have an open mind and an open heart.

[English]

The Chair: Mr. Vellacott.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Thank you very much.

Our Conservative government is really quite empathetic and supportive of victims of crime, but there is something concerning in the bill here, my colleague, and it's the part where the bill states that a parent can take time off and receive EI benefits if their presence:

is required by the employee's child under 18 years of age who has suffered a serious physical injury during the commission or as the direct result of a criminal offence that renders the child unable to carry on regular activities;

As we review this here, the question is, is it correct that if the minor, the child under 18, is injured during the commission of a criminal offence that they themselves committed, this bill would then provide that child's parent the ability to take time off work and collect EI to take care of that child? I'll give you a little example. If a 16-year-old falls down the stairs in the process of robbing someone's house and becomes temporarily disabled, it appears that this bill allows the parent of the child to stay at home and get paid through EI to care for them.

If that's the case, I don't think that's fair. Yet I'm not sure what you mean, and the legal words seem to suggest that. You need to deal with that because there is a very wrong impression given by the wording in that bill.

[Translation]

Ms. France Bonsant: Mr. Vellacott, you have children, and I have daughters. Do you know exactly what your children are doing 24 hours a day? No, of course you don't.

A lot of parents face issues connected to the fact their children do things to be part of a group and so on. If a child makes a mistake, should the parents be the ones to pay? I don't think so; I believe the

parents' job is to be there 24 hours a day to support their children. If someone makes a mistake and charges down the stairs in an attempt to rob someone... I don't think a parent is going to tell his child to go and rob someone because he'll be entitled to 52 weeks of EI benefits if the child is injured. I don't think we should be penalizing parents for things that occur only very rarely.

[English]

Mr. Maurice Vellacott: Well, in fairness, you posture this bill as being in support of victims. That is hardly in support of victims at the point where a child commits a criminal act and in falling down the stairs or in some other way gets hurt and injured, and then you provide, in effect, a benefit to them or their family. It's not a benefit to the "victim". So I would not be supportive of this bill on that basis.

I'm a parent, certainly. I have children and grandchildren. I understand what you're saying; kids make mistakes. But I think you have a major flaw in your bill if, as you say, that's what your intent is here.

That's my question. We'll be asking that of the officials as well. I have a problem with that.

[Translation]

Ms. France Bonsant: This bill is intended to help parents, families and spouses. There are already a number of programs in place for victims. If you read my bill carefully, you will see that it is intended to help parents care for these children—the spouse. I don't think people should overreact because of one or two exceptions. If my daughter had made a mistake at the age of 14, I would not have thrown her out of the house for that reason. I would have been there to support her and tried to put her back on the straight and narrow. However, if I don't have the financial means to help her and I have to go back to work, that child will be left on her own. Parents must have the choice of continuing to support their children. This supports families and their children.

[English]

Mr. Maurice Vellacott: I think you'll have a hard sell of that to the public.

[Translation]

Ms. France Bonsant: I doubt that.

[English]

Mr. Maurice Vellacott: Frankly, I'm being direct to you and transparent and meaning to be helpful, but that is a problem.

● (0920)

The Chair: You have one minute.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): One minute?

Thank you very much, Mr. Vellacott and Madam Chair.

I have a number of questions; obviously a minute won't do much.

Part of it is to do with the issue of proof of an event. Your bill talks about if it can be inferred from the circumstances that the death is probably the result of a suicide. And you have others, but you use the word “probably”. Of course, in most cases you either try to prove the fact by proving it beyond a reasonable doubt or in the balance of probabilities, or if it's based on circumstantial evidence, there must not be any other rational conclusion. But to say “probably” leaves it pretty wide open. The question is, who decides what “probably” means? Is it the police, the employees, the employer? And given that it's so wide in its definition, what happens if you're wrong? They've paid out a claim and later it turns out that “probably” was too wide a definition.

I know you don't have much time to answer it, but it's a very grave concern that I have—amongst others, I might say, that we won't have a chance to ask in this short time.

[Translation]

Ms. France Bonsant: We know our own children, because we are the ones that raised them. If we see that a child's attitude is changing, our job as parents is to realize what is going on. But how can you possibly determine things like that? They are minors. It is our responsibility to take care of our young people. And that is the way to do it.

Furthermore, benefits are already available to victims of crime. It's important for you to understand that this is aimed at families and at the parents who live with these children. That's why there must be a clear separation between the two.

[English]

The Chair: I understand, Madame Bonsant, you will be staying here at the table with us for the remainder of the meeting.

[Translation]

Ms. France Bonsant: Yes, Madam Chair.

[English]

The Chair: So if anybody has any other questions, you would be all right if they do continue to direct them at you.

[Translation]

Ms. France Bonsant: Yes, absolutely.

[English]

The Chair: All right. Great.

We will at this time hear from the other witnesses who are here.

We want to welcome you and thank you so much for being here.

We have Michel Laroche, president of the Association of Families of Persons Assassinated or Disappeared; Arlene Gaudreault, president of the Association québécoise Plaidoyer-Victimes; and Mr. Martin Provencher is here as an individual.

Thank you all for being here.

I'm going to ask you to keep your opening remarks to seven minutes. If you keep an eye on me, I'll give you the one-minute warning. After your presentation we'll begin another round of questions.

Who would like to begin?

Mr. Laroche.

[Translation]

Mr. Michel Laroche (President, Association of Families of Persons Assassinated or Disappeared): Good morning, ladies and gentlemen. My name is Michel Laroche and I am President of the Association des Familles de Personnes Assassinées ou Disparues which represents some 575 families in Quebec and more than 10,000 individuals. We are a small group of volunteers on an 11-person board of directors who are working to improve the living conditions of families hard-hit by this kind of tragedy.

The Association has two types of members: families in which one or more members has been killed; and families in which a member has gone missing in seemingly criminal circumstances.

We support the proposed amendments to the Canada Labour Code to grant between 52 and 104 weeks of unpaid leave to employees who must be absent from work following the disappearance of a minor child or the death of their spouse, common-law partner or child.

We also support the proposed amendments to the Employment Insurance Act, to enable those persons to receive benefits for up to 52 weeks, instead of the 15 weeks currently provided for.

We are aware that victims and victims' families are increasingly part of the political and legislative landscape, and we are pleased that is the case. A number of bills and Criminal Code amendments provide for the needs and expectations of the families of victims or murdered persons. But more can be done.

Bill C-343 is a real opportunity to show just how much more can be done, because victims' families sometimes need real support, particularly financial support, following an incident of this kind. Shouldn't we as a society do everything we can to help these people? The victims' rights movement has grown and people have finally understood that victims' families need to be taken care of.

Our association was created to provide support and understanding to stricken families, and I believe it is doing a good job in that respect. However, family members also need financial resources. That is a fact, and our association cannot meet those needs. Yes, the Quebec Crime Victims Compensation Act does provide compensation to offset funeral expenses. Yes, it does offer psychological rehabilitation services and other forms of compensation, but that is not enough. It does not pay for groceries, rent or ongoing household expenses following a murder or disappearance.

Allow me to describe what these people have to go through, bearing in mind the tragic events that some of our members have experienced. I will not mention their names.

The first case involves a woman. Several years ago, two of her children were murdered by her former spouse, who then committed suicide. She found herself unemployed as her former spouse was also her employer. She was now alone in the world, because her parents were no longer alive, and was so distraught following this terrible tragedy that welfare authorities had to care for her temporarily. Several months later, she began putting her life back together. She returned to university, wrote a book telling her story, entitled *The Survivor*, and today gives lectures and provides support to others who have suffered through appalling ordeals.

Let's not forget that the physical and mental health of family members is severely affected following such an incident. Despite their pain and suffering, many have to go back to work in order to support themselves. It is terrible to think that they are abandoned to their fate, and have to return to the labour market as though nothing had happened. In many cases, they try but are unable to continue working when they become deeply depressed.

Another case I have in mind involves a mother whose child was taken from her by her partner, who then committed suicide after the murder. Fifteen weeks after this incident, she was admitted to hospital. She only began to feel better a year later, and she told me that the first year after the incident had occurred was the hardest, because of the child's birthday, Christmas and many other events of daily life that reminded her of the loss of her child.

• (0925)

These stories were all told to me by people who recently confided in me, and that is why I am telling them today.

Another woman had four children. Her husband murdered her. The woman's mother took charge of her children. After suffering a stroke, she returned to work. But at one point, she had to stop for health reasons. She went on welfare and only had very little income with which to support the children.

However, some do manage to recover sooner. Each case is different.

Another case involved a woman who is an emergency physician. Her two children, aged three and five, were murdered by her husband. She never saw it coming. We supported her throughout her ordeal. She went back to work, even though the cries of children arriving at emergency reminded her of the tragedy. Today she sits on the board of directors of our association and, through her courage and determination, is able to help other victims. She remains extremely fragile, however, even though she comes across as a strong woman.

Now what can be said about cases where children go missing? Unfortunately Quebec has been shaken by a number of such cases in recent years—in particular, Cédrika Provencher, Julie Surprenant, Jolène Riendeau, David Fortin, Diane Grégoire and Marilyn Bergeron, to name only a few.

I have appended to my notes three personal stories, two of which involve missing children: that of Caroline Lachance, mother of David Fortin, who has been missing for 21 months, and Andrée Béchar, mother of Marilyn Bergeron, who has been missing for 33 months. Their stories are tragic and terribly moving. I invite you to read them.

Family members affected by a missing child can only go back to their everyday activities with great difficulty. They have access to some support, but not financial assistance. Additional financial concerns are the last thing they need. Need I say more? The measures proposed in Bill C-343 are long overdue and accurately reflect the needs of family members of individuals who have been murdered or gone missing.

In closing, would it not be appropriate to avoid restricting measures dealing with missing people to missing minor children? Clause 2 of the bill, which amends section 206.5 of the Canada Labour Code, and clause 3 of the bill, which amends the Employment Insurance Act, should refer to a missing child, and not only a missing minor child.

Thank you for giving me this opportunity to address you.

• (0930)

[English]

The Chair: Thank you very much.

We'll now go to Madame Gaudreault.

[Translation]

Ms. Arlene Gaudreault (President, Association québécoise Plaidoyer-Victimes): Madam Chair, ladies and gentlemen, my name is Arlene Gaudreault and I am President of the Association québécoise Plaidoyer-Victimes. I am a founding member of the Association where I have been a volunteer since 1982.

The Association québécoise Plaidoyer-Victimes is a coalition of member organizations that work with women, children and seniors. Year over year, our association has an average of 200 member organizations. Our organization has been a trailblazer in Canada. We introduced the victim impact statement before a code of law. We were the first organization to support victims of crime in Quebec—I coordinated that—and we also set up the first service to support victims and witnesses at the Montreal Court House.

Mr. Laroche described the problems facing families affected by a criminal event or suicide. I think it's fair to say the lives of these people have been shattered, turned completely upside down, and that they find themselves having to cope with the serious after-effects. We now know that one quarter of those who experience a violent crime will develop post-traumatic stress syndrome, that 15% to 20% of victims of violent crimes suffer chronic long-term after-effects, and that in the case of homicide, the mourning process for affected people lasts far longer. It is estimated that people generally need two years to recover and often go through a complex mourning process that can last for years.

Obviously, in fulfilling our mission over the 30 years since our organization was first established, we have often met people who lost their jobs because their employer laid them off from employment that wasn't protected. We have often met victims who were pressured by their employer to return to work quickly. We have seen parents deprived of wages having to care for children for many months—children who were seriously injured. And I can tell you that we quite regularly provide support to victims fighting to secure compensation and the right to rehabilitation. These are some of the things we encounter on a daily basis.

The issue of the return to work for victims of crime and families has been studied very little. And it is still being overlooked today. People are only starting to take an interest in the families of homicide victims and victims in general.

The proposed amendments to the Canada Labour Code, as Ms. Bonsant was explaining earlier, were largely inspired by Bill 58, which came into force in Quebec in 2006. It's important to point out that all the political parties, without exception, supported this bill. If you read the minutes of proceedings in the National Assembly where this was debated, you will see that there was very little discussion. There truly was a consensus and we hope that will also be the case for all the parties that make up the Canadian government.

Our association believes that the obligation to grant leave to employees when a member of their family has been the victim of a violent criminal offence or has committed suicide should be enshrined in the Canada Labour Code. That way, leave requests and the conditions for their return to work will no longer depend—and I think it's important to emphasize this point—on an employer's arbitrary decision, his good will or his capacity for empathy.

We're also in favour of amendments to the Employment Insurance Act, as this will mean better financial support for people who are vulnerable—I think everyone here can understand that—at times when they have to look after their family. It would provide them with financial assistance so that they can put their life back together according to what they believe to be most appropriate and this would also... It is a well-known fact that after a violent crime, there are all kinds of legal proceedings associated with applying for compensation through various legal and other authorities. That involves all kinds of unexpected expenses.

Indeed, the costs are very high for victims of crime. For example, Statistics Canada tells us that in 2003, the costs amounted to some \$70 billion, 67% of which was born by the victims. Of that amount, costs associated with violent crimes amounted to \$18 billion.

● (0935)

We see this support as an essential component of the programs and initiatives implemented to help victims of crime in Canada.

I would like to emphasize one point made by Mr. Laroche with respect to compensation programs. In Quebec, just as in this Committee, some people have been saying that compensation programs support the families, and that certain kinds of support are already provided under compensation programs. However, that is not correct. In cases of homicide or where the people asking for compensation are not the direct victims, compensation programs do not cover loss of income.

The Association québécoise Plaidoyer-Victimes supports this bill because it recognizes that victims need support, because it reflects our collective solidarity and because it sends the message that we are not indifferent. We also support this bill because in Canada, we have a statement of principles that dates back to 2003. The first principle is that victims must be treated with respect, fairness and compassion. That highlights rights that are enshrined in the Canada Labour Code and granted under the Employment Insurance program; however, victims' rights included in legislation often are not enforceable.

There are two or three points we would like to make. The concept of physical injury is not defined and appears to be restrictive. Does it include strictly physical injury? Is psychological injury covered? An example that comes to mind is children who have been sexually assaulted; they may not have any physical injuries, but they have suffered serious harm. That concept needs to be clarified.

I would also like to point out that, as regards compensation, the concept of injury or bodily harm includes physical injuries as well as mental and nervous shock. Our suggestion is that related legislation, as well as court decisions in that area be reviewed. That is our first recommendation.

There are also a great many grey areas when it comes to missing persons and abductions.

May I continue?

Ms. Raymonde Folco: On a point of order, Madam Chair.

[English]

The Chair: Yes.

[Translation]

Ms. Raymonde Folco: Could we ask Ms. Gaudreault to provide a written brief? Unless it's already in the material we have here.

Your comments are very interesting. If you're not able to make the rest of your points verbally, perhaps you could do so in writing.

Ms. Arlène Gaudreault: I could do so during the question period.

There is also the whole matter of the costs. I will certainly want to comment on the costing issue.

I also have comments with respect to the disparities between the provinces and the role of other authorities, such as the Ombudsman, for example, and the Department of Justice, that can play a role in this area.

Perhaps I can address those points during the question period. I did in fact take the time to prepare quite a lengthy brief. This is complex legislation.

[English]

The Chair: Yes, that would probably be the best solution. When we have the questions and answers, you will have time to expand. Good.

[Translation]

Ms. Arlène Gaudreault: I will provide that information during the question period, in that case.

[English]

The Chair: Thank you.

Mr. Provencher, you have seven minutes, please.

[Translation]

Mr. Martin Provencher (As an Individual): Good morning. I was asked to testify this morning. I am not here to elicit an emotional response from anyone by relating what I've been through. I will be giving you details that I've never discussed before, despite the fact that our case received a great deal of media coverage.

My daughter's disappearance had multiple impacts. When you lose a child, you set aside your career and everything else, just as you all would have done. It is likely that everyone sitting at this table would not know when they were going to return to work. That is a very important point, because the bill proposed by Ms. Bonsant and her team addresses that specific issue. You could say that despite my bad luck, I was luckier than others. I had group insurance and an employer who appreciated my work and therefore gave me the flexibility to return when I was ready.

When you discover that a loved one is missing and find yourself in the midst of this kind of ordeal, nothing else exists. You'd be prepared to give up your house, your salary, indeed, anything—except your relationship with your child. Unfortunately, that is the way you feel when something like this happens and I think it's healthy that way. The sad reality, however, is that you need to earn a living; everyone has to. A time comes when work becomes important. It's important to go back. You already are fighting so many battles and juggling so many different things that it is important to be able to go back. I was Claims Manager for an insurance company and an Insurance Adjuster. I put my career on the line because I became a public figure, and I have to deal with cases that are not always very pleasant.

Perhaps we can provide some help. I'm sure most people would not be able to go back to the same career after such an event. I had the advantage of being able to go back to work when I was ready. My employer was a group insurance company and I got the support I needed. I stopped working for two years to look after my daughter and had complete flexibility to return to work when I could. Earlier we were talking about self-employed workers. They're important as well. My spouse, who is not the mother of my children, was a hairdresser. Unfortunately, when you have clients, you have no choice but to go back to work if you don't want to lose what you've built up over the years. It is thanks to our loyal client base that we are able to earn a living.

When an incident like this occurs, you can set it aside for a while, but at the same time you need it. It's what helps you to keep going at some point. There is no doubt that when she had to go back to work, everyone was not necessarily getting the best haircut. She had to talk at length about what had happened. Every time she would relive the events all over again. It happened again, as recently as yesterday, when we checked into the hotel. People recognized me and were crying as they spoke to me. It goes on for a long time and you still have to live during those years. My daughter has not yet been found. This is going to be with me for the next 10 or 15 years if she still hasn't been found yet, and it will be part of our everyday lives until she is found.

I speak to you today as someone who has experienced this kind of tragedy. Earlier, mention was made of someone who might fall or hurt himself on a staircase as he was committing a crime. But the parents committed no crime. They might want to abandon everything to help their child, because he or she is their child. So, I encourage you to support this bill, because it is what helped me in part to move forward. It's as simple as that.

Mr. Laroche, you can probably confirm that everyone did not benefit from the kind of help that I received. There must be stories of the exact opposite situation.

Thank you.

• (0940)

[English]

The Chair: Thank you very much, Mr. Provencher.

We will begin our first round of questions. This will be a seven-minute round, and the seven minutes will include both the questions and the answers.

We'll begin with Mr. Silva, please.

[Translation]

Mr. Mario Silva (Davenport, Lib.): Thank you, Madam Chair.

I have only two questions. I will be brief because I know that Ms. Bonsant would like a little time to clarify certain points. My first question is actually addressed to her.

You chose to base your bill on existing legislation in Quebec. I'd like to know what the rationale for that choice was. I'd also like to give Ms. Gaudreault some time to respond.

In actual fact, the bill you are proposing is the same as the legislation in Quebec. I'd like to know whether there have been problems in Quebec and whether the legislation is working well. You stated that it had the support of all the members of the National Assembly. I'm not sure whether that came out of our proposals, our committees or our reports. What is the situation now, three years later?

Ms. Bonsant, could you answer first? Then I'd like to hear from Ms. Gaudreault.

Ms. France Bonsant: We chose Bill 58 because it was the only available model, since Quebec was a trailblazer in this area. That's why we used this model. As I explained earlier, I am very open to ideas that could improve it, if the Committee feels that is necessary.

I would like to allow Ms. Gaudreault to say what she didn't have time to say earlier

• (0945)

Ms. Arlène Gaudreault: Your question about what has happened in Quebec is an excellent one, in my opinion. The fact is that, at the time, people were saying there could be 5,000 applications, or 1,500 applications at best.

When I was preparing for my appearance before the Committee, I tried to obtain some information. I called the Office of the Minister of Revenue. There are no statistics available at this time with respect to the number of victims of crime who have availed themselves of the provisions under Bill 58. However, the table in Appendix 6 of the Quebec Labour Standards Board report shows that, of 3,818 complaints made under the Labour Standards Act, only 16 were made by victims of crime. That gives you an order of magnitude, but in actual fact there are no statistics available. I was told that it would be impossible to secure that information, because when complaints enter the system, there is no distinction made between people requesting sick leave, as opposed to family leave. However, based on what has been observed on the ground, very few victims have availed themselves of these provisions.

With respect to compassionate leave, some statistics are available on the website. In that regard, it is clear that there are currently a large number of Canadians who are unaware that such a thing as compassionate leave even exists; 40% have never heard of it, and 10% know only very little about it. And yet this is something that has been available for a very long time.

With your permission, I would also like to add that a great many family members of homicide victims do not take advantage of available services. Either they are not aware of them, or they do not necessarily feel the need to access them at the time. As a result, it is very difficult to ascertain the number of people who would like to take advantage of these measures. We are seeing that a lot of people want to get back to their normal life as soon as possible. That is important. Returning to the labour market is also important. It's equally true that some people need more time and are more vulnerable, for all kinds of reasons. However, none of this has been documented in victimology research.

We are in a new area of law. You are in the process of developing new law. What you are doing through the bill you are currently examining is extremely innovative in Canada, compared to other countries.

In closing, I would just like to say that Canada is a leader in developing programs to support victims. We are moving forward with this kind of legislation. It is true that we don't have access to all the data. But do we necessarily have all the data when a decision is made to build prisons and billions of dollars have to be invested? Do we know how much it will cost for programs in future, when federal inmates ask to access such programs?

Perhaps we should be showing some flexibility towards the victims of crime, who have long been ignored.

Mr. Mario Silva: Do I have any time left? Two minutes?

Mr. Laroche, do you have anything to add?

Mr. Michel Laroche: I don't necessarily want to comment on that. However, I would like to say something which I freely admit is rather delicate.

As President of the Association des Familles de Personnes Assassinées ou Disparues du Québec, I often hear comments from people who say that the current government is passing legislation dealing with the justice system and public safety that often meet their needs and expectations. On occasion, I have prepared press releases that underscore this government's positive initiatives.

What I want to say is that, if you feel a certain sympathy for victims of crime, why not continue to move down the same path? Why not support a bill like this which, it seems to me, would make it possible for the families of victims to really meet their needs? This time we're talking about financial needs. Yes, there is psychological support, as was mentioned earlier; yes, there is support for funeral costs. However, there are a great many other needs that are not covered when these tragedies occur and people are in mourning and unable to return to work.

Those are my comments for now.

● (0950)

[English]

The Chair: Thank you.

Madame Beaudin.

[Translation]

Mrs. Josée Beaudin (Saint-Lambert, BQ): Thank you, Madam Chair.

Ms. Bonsant, I would like to extend my sincere thanks to you for presenting this bill. I would also like to thank all of you for appearing today, and particularly Mr. Laroche.

I am going to ask all my questions at once, and then give you time to answer. That way you will be able to take full advantage of the allocated time.

Mr. Laroche, I would like to know whether you have any idea of the number of people among your membership who would like to re-enter the labour market.

Ms. Gaudreault, do you know whether similar legislation has been introduced in other countries? I would also like you to say more about the definition of "harm" that you addressed earlier. Perhaps you could say more about what is being done in Quebec and what should be added or better defined in this bill.

As I understand it, a significant number of people who are not wage earners experience this kind of tragic event and receive no financial assistance whatsoever. We are talking about at least helping wage earners through the Employment Insurance program.

Mr. Laroche, earlier you said that you would like to see these provisions extended to all children, rather than being limited to minor children. Does that only apply to children who have gone missing or do you want to generally broaden the application of this bill?

Those are my questions.

Mr. Michel Laroche: Yes, I was referring mainly to children who are missing. I had in mind the case of a 19-year-old girl who went missing. The mother and family of that young girl have been distraught ever since she disappeared. I was discussing this earlier, when I mentioned the testimony appended to my own notes. One of the cases involves Marilyn Bergeron. The other young girl, who is 19, went missing 33 months ago. Both her parents had to stop working. They have had tremendous problems.

Why not provide benefits in cases involving missing children, even if they are not minors?

Mrs. Josée Beaudin: So, you are only talking about cases of missing children?

Mr. Michel Laroche: Yes. You asked me whether I had any idea of how many people want to return to work. Because I am both CEO and spokesperson for my association, I do not have access to a sophisticated statistical system. However, I do know that some people return to work soon afterward. I talked to you earlier about one of these individuals. It's absolutely appalling. She went back to work as an emergency physician. She saw my note and told me she is not as strong as she may seem. She told me that she seems to be courageous and determined, but because I don't live with her every day, I could not possibly know what was really happening in her life. I wondered whether I should simply not discuss her case in making my presentation, but I decided I would. I simply changed what I was going to say. In some cases, people seem to be very strong, but they actually are not.

As you can see, there are other examples. It is wrong to say that everyone puts their entire life on hold, goes into a depression and ends up not working for a year. That is not so. Many people do return to work. There are also cases of people who try to go back to work, but then have to stop.

Mrs. Josée Beaudin: Thank you.

I would like to let someone else comment because our time is very short.

Ms. Arlène Gaudreault: We would certainly save on social costs if we allowed people to really get their lives back on track. When they return to work too quickly and get sick, they make use of psychological or other health services. It is difficult to calculate what that represents.

You asked me whether a similar program is in place in other countries. I know there is one in Sweden as well as in certain U.S. states. In that respect, California is known to have a good family leave regime. I asked some French colleagues whether the same applies to France, and they said no. So, we would have a head start on France in that area.

With respect to your question about the number of people, I think that's important. I hope this bill will pass. One suggestion might be that the Government of Canada do some follow-up and document these issues, which are really being ignored. At the Department of Justice, the Policy Centre for Victim Issues does research in this area. The whole question of the right to redress, restoration and return to work would be an excellent research topic for Justice Canada. This bill may pass. That is certainly our hope.

● (0955)

Mrs. Josée Beaudin: Mr. Provencher, if the provisions proposed in this bill had been in place when you went through your ordeal, would you have taken advantage of them?

Mr. Martin Provencher: Yes, had I not had any insurance, I certainly would have taken advantage of them. I might not have made use of them immediately, because as I was explaining earlier, when a tragedy like this occurs, nothing else really seems to matter. You don't even have the time to do what is needed to access support, despite your resilience. Basically, we are all human beings and we all have our own wounds. Just because you seem strong doesn't mean you are, as Mr. Laroche was saying.

When I'm alone, it's a different matter, and the times when you're confronted with this... So, we definitely would have taken advantage of these measures.

Mrs. Josée Beaudin: I suppose you are also receiving support now from Mr. Laroche's association and other organizations in Quebec as well.

Mr. Martin Provencher: Yes, we are receiving support, but I didn't really ask for that support as much as others might, possibly because of my personality. There are things I didn't have to do because they came to me despite of all that. Compared to other families, there are things that I did not have to deal with. The fact that our case received a lot of media coverage may have meant a lot, because I received a tremendous amount of support from people that I wasn't expecting to receive. In spite of that, we are overwhelmed with debt. When you stop working because you decide to fight, to keep on looking and put your career on hold, and you don't know what you're going to do, you obviously end up being overwhelmed by debt.

So, what Ms. Bonsant is proposing in her bill is the kind of thing that helped me to heal, as I said earlier. I got that support indirectly, because I had an employer who appreciated my work and recognized my value. So I didn't have any problem of that nature, and I went back to work when I decided I was ready, at my own pace, and resumed the job I had held earlier. That is important—very important.

Mrs. Josée Beaudin: Thank you very much.

Mr. Martin Provencher: Thank you.

[English]

The Chair: Thank you.

We'll go to Mr. Allen now, please.

Mr. Malcolm Allen: Thank you, Madam Chair.

Thank you to everyone who's here.

Let me take the liberty of just quoting from a couple of the submissions you brought with you. The one I'm referencing first is from Ms. Lachance, who writes in the third paragraph:

Going back to work after 15 weeks is utterly unthinkable, unrealistic, but since the bills continue to pile up, you need an income in order to pay them.

In the other story, Ghislaine Fréchette says:

Did I go back to work? I tried. I would have liked things to be as they had been, but I didn't have the energy to complete a seven-hour day. I couldn't go to work every day. The few days provided for this incident under my conditions of employment had long since been used up.

I hate to reference this in one sense because it feels almost crass, from my perspective. But it brings me to a sense of looking at the employer's productivity level, in the sense of having an employee come back so soon—in one case after 15 weeks of what ostensibly becomes a sick leave benefit from EI, and in the other case where an employee returns, knowing she's not able to complete 7.5-hour days or full work weeks. In my estimation and I think if we asked the employers, they would say their productivity level would diminish. So it doesn't seem appropriate to force an employee back who actually isn't really going to be a productive employee. And Mr. Provencher articulated, I thought, very clearly to us earlier that his employer recognized that, but he had a favourable employer. That's not to cast them all in a bad light; they simply run the rules of the system, whatever it happens to be. That's why I think this is important that we recognize the system. I'd like folks to think about that.

I have another sense of it, when it comes to costing. Again, I hate to put things in a dollar-and-cents fashion, but for me sometimes it's a way of saying why it's necessary to do things in a certain way. I have this sense, and I've always believed in what I call "a total cost". What I mean by that is the total cost to society and indeed to the public purse. So when we look at the public purse, when we look at things like someone going off on an extended leave, as we were suggesting and as Madam Bonsant's bill suggests, with some form of remuneration that helps get them past this financial hurdle, do we then reduce the cost? Do we reduce the cost of folks ending up on social assistance or welfare, as we call it here in Ontario, or becoming a burden to the health care system because of addiction and homelessness issues, because they haven't had money to keep their home and they actually lose it, and the whole sense of lost productivity?

I recognize, Madame Gaudreault, that perhaps, as you said, this is a study that needs to be done. I would love for you to be able to point things out to me that show what those costs are. I think that's a great ask, to be honest, from me to suggest that you actually have that at your fingertips at the moment. But I think that's a study that needs to be completed, and I'd like you to comment on some of that. I'm quite happy to allow whoever wants to make a comment on that piece.

I have one last comment. I really appreciate, from a personal perspective, your raising the mental health issue. It's very close to me and my family, so I commend you and I thank you from our family for raising that as another piece of this, which I believe needs to be added too. It's immensely important for those of us who have family with mental health issues, that they be recognized for the illness it truly is and the impact it has on not only our immediate family but our extended family as well. So I congratulate you and I thank you for doing that.

I would allow those folks who want to make a comment to those bits and pieces I've kind of laid out there, if you would....

• (1000)

[Translation]

Ms. Arlene Gaudreault: I hope that everyone understood my comments with respect to cost. It is difficult to assess the costs at this time. We don't have all the data—for example, with respect to missing children. We feel that the costing for missing children is

very high. What I mean is that, when the legislation is in effect, it would be a good idea to follow up with people who have actually taken advantage of its provisions, to see how long they are on leave and develop a profile of these individuals, so that we have appropriate data. In terms of the current state of our knowledge in victimology, we don't have all the data, nor do the United States and the rest of Canada.

One other thing that is important is equity among victims. All victims in Canada, whether they live in Quebec, the Yukon or somewhere else, should be treated fairly. The question of eligibility for this type of leave should be discussed. I realize that the federal and provincial governments have their own areas of jurisdiction. But here we are talking about employees that fall within federal jurisdiction.

As regards victims' rights and the Canadian Statement of Basic Principles of Justice for Victims of Crime, I think that, as Canadians, we should be trying to ensure that all victims in Canada are treated equitably. These provisions should be enforced across Canada and discussed in such forums as the Federal-Provincial-Territorial Working Group on Victims of Crime, and they should be submitted to the Office of the Federal Ombudsman for Victims of Crime, which obviously has a role to play with respect to systemic issues—and it's important to remember that. There is also an advisory committee within the Department of Justice. Changes are needed in terms of the treatment of victims and there must be concern for equitable treatment for all people, and for those who are particularly vulnerable.

I would like to make one comment regarding what was said earlier about the meaning of the term "probable". This type of legislation does not fall under the criminal law, but rather labour law and the law associated with the Compensation for Victims of Crime Program. In all these areas of law, the standard to be applied is always the balance of evidence, and not proof beyond a reasonable doubt.

I would also like to point out that when a person has been negligent or was involved in negligent behaviour, or what is known in Quebec as "gross fault", that person is not able to take advantage of the provisions of such legislation. That being the case, I see no reason why Canadians or members of your party—the Conservative Party—would be opposed to this legislation based on that argument. At the same time—and this is also a discussion we have often had within our association—there is a level of discomfort with respect to the issue of gross fault.

A distinction is often made between innocent victims and those that are not. This is a distinction that results in a lack of compassion for parents who have nothing whatsoever to do with the criminal offence committed by their children. A girl or a boy may join a street gang and do terrible things without the parents encouraging that kind of behaviour. That does not mean we should not show compassion for them if their child is injured as a result of these kinds of events.

At the same time, this is not a simple matter. In making these comments, I am not asking that the legislation be amended along those lines; I am simply saying that, as Canadians, we should give this some thought. We need to reflect on this, perhaps at a later date, and avoid targeting or making a distinction between innocent victims and those who are not. Sometimes the victims who are not innocent are people we have not tried to help or people we weren't there for when the needed help. We have to pay attention to that.

Those are the two comments I wanted to make in response to the questions raised earlier.

• (1005)

[English]

The Chair: Thank you very much.

[Translation]

Ms. Arlène Gaudreault: I would also like to say that the Government of Canada withdrew from compensation programs in 1992.

[English]

The Chair: Thank you so much.

Mr. Vellacott, please.

Mr. Maurice Vellacott: Thank you, Madam Chair.

My heart is touched—and I believe that to be true of most of us around the table here—when I hear the stories that Martin, Arlène, and Michel relate. I hear you, and I can probably speak for my Conservative colleagues. We have a lot of empathy for what you have to say.

As I mentioned before—I think Michel alluded to this as well—the Conservative government is obviously committed to supporting victims of crime to ensure that they have a greater voice in our system and more access to the available services. I could list, but for the shortness of time, probably half a dozen or more practical, actual initiatives that the government has undertaken and put into place to aid victims, and there's more that can be done.

I want to draw attention to something here, because it's mixing me up a little. I look at the Bloc Québécois voting record on these types of things—victims issues, criminal issues, particularly support for victims. It's kind of discombobulating to me—and I don't know how the French translators will handle that word—

[Translation]

Mr. Yves Lessard: On a point of order, Madam Chair.

If the member is intent on discussing past votes, we can also debate the nature of those bills all over again. This is the first time we have debated a bill that focuses on the victims, Madam Chair.

[English]

The Chair: Mr. Lessard—

[Translation]

Mr. Yves Lessard: Madam Chair, I do not accept the idea that he should continue to make these kinds of comments. We are not here to engage in petty politics on such an important subject.

[English]

An hon. member: That's not a point of order

The Chair: Mr. Lessard, you will have an opportunity to disagree with him and make your point when you have a chance to ask a question.

There's another point of order?

Mr. Jeff Watson (Essex, CPC): May I speak to that for just 30 seconds, Madam Chair?

The Chair: I really don't want to start a debate.

Mr. Vellacott has a chance to ask a question—

Mr. Jeff Watson: It's about the nature of points of order as opposed to the content of the point of order.

The Chair: Well, we won't deal with that right now. Thank you.

Mr. Vellacott.

Mr. Maurice Vellacott: In any event, I am confused. With regard to Ms. Bonsant, I don't know her specific record, but I do know what the record is with respect to Bill S-6, Serious Time for the Most Serious Crime Act, where currently murderers can apply for parole every two years after they serve 15 years, which means families have to continuously go through that to testify before parole boards, relive those kinds of horrific crimes and relive the grief they've suffered. Victim groups have been asking for years for that faint hope clause to be repealed. Bill S-6 would have repealed the faint hope clause and ensured criminals convicted of murder could no longer apply for that early parole and have that revisited every year to the grief of those families.

Bill C-16, Ending House Arrest for Property and Other Serious Crimes by Serious and Violent Offenders Act, formerly Bill C-42, would also have ended house arrest for serious crimes such as luring a child, arson, and aggravated assault. This would obviously also impact victims and those that have crimes perpetrated on them.

Bill S-10, Penalties for Organized Drug Crime Act, or formerly, Bill C-15, introduced minimum sentences for serious drug offences.

Bill C-268, which was the minimum sentence for human traffickers, was introduced by my colleague, Joy Smith, the Conservative member from Manitoba. It would have introduced stricter penalties for people who participate in human trafficking of children.

The Bloc Québécois voted against all of those, every one of those.

[Translation]

Mr. Yves Lessard: I have a point of order, Madam Chair.

[English]

Mr. Maurice Vellacott: I go to my point now, and I'll use my time, Mr. Lessard.

The Chair: Mr. Lessard, we're not going to debate this right now.

You will have an opportunity if you would like to clear the record. We are not going to argue this.

•(1010)

[Translation]

Mr. Yves Lessard: Madam Chair, I challenge your ruling. When someone raises a point of order with respect to something that is completely contrary to the rules of order, you have an obligation to hear those arguments rather than returning to debate.

The point he is making has nothing to do with the current debate, Madam Chair. Therefore, I am challenging your ruling.

[English]

The Chair: I will stop the meeting if I don't have order. We are not going to debate what Mr. Vellacott is saying.

You are free to disagree with him. You're going to have a chance to ask a question. You're free to disagree with him and to express that. Right now he is not doing anything that contravenes the rules, so he actually has over three minutes left to continue to ask his question.

We've had this with you, Mr. Lessard.

[Translation]

Mr. Yves Lessard: Madam Chair—

[English]

The Chair: Sorry, let me finish. Do not interrupt me.

You've had a chance many times to speak for seven full minutes on what you wanted to speak about. That's your right as a member of Parliament on this committee.

Mr. Vellacott has exactly the same right. When he is finished, you can then have an opportunity to disagree with him. But we are not going to debate what he is saying right now. That's not the purpose of this meeting.

I'm asking you, Mr. Lessard, to please not bring up this point of order. If you have a different point of order, I will hear it, but do not bring up this point of order again pertaining to your disagreement with Mr. Vellacott.

Thank you very much.

[Translation]

Mr. Yves Lessard: Madam Chair, I am challenging your ruling. My point of order is as follows, Madam Chair. Please hear me out, Madam Chair.

Mr. Vellacott's comments are intended to impute certain motives to Ms. Bonsant, given that he has alluded to bills which have come before Parliament in the past. However, that is not what is being debated today. Furthermore, his comments were ill-intentioned, because he is imputing certain motives. For that reason, my point of order should be deemed to be in order. Mr. Vellacott should be reminded to abide by the rules and return to the debate and subject which is under consideration today.

[English]

The Chair: Mr. Lessard, actually, I do think this is exactly the same point of order you just brought forward a couple of moments ago. My decision is the same.

Mr. Vellacott is reading off different bills that have gone forward. Again, you will have an opportunity to disagree with him, but at this point I am allowing him to continue. We are certainly looking at this bill, and what he is asking about is related to the bill.

We're running out of time—

[Translation]

Mr. Yves Lessard: I challenge your ruling, Madam Chair. We have a right to express our views on your ruling.

I'm asking you to tell him he is out of order. I have no objection to his giving his opinion when he is asking questions, but his comments must relate to the bill that we are currently debating, Madam Chair.

[English]

Mr. Maurice Vellacott: If you'd be patient, I'll get to exactly where I'm going with this. There's a preface to it, and then it's quite relevant.

The Chair: We're going to suspend for one minute.

•

_____ (Pause) _____

•

The Chair: I conferred with the clerk to confirm that my decision was accurate.

Mr. Lessard, that is not a point of order, so I would ask that we be allowed to continue.

If we don't, I will stop the meeting. I would like to have decorum, and I would like Mr. Vellacott to continue. He has three and a half minutes left to ask his question.

Thank you.

•(1015)

Mr. Maurice Vellacott: If Mr. Lessard had been patient...I expressed at the outset, and I will say it again, that it leaves me confused in terms of intent and framing of this bill. I think that's relevant to my remarks. I wish Mr. Lessard would just hold his fire until one gets through and makes the point and asks the question.

I am confused, insofar as that record prior.... I am also concerned because it does lead me along the path, in terms of previous bills to this, to what I think is a fatal flaw.

I think Ms. Bonsant means well here. I think there are some good elements in this bill.

But I have to tell you, frankly, as members, as witnesses, so far have done, that the part in the bill I mentioned before that talks about the presence required by the employee's child under 18 years of age who has suffered a serious physical injury during the commission of a criminal offence, or as a direct result of a criminal offence, that renders that child unable to carry on regular activities..... I am told that's in reference to a child who has actually injured themselves during the commission of a criminal offence. They were the ones who perpetrated the crime, and this bill would then provide that child's parents with the ability to take time off work and collect EI and so on. I have a concern about that.

I have more remarks to make. I do think it's something that is fatal in terms of the bill. I certainly understand what parents say, and I want to pre-empt by saying I am a parent. I have four children and eight grandchildren. I understand all of that. I don't need to be lectured in respect of that because I certainly have some understanding.

I have taught my children, whether they always agree with me or not, that there are consequences for actions. I assume that as parents and grandparents you'd do the same. If my child committed a crime, I certainly don't want to be encouraging enabling behaviour. That is what I want to avoid.

I want to be there for them, available to them, but to favour something like this is a step beyond. To say I should be there to make their meals and do their laundry, and those kinds of things, might be enabling. I want my child to show regret, repentance, a change of ways...I guess you would say it's a bit conditional, from that point of view. I believe in consequences of actions and that kind of thing, as I would hope is the case with our person who framed the bill.

I do want to ask Michel and Arlène and Martin whether they think that's a problem in the bill.

Do you support the fact of a child carrying out a criminal act and then there also being provisions for those parents?

I need to ask the question to our witnesses because I'll be asking it to the public. I don't believe the public in my riding would support this, but I probably need to frame that question to them as well.

But I want to ask the question on whether you think that's a problem in the bill as it stands now. Or are you totally accepting of the fact that a child perpetrating a crime is totally covered, as would be a victim of crime, which I thought this bill was more focused on?

The Chair: Mr. Vellacott used the majority of his time to ask his question, so you will only have a couple of seconds to answer.

Thank you.

[Translation]

Ms. France Bonsant: It doesn't matter, Madam Chair.

[English]

Mr. Maurice Vellacott: I wanted to put my questions—

[Translation]

Ms. France Bonsant: All he has to do is read subclause 206.8(2).

[English]

Mr. Maurice Vellacott: It's my time, and I would like to address my questions—

The Chair: Order, please.

[Translation]

Ms. France Bonsant: Read the bill, Mr. Vellacott.

In subclause 206.8(2), it says—

[English]

Mr. Maurice Vellacott: I've read the bill.

[Translation]

Ms. France Bonsant: —and I quote:

(2) However, an employee may not take benefit from these provisions if it may be inferred from the circumstances that the employee—or, in the case of section 206.7, the deceased person, if that person is the spouse, common-law partner or adult child—was probably a party to the criminal offence or probably contributed to the injury by gross negligence or, in the province of Quebec, gross fault.

Such an individual is not covered. Read the clause and you will understand.

[English]

The Chair: Mr. Vellacott, your time has expired.

Ms. France Bonsant: Time's up.

The Chair: Thank you.

We will actually begin a second round. We have time for a very short second round of five minutes each.

We'll begin with Madame Folco.

Ms. Raymonde Folco: Thank you, Madam Chair.

I don't think mine is going to take five minutes. I just want to say that, given the subject....

[Translation]

Actually, I would like to make my comments in French; that way, he will have to make an effort.

Considering the subject matter before us, which is difficult for at least three of the four people who are here with us today, I must say I find it unacceptable that the Conservative member, Mr. Vellacott, took the trouble to present a list of items that have nothing whatsoever to do with this bill. In my opinion, he showed a lack of respect for the witnesses who travelled to be here and have experienced extremely traumatic events. As far as I am concerned, playing political games with people's feelings is totally unacceptable.

I have no questions for you, Ms. Bonsant. But why not use my remaining time to re-read the clause for Mr. Vellacott's benefit? It would do him good.

• (1020)

Ms. France Bonsant: I would be pleased to do so. I will read it more slowly to make it easier for the interpreter.

I am quoting subclause 206.8(2) of the bill you have before you:

(2) However, an employee may not take benefit from these provisions if it may be inferred from the circumstances that the employee—or, in the case of section 206.7, the deceased person, if that person is the spouse, common-law partner or adult child—was probably a party to the criminal offence or probably contributed to the injury by gross negligence or, in the province of Quebec, gross fault.

If you take the time to read the bill, you will see the word “*Exclusion*” in the French version. In English, it’s “*Exclusion*”—the same thing. If you take the time to read this paragraph and try to understand it, you will see that the young person referred to is the criminal, not the victim.

I believe Mr. Laroche would like to comment.

Mr. Michel Laroche: I’d like to add on to what Ms. Bonsant just said and draw your attention to the concept of gross negligence or fault. I experienced a similar case. A young man involved in a drug transaction was murdered by the person buying the drugs. The young man died. His parents were completely unaware of the fact that he was a drug trafficker, but when his mother asked for compensation for funeral costs, her request was refused. Yet the mother had done nothing wrong. She was unable to receive the \$3,000 for funeral costs because her son had been involved in a crime. That is where the notion of gross negligence or gross fault comes in. In such a case, the individual is excluded. There is no problem there.

Our organization is non-partisan. I certainly do not want to play politics with this. However, I have something to say to the Conservative members, although my colleagues may not be in favour of this. You know who founded our association. I am his successor. You have passed several bills and made a number of amendments to the Criminal Code that deal with our judicial system and public safety. We found those provisions to be satisfactory and supported them at the time. I would just like to repeat what I said earlier. My people, the victims, are in favour of these bills. We also note that you have some sympathy for the victims of crime. So, please continue your efforts in that area; don’t lose that determination. You have a great opportunity here to continue to meet the needs of victims. Why block a bill like this? I don’t understand.

[English]

The Chair: Thank you very much.

We’ll now go to the Conservative side for five minutes.

Mr. Vellacott.

Mr. Maurice Vellacott: I’ll continue the dialogue, with due respect, in terms of getting this bill right, if that’s what your intent is, I hope. But if you go into the very section you cited, proposed subsection 206.8(2)—and other members around the table might want to read it—the very critical exclusion that I pointed out and you first stated to me, or maybe inferred from somebody else, is with respect to a minor, a 16-year-old or 17-year-old. If you look at the section that you cited to me, in your own wording here, it says:

if that person is the spouse, common-law partner or adult child

So I hold my ground in saying that you have not excluded that of a minor child, a minor here, somebody who is 16 or 17, or whatever it happens to be here, under that age.

I still say, and I will insist, that I’m not really informed of anything new here with respect to the section that you cite, because you still

have the difficulty of the minor child. I have sympathy when kids go astray and do things they shouldn’t, but in this circumstance, that is a major problem for your bill, and that is not addressed in the section that you pointed out to me.

I would go to my colleagues here, because I didn’t get their response before, but how do you feel about that fact?

Martin, Arlène, and Michel, I ask you, because we’ve heard from France already in respect of this. How do you feel about this, I would say, troubling or concerning aspect of the bill? Would you prefer to have more of an exclusion in that amending section, or are you supportive in the very tone that was mentioned before?

• (1025)

The Chair: Who would like to begin?

Madame Gaudreault.

[Translation]

Ms. Arlène Gaudreault: The issue of gross negligence is treated differently depending on the jurisdiction. Some jurisdictions completely exclude negligence with no exceptions, whether it is minor or major. However, in terms of compensation, for example, others will agree to handle even cases involving gross negligence; they simply remove a percentage of benefits. Certain countries as well as certain U.S. states do that.

So, you have all the necessary latitude as decision makers and lawmakers. You can decide, as a government, that you will be compassionate towards the parents of a minor child, because young people are less responsible, because some of the minors who commit crimes are also victims. There is often a fine line between victimization and delinquency. You could decide to be generous.

I would like to tell you something. I have been working in this area now for years—some 40 years. You should come to the regional reception centre when federal inmates are coming in and are being examined for eight weeks. Throughout their sentence, they have access to all kinds of programs. They have a chance to take the addiction program or anger management program three times, or even ten times if they like. However, when the discussion turns to victims, people start nickel and diming and counting pennies. I’m not saying these programs should not be available to inmates, but I am saying that Canadian society has to be more generous. We can be generous with minor children who have engaged in unfortunate actions and misdemeanours. We’re talking about the parents here. You have a chance to do that as a society.

[English]

Mr. Maurice Vellacott: It is my time to conclude.

With respect, Arlène, to what you said, unless the definition is expanded greatly, the victim is the person upon whom the crime has been perpetrated. If we’re going to victimize everybody and say that anybody out there affected in any way is the victim, then we have a pretty broad definition and a bit of a difficulty, in my humble opinion, on that.

The victim, in my view, is the individual who the crime has been perpetrated upon. I have great empathy in terms of wanting to support that person, and so on. So I would say there is a great concern here in respect of this aspect, which does not exclude when there is the issue of a 16- or 17-year-old minor. That has to be dealt with, for sure, and the parents have to work it out with that child, and so on, and support where they can, but I would not support the matter of employment benefits to that parent.

[Translation]

Ms. Arlène Gaudreault: If this had happened to you as a parent, would you be happy about society stigmatizing you as well? Would you like society to throw you on the scrap heap and forget you ever existed? Would you like to be told that you're not a good parent?

[English]

Mr. Maurice Vellacott: No, you're heading off on another rail here. The point is that the victim is the individual upon whom the crime has been perpetrated, or the deceased person, if it happens to be, but not everybody else surrounding—

The Chair: Thank you very much, Mr. Vellacott.

[Translation]

Ms. Arlène Gaudreault: I hope that you won't refuse to pass this bill for that reason alone. You are here to find accommodations. You bring out the subtler points. That is what we expect as an organization that defends the right of victims and represents those victims. As a Conservative government, you brought forward a proposal in March of 2010 which was along the same lines. You now have a chance to take action and move forward.

[English]

The Chair: All right. Thank you.

Go ahead, Mr. Lessard. You have five minutes.

[Translation]

Mr. Yves Lessard: Thank you, Madam Chair.

First of all, I would like to express my very sincere thanks to all of you for being here today. This is one of the Committee meetings I have found most valuable. We are talking about what it is to be human. And that is an opportunity for us to think about what we want as a society.

Our society is made up of adults and children. Until what age are children considered to be children? Let me give you an example. Under international law, a child cannot be stigmatized for being forced to enroll in the army or engage in combat. We have the example of a young Omar Khadr who, at the age of 13, was forced into training and then arrested at 15. This government tolerated both his being in prison and being tortured. We also need to talk about that. Are we at a point where we can pass laws that do not discriminate, when dealing with children who have been victimized under similar circumstances? That is what we are talking about here. It is a societal choice; a question of values. It is with that in mind that I'm asking my colleague, Mr. Vellacott, to give this some thought. That is the wrong track.

Otherwise we will be calling into question the age at which one is still considered a child. Is it five years of age or is it six? Or is it until the age of 16, as is the case under our current laws? It would seem

that those laws don't mean anything anymore and that the age can now be set at 13 or 15. That is what we are discussing here.

Mr. Vellacott mentioned bills, including some which we supported. They penalize the individual that committed the crime, but they contain nothing—or practically nothing—for the victim. Since I have been a member of Parliament, this is the first time I have seen a bill come before us that aims to help victims' families. Why is it not treated as such?

I'm asking all parliamentarians to recall the bill the Liberals brought forward in 2005 relating to people suffering from post traumatic stress syndrome or war wounds. What was done in that case? Well, a bill was drafted, dealt with on a priority basis and then passed. We agreed, when the session adjourned, that it wasn't perfect, and we can see that today. The parties are now agreeing to make changes so that, rather than a single payment, money will be paid out gradually. And our experience is what allowed us to do that.

I very much appreciate the fact that people who have lived through these kinds of ordeals are appearing before us today. One experienced a terrible tragedy when her child went missing. Two other individuals have outstanding expertise in the legal field. That is exceptional. Two weeks from now, we will be hearing from Mr. Bolduc, whose child was a victim of crime.

There are two important questions. Do we consider a child to be a child, with all the protections that this implies? It is a societal choice. The other question, which is also a societal choice—and in that respect, I want to thank you, Ms. Gaudreault—is whether we want to create new law in this area. Canada has often set an example in that regard. It's not a matter of wondering whether we have the audacity or the courage to do it, but rather, whether this is our duty.

• (1030)

[English]

The Chair: Thank you, Mr. Lessard.

You used all of your time for your statement, so we will now go to Mr. Provencher for just a few seconds.

[Translation]

Mr. Martin Provencher: Thank you.

I would like to comment on what was just said, as I did not have an opportunity to respond earlier. Like others, I am not here because of allegiance to any particular political party. Whoever the sponsor of this bill may be—the Conservative Party, the NDP or any other—I am here because of certain experiences, and this bill is of critical importance to many parents. It's even a principle. I understand the concern; I do understand.

I have said something publicly several times: will the parents, brother or sister of the person who kidnapped my child automatically be categorized? I would just like to give an opinion on that. Let's take the case of someone who commits a crime like that. A minor may have committed a crime, but the parent never stops being a parent, and there are things that have happened and continue to happen in society that are far less acceptable than that. I think we are all here to pass legislation and talk about issues. That is how I see it.

When someone is arrested involving the case of my daughter or someone else, I don't think we will tell the parents that they're responsible. Neither the father nor the mother are responsible. They themselves will be confronted with a tragedy that they should not have to face. That's my opinion. Helping the parents whose child committed a crime, perhaps... How can we amend legislation if that is the reason?

It's important not to forget the real focus of this bill, which is extremely important for the victims. Make whatever changes you feel are necessary; try to reach consensus. Without wanting to necessarily, I am probably reflecting the views of many other parents, but that is what I believe. It's important. We are often asked to try and put ourselves in someone's else shoes. Well, if you were to experience what many parents have experienced, you would probably end up saying the same things we have been saying to you. As citizens, this is what we are asking of you.

• (1035)

[English]

The Chair: Thank you very much, Mr. Provencher.

Mr. Komarnicki.

Mr. Ed Komarnicki: Thank you, Madam Chair.

There's no question, Mr. Provencher, that I can't imagine what a parent must go through where there's a loss of a child or the child is missing. You make your point well. We want you to know we certainly appreciate that, and we're looking at some of the more technical aspects of the bill.

I want to direct my questions to France with respect to what "probably" means. I don't think you suitably answered it, at least for my satisfaction. What do you take that to mean? How would you define "probably"?

[Translation]

Ms. France Bonsant: You are asking me to define "probably", but under what circumstances? What is your question? Are you asking me what the difference is between "serious" and "not serious", or between "probably" and "probably not"? Is that what you're asking?

[English]

Mr. Ed Komarnicki: No, I'm simply questioning what "probably" means. How would you define "probably"? Because that's a key aspect of the bill. If it's a low threshold to establish facts, and it seems to be a low threshold, my next question would be, what happens if you were wrong or someone was wrong in that estimation? What would you do with respect to the moneys that have been paid out? And who, according to your bill, would be the one who decides that this is probably the case?

[Translation]

Ms. France Bonsant: All right. On November 16, at the next meeting of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons With Disabilities, we will be studying the bill clause by clause. At that time, Mr. Komarnicki, I will be pleased to sit down and discuss this with other parliamentarians, try to set certain limits and define the word "probably". But I do not wish to do that alone, this morning.

We are here this morning to hear from people about their own personal experiences, what they have been through and what they need. Our discussion this morning is on a human level, rather than a legal one. I am neither a criminologist nor a criminal lawyer, but I am prepared to hear what you have to say.

That is what we will do on November 16.

[English]

Mr. Ed Komarnicki: Okay. All right. I'll take you up on that and certainly will raise that.

Secondly, there's nothing in your bill that says what happens if you've decided that probably this happened, when in fact it later turns out it didn't happen. What does your bill propose in terms of the funds that were paid out in error?

[Translation]

Ms. France Bonsant: Mr. Komarnicki, a bill is a bill. If you are asking me whether this bill is perfect, well, my answer is that yours are not either. As lawmakers, we are here to see what works and what does not. That's why we will be studying the bill clause by clause and will make a decision in committee.

I'd like to ask Ms. Gaudreault to comment.

Ms. Arlene Gaudreault: With respect to "probably" or "probably not", Mr. Komarnicki, the Committee could take inspiration from the way things work for compensation. For example, in order to prove gross negligence, there are police reports, expert reports and medical certificates. Quebec and Ontario both have sophisticated compensation regimes. From time to time, mistakes are made. However, subrogatory recourse is an option. Furthermore, sometimes you can live with these mistakes because they are few and far between.

So, I think you can take inspiration from the model used for compensation, in particular, since the concept of gross negligence comes from the law of compensation.

• (1040)

[English]

Mr. Ed Komarnicki: Thank you.

I hear what you're saying, but it doesn't say in the bill who makes that decision. "Probably" is probably as long and as wide as the size of one's shoe. It may vary from here to there. There isn't an appropriate description there, and I think it's something that needs to be addressed.

The other aspect that is somewhat concerning is that if the suicide or other of these events occurs, what's not included in the definition is accidental death not resulting from a criminal offence. I think you mentioned it somewhat, but if the spouse were to die from natural causes or die from accidental causes, this bill has excluded that. Did you do that purposely?

I'm speaking to France again.

[Translation]

Ms. France Bonsant: Well, I lost a niece in an automobile accident. She was 15 and a half. The Société de l'assurance automobile du Québec paid compensation. When someone working on a building falls off a ladder, the CSST is available. I don't want to get mixed up in things already covered by other forms of insurance.

My bill is aimed at victims' families and not victims per se, because they are already entitled to a certain amount of money. Nor did I want to present a bill that would cover the entire planet. This one provides for certain amounts of money to be paid for certain things.

[English]

The Chair: Thank you.

Mr. Laroche, very briefly, sir.

[Translation]

Mr. Michel Laroche: I would just like to make a comment to the member who just spoke. If compensation were to be paid out when it should not have been, that mistake could always be corrected.

Let me give you an example. When a child has been missing for more than seven years, he is presumed dead and the insurance company can pay compensation. If the child resurfaces, whoever received that compensation has to pay it back to the insurance company. We shouldn't prevent a bill such as this one from passing just because we're not sure we're doing things properly.

[English]

The Chair: Thank you.

We actually are pretty well completed, but we have a couple of minutes left and the Liberals do have a turn. So I'll ask Madame Folco just to take maybe two minutes instead of a full five.

Ms. Raymonde Folco: Thank you, Madam Chair. I appreciate this very much.

[Translation]

I am not speaking as a member of the Liberal Party, nor is this a political comment; however, I do want to extend my thanks to you.

There are three people I would like to thank. First of all, Ms. Bonsant, obviously. I would also like to thank the three individuals who had the courage to appear today. Mr. Provencher recounted what he has been through, but through their words, we can guess what Mr. Laroche and Ms. Gaudreault also experienced even though they make no mention of this in their presentation. It takes a great deal of courage to come and talk about these issues, and to go beyond one's own experience in order to gain some perspective.

[English]

The Chair: Excuse me. What is that?

[Technical Difficulty—Editor]

Ms. Raymonde Folco: It's another committee.

The Chair: It appears there are some lines crossed. They're not able to end it right now, so I think—

Ms. Raymonde Folco: Let me just finish another sentence.

[Translation]

I would simply like to thank all of you for moving beyond your own personal experiences so that others could benefit and learn from what you have been through.

So, thank you all very much for being here. I do hope you will continue your work. I don't know whether Ms. Bonsant's bill will pass, but keep up the good work. Sometimes you have to knock on the door over and over again before it opens.

Again, many thanks.

[English]

The Chair: Thank you, Madame Folco.

I also just want to say thank you to all the witnesses for being here, and especially to you, Mr. Provencher, for coming. I think I can say on behalf of all of us that our thoughts and prayers are with you and your family.

Thank you very much.

We'll adjourn the meeting.

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