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(HANSARD)

Tuesday, June 18, 2013



Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Tuesday, June 18, 2013

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

•(1005)

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to three petitions.

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COMMITTEES OF THE HOUSE

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Environment and Sustainable Development.

In accordance with its order of reference of Monday, June 10, 2013, your committee has considered Bill S-15, an act to amend the Canada National Parks Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to the Canada Shipping Act, 2001, and agreed on Monday, June 17, 2013 to report it without amendment.

Hon. Peter Van Loan: Mr. Speaker, there have been consultations among the parties and I am hopeful that you could find unanimous consent for the following motion:

That Bill S-15, an act to amend the Canada National Parks Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to the Canada Shipping Act, 2001 may be taken up at report stage later this day.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

Some hon. members: No.

Ms. Michelle Rempel: Mr. Speaker, the bill has the unprecedented support of parties across this House. It has the support of the environmental non-governmental organizational community, and it has the support of the Nova Scotia government. However, one of my colleagues, who purports to support the environment, is blocking the passage of the bill. I am outraged.

The Speaker: That is a matter of debate, not a point of order.

* * *

PETITIONS

CRIMINAL CODE

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I have a petition from several hundred people across Canada, calling on the government to request that Parliament amend the Criminal Code to decriminalize the selling of sexual services and criminalize the purchasing of sexual services, and provide support to those who desire to leave prostitution.

The petitioners have said that the demand for commercial sex with women and children is the root cause of prostitution, and that trafficking, child prostitution and violence toward women have increased in countries where prostitution has been legalized.

PENSIONS

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, I have four petitions.

The first one is from people, mostly seniors, who are very concerned about the Conservative government making changes to the old age security program and changing the age of eligibility from 65 years to 67 years. They are calling on the government to reverse that measure.

•(1010)

ANIMAL WELFARE

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the second petition is from people who are very concerned about animal rights. They note that animals are sentient beings capable of feeling pain, that they are not property and that stray and wild animals are not sufficiently protected by animal cruelty laws under the property section of the Criminal Code.

Therefore, they are calling on the federal government to recognize animals as beings that can feel pain, to move animal cruelty crimes from the property section of the Criminal Code and to strengthen the language of federal animal cruelty laws in order to close loopholes that allow abusers to escape penalty.

Routine Proceedings

THE ENVIRONMENT

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the third petition is from people in Oshawa who note that the Oshawa Port Authority is ruining the city's waterfront with a 12-storey ethanol plant that was rubber-stamped behind closed doors, and that the Oshawa Port Authority is ignoring the will of local residents, Oshawa city council, the mayor, and Durham regional council.

They are calling on the government to cancel the approved FarmTech ethanol plant, halt all construction, publish all documents pertaining to the FarmTech long-term lease and other Oshawa Port Authority lease agreements, and start negotiating with the City of Oshawa for the divestment of the port to the municipality.

MOTOR VEHICLE SAFETY

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the fourth petition is from constituents in Toronto who note that a year and a half ago Jenna Morrison, a pregnant mom, died under the wheels of a heavy truck and that perhaps her death could have been prevented had the truck had side guards installed.

They are asking the Government of Canada to introduce regulations under the Motor Vehicle Safety Act requiring side underrun guards for large trucks and trailers, to prevent cyclists and pedestrians from being pulled under the wheels of these vehicles.

THE ENVIRONMENT

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, I have a number of petitions today. The first one is from my constituents of Kingston and the Islands, and it concerns Bills C-38 and C-45, which gutted protection for ecosystems, especially around bodies of water.

The petitioners call on the government to recognize the importance of ecosystems to our well-being and prosperity, and they call on the federal government to restore federal statutory protections for fish and other natural habitats.

CLIMATE CHANGE

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, the second petition from my constituents of Kingston and the Islands concerns climate change. The House might know that climate change is partially responsible for the low water levels in the upper Great Lakes and that Canada has shown a lack of international leadership.

The petitioners are calling on the Government of Canada to show international leadership in reaching agreements to keep the rise in average global temperatures to under two degrees, to take action domestically, to do its fair share and to measure progress through an independent validator.

GENETICALLY MODIFIED ALFALFA

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, there are two petitions from my constituents of Kingston and the Islands concerning genetically modified alfalfa. The petitioners are concerned that the introduction of commercial genetically modified alfalfa will affect non-GM farmers, organic farmers and may affect international trade.

They are calling on the government to have a moratorium on genetically modified alfalfa until its study on farmers can be properly done.

CORRECTIONS

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, the last petition I have is from my constituents from Kingston and the Islands regarding corrections.

They are calling on the federal government to adopt rational best practices, including the avoidance of double-bunking in order to reduce recidivism, to improve the rehabilitation of offenders, to improve public safety and to avoid wasting money.

CHIEF FIREARMS OFFICERS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, the signatories on this petition range from Alberta, Saskatchewan and Ontario, to Quebec. They are calling upon the federal government to replace the chief firearms officers from the provinces and territories with a single civilian agency that is service oriented, so that federal law is applied evenly from coast to coast to coast.

ONLINE PETITIONS

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I am presenting a petition today regarding bringing online petitions to the House of Commons. The constituents who have signed this petition say they believe the current paper petitioning system is antiquated and inefficient.

The petitioners would like the House of Commons to recognize online petitions as it recognizes paper petitions. This is similar to a motion that I brought forward in the House of Commons, and I hope the government will take it seriously.

VENEZUELA

Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC): Mr. Speaker, I have a petition signed by many Canadians residing in Ontario, many of them Venezuelan Canadians. They would like to bring to the attention of this House the fact that since the last presidential election in Venezuela, democratic, human and electoral rights have been shamefully violated.

The petitioners are asking our government to take a strong stand and help to peacefully resolve the current crisis in Venezuela.

[*Translation*]

NAVIGABLE WATERS

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I have a petition signed by people from my riding, Beauharnois—Salaberry. Bill C-45, which is now law, made changes to the Navigable Waters Protection Act. As a result, only 62 rivers, 97 lakes and three oceans will remain protected, while previously, that legislation protected all of Canada's waterways.

Bill C-45 shifts the burden of responsibility onto citizens, groups and municipalities, who now have to take project proponents to court themselves if their navigation rights are breached. The government made it impossible for anyone to comment on the minister's decisions or to hold public consultations on any projects proposed by proponents.

The petitioners are calling on the Government of Canada to take responsibility for protecting navigation rights, reverse its decision compelling citizens to take project proponents to court themselves, and guarantee that the right to navigate on all waterways and lakes in Canada will be maintained and that an environmental assessment will be conducted for all projects near any bodies of water.

•(1015)

[*English*]

IMPAIRED DRIVING

Hon. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, it is an honour to rise on behalf of numerous British Columbians who are calling upon the government to implement the new mandatory minimum sentencing for those persons convicted of impaired driving causing death and get tougher on impaired drivers.

The petitioners request that the Criminal Code be changed to redefine the offence of impaired driving causing death to vehicular manslaughter.

Also, as the summer is upon us, I would like to remind all Canadians to drink responsibly and to not drink and drive.

ANIMAL WELFARE

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am very pleased to rise in the House today to introduce more petitions. I have been introducing these petitions throughout the session. I would like to thank the thousands of Canadians who have been signing this particular petition, as it deals with dogs and cats that are brutally slaughtered for their fur in a number of Asian regions.

Today's petitions come from Saskatoon, Vancouver, Windsor, Kitchener and right across the country. As I have said, I have been introducing these petitions now for a number of months, and obviously it is an issue that people are very concerned about.

The petitioners request that Canada join the U.S.A., Australia and the European Union in banning the import and sale of dog and cat fur. They support the private member's legislation that is before Parliament to make sure that this comes about.

I would like to thank the people across the country, who have been organizing this petition, for their hard and diligent on this very important issue.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise this morning to present three petitions.

The first petition deals with the proposed northern gateway project, which increasingly has the people of British Columbia, the government of British Columbia and the first nations of British Columbia standing against it. These petitions are signed by residents of the Montreal area.

Routine Proceedings

INTERNATIONAL TRADE

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents of the Toronto area who are calling upon the government to refuse to ratify the Canada-China investment treaty. This treaty would lock Canada in, and future governments, for a period of not less than 31 years after ratification. It is time to step back from ratification and actually study that treaty.

LYME DISEASE

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the last petition, and I am encouraged by its support from across the aisles, is primarily from petitioners in the Surrey area who are in support of my private member's Bill C-442, which calls for a national strategy to deal with the dreadful human tragedy that is Lyme disease.

NATIONAL PARKS

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, today I stand to submit some petitions on behalf of constituents from all over the GTA—from Etobicoke, Richmond Hill, Markham, of course the city of Toronto and Mississauga—with respect to the Rouge Park.

The current Rouge Park is home to endangered Carolinian and mixed woodland/plain life zones of Canada, the zones with one-third of Canada's endangered species. It is also the ancestral home of the Mississauga, Huron-Wendat and Seneca first nations and their sacred burial and village sites.

This is the last chance we will have to create a large national park in southern Ontario, an area with 34% of Canada's population and 77% of its land in agriculture and human settlement use, with only about 1/400th of the lands protected in national parks. The petitioners are requesting many things, but they are also requesting that the Government of Canada conduct a rational, scientific and transparent public planning process to create Rouge national park's boundaries, legislation and strategic plan and include first nations and Friends of the Rouge Watershed on a Rouge national park planning and advisory board.

CLIMATE CHANGE

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, it is my pleasure to introduce two petitions to the House today.

The first petition calls upon the Government of Canada to accept the science of climate change and table a comprehensive climate change plan, to commit to attaining greenhouse gas emission reduction goals that are supported internationally and to contribute its fair share to fill the megatonne gap.

Government Orders

• (1020)

GENETICALLY MODIFIED ALFALFA

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the second petition, again signed by constituents from across Toronto, is with respect to genetically modified alfalfa.

The petitioners call upon the government to impose a moratorium on the release of genetically modified alfalfa in order to allow a proper review of the impact on farmers in Canada.

DON RIVER

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, I rise to present a petition from citizens in Toronto, especially in my riding of Toronto—Danforth.

The petitioners are concerned that the Don River was removed from protection under what was then the Navigable Waters Protection Act by Bill C-45 and are calling for its re-protection.

The petitioners also want to draw attention to the fact that the right to navigation should include non-mechanized vessels, such as canoes and kayaks.

The petitioners want a commitment from the government to meaningful public consultation prior to approval of any project that affects the Don River.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

FIGHTING FOREIGN CORRUPTION ACT

The House proceeded to the consideration of Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act, as reported (without amendment) from the committee.

The Deputy Speaker: There being no motions at report stage, the House will now proceed, without debate, to the putting of the question on the motion to concur in the bill at report stage.

Hon. Peter Van Loan (for the Minister of Foreign Affairs) moved that the bill be concurred in.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read a third time? By leave, now?

Some hon. members: Agreed.

Hon. Peter Van Loan (for the Minister of Foreign Affairs) moved that the bill be read the third time and passed.

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, it is my pleasure to rise today to participate in the third reading debate on Bill S-14, the fighting foreign corruption act. I would like to thank members of the Standing Committee on Foreign Affairs and International Development for considering the bill so quickly and our witnesses for their thoughtful contribution to discussion. I note the chairman of the foreign affairs committee is here, and I just want to say to all the members of the House what a superb job he does chairing that committee.

Corruption, in all its unsavoury forms, is an affront to the values of good, honest and hard-working Canadians. Our government's position of zero tolerance in this area is clear. Canada needs to work to root out corruption wherever it lies, and these amendments to the Corruption of Foreign Public Officials Act, or the CFPOA, offer a vital contribution in this regard.

Before I address the important amendments proposed in Bill S-14, I would like to first provide a sense of the considerable efforts Canada is already making in this area. It is a good story for Canadians and for Canadian businesses, and our government is convinced that the enactment of Bill S-14 would only make it better.

I would like to first establish where we are now; that is, firmly committed to combatting foreign corruption in all its guises. Our government's approach to tackling foreign bribery centres on two main thrusts, its prevention and its enforcement. This draws on contributions from a wide spectrum of stakeholders including federal departments, crown corporations and other agencies, all of whom collaborate closely. These actors have all worked constructively together to develop and implement the range of regulatory and legislative tools already in place to advance this worthy and indeed critically important cause. Canada is truly engaged in a whole of government approach to combatting corruption.

Clearly, the best means of addressing corruption is working to prevent it from occurring in the first place. Consultation and outreach figure heavily in such preventative work, and a number of government stakeholders are already engaged in this area. I would like to highlight a few of them and their contributions.

The Department of Foreign Affairs, for one, looks to prepare its diplomats to deal with the issues of corruption, before they serve abroad. Through the provision of information and training, the department educates its ambassadors and political and trade stream officers concerning the Canadian Corruption of Foreign Public Officials Act and Canada's international obligations in the area of corruption.

Government Orders

In March 2010, DFAIT adopted and provided to its missions around the world the policy and procedure for reporting allegations of bribery abroad by Canadians or Canadian companies. That policy was adopted and circulated to provide guidance to Canada's missions on what they should take as appropriate measures when confronted with allegations that a Canadian business or individual had bribed or attempted to bribe a foreign public official and/or committed other bribery-related offences. The policy essentially instructs Canadian officers at mission to relay any such information received to departmental officials back in Ottawa, who in turn transmit the information to law enforcement authorities here, as per an established set of standard operating procedures.

It should also be noted that DFAIT regularly dispatches its legal officers abroad to deliver presentations and serve as panellists in various fora with a view to advancing the anti-corruption cause and building awareness of the wide range of Canadian activity in this area. As just one example, Canadian legal experts from DFAIT delivered a presentation to the 2011 Conference of the States Parties to the UN Convention against Corruption concerning legal mechanisms for freezing the assets of corrupt foreign officials and for combating the bribery of foreign public officials.

As noted earlier, DFAIT is joined by other departments and stakeholders in such important preventative work. Public Works and Government Services Canada, for example, recently added the bribing of a foreign public official under the CFPOA to the list of offences that render companies and individuals ineligible to bid on contracts. That change became effective in November 2012, and it is hoped that it will serve as an added deterrent to companies and individuals contemplating or engaging in such activity.

Our government, through the combined initiative of several federal departments, also took steps in early 2012 to host a workshop in Ottawa on the subject of foreign bribery, with invited experts from various sectors including NGOs, academic institutions, Canadian companies and law firms. The workshop, entitled "New Ideas for Canada's Fight Against Foreign Bribery" was designed to help innovate and develop better measures for enhancing efforts in this area and saw more than 30 participants join officials in a discussion of several foreign bribery-related areas of interest.

The consultation covered topics such as the recognition of and resistance to the solicitation of bribery, voluntary disclosure, books and records offences, the discouragement of facilitation payments, advocacy concerning SMEs, education, training and focused awareness raising, as well as a discussion of the possibility of amending the CFPOA.

● (1025)

The consultation enabled the government to register preventative messaging with Canadian companies first-hand and to really contemplate how to best improve the enforcement of the CFPOA and seek stakeholder support in working to prevent bribery before it occurs and to detect it when it does. The workshop provided a pivotal platform for enhanced engagement and co-operation with these stakeholders as we look to upgrade efforts in this area. We continue to draw on the invaluable input received. The amendments before us today reflect some of that solicited feedback, and we will probably mine some of the good ideas heard for some time to come.

Prevention is only half of the story. Our government is working hard to ensure that we effectively enforce what already exists in the way of legislation and other instruments established to advance the fight against foreign corruption.

Of course the legislative centrepiece of Canada's work on foreign corruption is the CFPOA, which has been in force since 1999. I believe we are all familiar by now with the reasons for the CFPOA's development and its role in honouring Canada's international obligations in this area, as well as the principal purposes it serves and the main activities it criminalizes. I will not repeat those here.

Rather, I would like to use some of my time today to very briefly flag the indispensable contributions that our key law enforcement agencies are making to the enforcement of that existing legislation governing the corruption of foreign public officials. The RCMP serves as the primary enforcement body for the CFPOA and since 2008 has had an international anti-corruption unit in place enforcing and raising awareness about the CFPOA. With teams placed in both Ottawa and Calgary, the latter owing to its position as the largest hub for Canada's extractive industries and related business, this unit would only get better and more effective with the benefit of Bill S-14's enactment.

The Public Prosecution Service of Canada works hand in hand with the RCMP to tackle corruption. Since 2006 and its creation, the PPSC has stationed one of its counsel in Ottawa with the explicit mandate to advise and assist the RCMP's two teams in Ottawa and Calgary with their anti-corruption investigations. This collaboration is paying off. We have seen 3 convictions, and there are another 2 cases pending and 35 more under investigation. The penalties are increasing significantly with each conviction, and we can expect this trend to continue as our legislation gets tougher and we get better at identifying and holding these offenders to account. We are on the right track, and Bill S-14 would only drive us further in that positive direction.

Government Orders

Having touched on what exists already and where we are at, I would like to turn now to where we are going next. Bill S-14 is fundamental to our continued progress, and these reforms would make a significant contribution to our ongoing work to ensure that Canadian companies refrain from bribing foreign public officials and continue to act in accordance with the highest legal and ethical standards in the pursuit of freer markets and expanded global trade. This bill is compelling evidence of our government's commitment to this work, and its passage would send a crystal clear signal to other countries of our expectation that they should hold their own companies to the same account.

These six amendments seek to introduce nationality jurisdiction, specify which authority can lay charges, eliminate the facilitation payments exception, clarify the scope of the CFPOA, increase the maximum penalty and create a new books and records offence.

If I may, perhaps I will just refresh the House's memory as to what each of these amendments would provide for, in turn.

The first amendment, which would introduce nationality jurisdiction, seeks to expand the limited reach of the existing act. The CFPOA's current requirement that the prosecution demonstrate a "real and substantial link" between Canadian territory and the offence charged effectively acts to circumscribe the number of corruption cases we can bring to justice. The assertion of nationality jurisdiction would allow us to tackle possible foreign bribery engaged in by Canadians or Canadian companies regardless of where that bribery might take place, by enabling us to prosecute them on the basis of their Canadian nationality alone.

The second amendment would provide the RCMP exclusive authority to lay charges under the act. This would permit the RCMP to ensure that there is a uniform approach taken to the pre-charge stages of the CFPOA cases throughout Canada. It would also put Canadian businesses on notice that it is clearly the RCMP that is the lead law enforcement agency as far as investigations are concerned.

• (1030)

The third amendment proposes to eliminate the facilitation payments exception currently provided for under the CFPOA. In essence, any payments made to expedite or secure the performance by a foreign public official of any act of a routine nature do not constitute bribes for the purposes of the current act. Such facilitation or grease payments to move along a foreign public official's performance of something he or she is already beholden to perform are plainly open to abuse and should also be characterized as bribes, which are payments specifically made to extract a business advantage and are already illegal under the act.

Indeed, bribes are illegal under the legislation of every OECD country. This is important in light of any concerns that this amendment would place Canadian companies at a competitive disadvantage internationally. As noted in the bill, the entry into force of the specific amendment would be delayed to further address any such concern in recognition of the fact that some other countries continue to permit facilitation payments and, most importantly, to provide Canadian companies with a fair and reasonable amount of time to adjust their own practices, internal policies and operations should that prove necessary.

The fourth amendment, which proposes the elimination of the words "for profit" from the definition of business would ensure that the reach of the CFPOA is not unduly restricted. It clarifies that the scope of the CFPOA is plainly not limited to bribes paid to for-profit enterprises or in the course of profitable businesses. This is key if we are target those who pay bribes on behalf of companies that may not earn a profit in a given year, as well as organizations with a not-for-profit *raison d'être*. These entities would be caught within this proposed change.

The fifth amendment is straightforward: an increase in the maximum jail term for a foreign bribery offence under the act to 14 years. It is currently set at five. The current possibility of unlimited fines for such offenders would remain untouched.

The new books and records offence that composes the sixth proposed amendment is meant to prevent individuals and companies from cooking the books. While there are offences under the Criminal Code that criminalize the falsification of books and records, they are not specific to foreign bribery. Canada is required to put such specific measures in place in order to honour its obligations under international anti-corruption treaties to which it is a party. The amendment would add another enforcement measure to our tool kit and would be punishable by a maximum of 14 years' imprisonment and unlimited fines; the same severity that is in place for the offence of foreign bribery.

Bill S-14 was adopted by the other place as tabled and I would offer that it is plainly in the national interest that the House do the same. If adopted, the amendments I have just described would clearly and unequivocally demonstrate to interested parties in Canada and abroad that corruption is simply not the Canadian way of doing business, nor should it be the way of doing business anywhere. Ensuring a level playing field for international business is crucial to the global fight against foreign bribery. Legislation such as Bill S-14 is vital if economic growth and expanding global trade and prosperity are to flourish. Indeed, foreign bribery works to undermine that growth, trade and prosperity and to corrode the rule of law that is the foundation for the market freedom so absolutely vital to a trading nation such as Canada.

Bill S-14 seeks to ensure that our companies continue to embrace the highest legal and ethical standards in pursuing their business internationally. Canadians expect no less, and rightly so. Our government firmly believes that Canada can compete with the best and win fairly. Bill S-14 is an expansion of that belief and of our twin commitment to both strengthening the fight against corruption and securing jobs, economic growth and long-term prosperity for all Canadians. I ask all hon. members in the House to work with us to ensure its passage into law as quickly as possible.

Government Orders

●(1035)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, we have certainly talked a lot about corruption recently in this place. As I have mentioned before, it is interesting that this bill on corruption comes from the Senate.

Let us look at what this bill would do. It is trying to bring us up to speed with other countries. There are some problems because it actually does not go far enough. My colleague will know where Canada ranks in terms of transparency internationally and it is low. We need to go further. We on this side have said that we need to strengthen our transparency measures. A communiqué came out of the G8 and we will be interested to see where Canada stands.

My question is this. Is this all the government is intending to do? It is clearly not enough. We have had only three cases of corruption dealt with in the last number of years, which I believe the member mentioned in his comments. We need to not only strengthen and amend the legislation, but go further. Is the government satisfied with just this? Is this going to be the status quo and is the government okay with it? Second, with respect to enforcement, we cannot deal with corruption unless we dedicate resources. The government has cut resources to deal with this issue, be it in the Department of Justice or the Canada Revenue Agency where it has cut resources.

I will summarize my two questions. First, is this all the government has on corruption and, second, what about enforcement?

Mr. Bob Dechert: Mr. Speaker, as the member knows from the hearings at the foreign affairs committee, this legislation arose out of some criticisms that were made about the current Canadian legislation by the OECD in its report in 2008.

We heard testimony from a number of witnesses, including Ms. Janet Keeping, president, Transparency International Canada, that this legislation addressed those criticisms that were raised in the OECD report. That was also reiterated and confirmed by government officials who had drafted the legislation based on the OECD report.

It does address the outstanding issues with our current Corruption of Foreign Public Officials Act. In addition, the government has created the special enforcement unit at the RCMP to deal specifically with foreign bribery. There 50 staff members working there, in Ottawa and Calgary. There are also special legal experts at the Department of Foreign Affairs and at other departments, such as the Department of Justice, who are made available to the RCMP and all government departments to deal with allegations of foreign corruption.

There is always more that can be done. The Prime Minister made a very important announcement on transparency in London last week, and legislation will be coming forward with respect to requiring Canadian companies to disclose what payments they make to foreign governments.

There is always more that can be done. We are certainly open to suggestions from that hon. member, his party and any international organization that sees a way we can improve our legislation. Of course, this is a key to Canada succeeding as a trading nation. Canadians can compete fairly and succeed, they do every day, and we want to enforce that all the time.

●(1040)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I think my hon. colleague will agree that Canada's international mining presence is a major driver in our economy. We can actually set the standards for what could be seen as the best in the world.

Unfortunately, Canada's reputation has suffered because of the actions of some bad actors. They have damaged the legitimate companies and damaged our interests. It is really important that the government takes this seriously, to show the world that the Canadian standard is something that we should be proud of.

I would like to ask my hon. colleague a question in terms of the issue of bribery and corruption. We have very large corporate interests overseas, but we also have the small players. It is some of the small players that have gotten us into trouble. Should we be looking at different thresholds for what has to be revealed? For smaller players, 10,000 euros could be a huge amount of money in terms of getting a deal, as opposed to 100,000 euros. A lot of the areas that they are moving into could be bandit countries so money is being used all the time to grease wheels.

I would like to ask the member about thresholds for development, the development companies, the smaller players, the juniors versus the bigger players, and whether we need two standards.

The other question is on enforcement. It is happening overseas. It is happening in some pretty rough-and-tumble places where the rule of law simply does not exist. How do we ensure that we have the transparency to be able to say that we will hold these companies to account?

Mr. Bob Dechert: Mr. Speaker, the member is right that Canadian companies are amongst the largest and most prolific in the extractive industries in the world. A statistic I heard recently was that 50% of all the major mining companies in the world are actually Canadian-based, which I think is something to be very proud of.

The member mentioned threshold levels. I am not quite sure what he is referring to. The legislation does not set any minimum amount for bribery. All bribery is illegal, whether it is \$1 or many millions of dollars. We do not have any minimum standard. We expect all Canadian companies, large and small, to live up to the highest ethical standard.

There is a very strict focus on small and medium-sized enterprises. I mentioned that in my speech earlier. We have done a lot of training and outreach to small and medium-sized enterprises across Canada to make sure they are also aware of the Corruption of Foreign Public Officials Act and their obligations thereunder.

We will continue to do so. Enforcement is important. As I said, there are 50 individuals in the RCMP, based in Ottawa and Calgary, and legal officers who are looking at the corruption of foreign public officials full-time, ensuring that Canadian companies, large and small, continue to live up to the highest ethical standards.

Government Orders

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, as someone who has come from a law enforcement background, I can well appreciate and fully support the thrust of this bill, what it intends to do and how it is in keeping with the kinds of standards that we are employing in our dealings with development aid and so forth.

Could my colleague also speak to the co-operation that I know exists between the international law enforcement community and the Canadian enforcement community? How would Canadian enforcement of this initiative play into the international law enforcement community to investigate, track and chase down some of these allegations and the need for international investigations?

Mr. Bob Dechert: Mr. Speaker, Canada and the RCMP are members of Interpol. We have officers stationed with Interpol in various places around the world. We co-operate with Interpol and other foreign police forces to deal with allegations of bribery.

In addition, all of our diplomats abroad have been specifically trained on the Corruption of Foreign Public Officials Act and investigate any allegation they hear from anyone in the countries where they serve. Any Canadian or Canadian business involved in bribery or attempted bribery is reported to the RCMP, which then takes it forward with its counterparts in whatever country the bribery is alleged to have taken place.

It is obviously very important that international police forces co-operate very closely on these types of allegations to ensure that the evidence is discovered to bring forward successful prosecutions. I believe that is happening now. That is why we have seen several successful prosecutions recently and I understand there are at least 35 more investigations currently under way.

•(1045)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I will certainly support the bill. I think Canada needs to bring our enforcement standards to the level that the OECD would see as the highest level of enforcement.

My question is a more general one. I think we have to face the fact that we have some problems that we never thought we would see as Canadians where corruption is becoming a larger issue. People are seeing it. We have the instance of SNC-Lavalin, we know that AECL used officials in the past. They say they were arm's-length, but we did have a South Korean contractor go to jail for the work in trying to entice that country to buy a CANDU reactor.

We have fallen on the Transparency International corruption index from sixth place, but we are still among the best in the world at tenth place, but at the time when we see charges of bribery and arrests of municipal officials in different places across Canada, we have seen a disturbing trend of lack of ethics, the kinds of things that are not governed by a rule book, but come from the sense that we actually care about how we are seen in the world and conduct ourselves in ways we would be proud for our children to hear about, not just in the way that we hope we are alright if we do not get caught.

Is there something more than can be done in terms of leadership to clean up our act as a society and practise good ethics, habituate ourselves to values instead of to vices in the way we organize our lives?

Mr. Bob Dechert: Mr. Speaker, enforcement is very important. The Prime Minister made a very important announcement in London last week about legislation that will be presented soon requiring Canadian companies to disclose all payments that they make to foreign governments. That is a big step forward.

The enforcement provisions under Bill S-14 and its penalty provisions are very important. They would be among the highest penalties in the world. Some have wondered why they should be. In fact, the penalties under Bill S-14 would be higher in some cases than the penalties for domestic corruption, but that just means that the Canadian Criminal Code probably needs to be updated as well.

We are setting the bar higher with the bill and we are sending a clear and strong message to Canadian companies and to people all around the world that Canada will not tolerate this kind of corruption, either here at home or abroad.

Another measure that I mentioned in my speech is that Canadian companies that engage in foreign bribery and are convicted of foreign bribery will no longer be able to bid on Canadian government contracts. That is a huge disincentive for them to do these kinds of things abroad. We think the combined suite of penalties and enforcement mechanisms we are introducing today would send a really strong message to Canadian companies and everyone in the world they need to compete fairly and ethically to succeed.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I rise to speak, yet again, to Bill S-14. We on this side of the House have mentioned before that we support the bill. We believe that we could go further, as I mentioned in my comments and questions to the parliamentary secretary.

As I have done with all of these bills, I have to start off with our concern and my concern about the way the bill came to us. We have a bill on foreign corruption that has come to us from the other place. When a bill has an "S" in front of the bill number, it is an indication that it comes from the Senate. It has been said numerous times since we have been debating the bill that the government should have seen fit to start this bill here in the House. After all, the elected representatives, I think, are the best people to actually look at corruption, notwithstanding what is happening in the other place, speaking of corruption. Every day there is another story of corruption in the other place. I have to start by underlining that point.

The government seems to not even blush anymore when bills are sent over from the other place. At least on this bill, it should show some contrition that there is a bill, an act to amend the Corruption of Foreign Public Officials Act, that would crack down on foreign corruption, yet it comes from the other place, an unelected body, that is mired in corruption right now.

Government Orders

It is rather stark to see this happening with the current government, which claimed that it was going to be different. Now it has become just like the other guys. The government brings in closure and uses the Senate, abuses the Senate, to do its toil. That is what the government has done with Bill S-14. No one even blushes anymore. It is just business as usual with the current government. It uses the Senate to do its bidding, even on something as important as foreign corruption.

The bill itself, as has been mentioned, would simply bring us up to the minimum standard of our allies. The government was embarrassed by our critique, on this side of the House, in terms of how the standards of our companies abroad have fallen in terms of enforcement on corruption and corporate social responsibility. We just saw a news report last night about what happened in Bangladesh. We should not forget that. The NDP called for hearings at the foreign affairs committee. We would like to see more done on that.

It is about Canada getting back into the game and actually leading. The bill does not go far enough.

I will just give a quick résumé. The bill would make four major changes to the Corruption of Foreign Public Officials Act.

It would increase the maximum sentence, as was mentioned by the parliamentary secretary.

It would eliminate the exception for so-called facilitation payments, which is basically paying someone to grease the wheels to get a contract moving. Interestingly, we saw allegations of that happening in Montreal. Maybe we should be applying those rules more forcefully here. Maybe the government should be taking a look at who its candidates are when it recruits them and who it hires as staff when ministers hire ex-candidates. Hopefully, it will do a better job on that.

The bill would also create a new offence for falsifying or concealing books or records. We just received a communiqué from the G8, which came out half an hour ago. In fact, if the government is going to live up to what it has signed on to, it would actually have to amend the bill further, because there is an incentive in this communiqué for the government to do more in this area and to be more transparent in terms of books and records.

The fourth part of the bill would establish national jurisdiction such that Canadian nationals could be prosecuted for offences under the act that are committed overseas. They cannot go overseas and do something they could not do here.

I think it is important to put it into context. As I mentioned, we just received the communiqué from the G8 conference. It touches on many of the aspects we are dealing with in Bill S-14. It is a 10-point communiqué. I am not going to read all 10 points, because they are not all directly related to the bill we are debating.

The first point the G8 leaders signed on to is that “[t]ax authorities across the world should automatically share information to fight the scourge of tax evasion”.

● (1050)

When we talk about the corruption of foreign officials, a lot has to do with the way money moves around. I am delighted to see that this is in the communiqué. We will see if the government takes this seriously.

Second is that countries “should change rules that let companies shift their profits across borders to avoid taxes, and multinationals should report to tax authorities what they pay where”. This has been mentioned already by the parliamentary secretary. It would mean more transparency of companies' operations.

Third is that “[c]ompanies should know who really owns them and tax collectors and law enforcers should be able to obtain this information easily”. If we do not have this in place, the S-14 provisions would be very difficult to enforce, in some cases, because if we do not know who owns companies, we do not know who is influencing the companies. We do not have a full profile. In other words, if we were trying to establish that there was a payment to a company official, and we did not know who the company belonged to, it would be very difficult to prosecute.

We have heard from the G8 meetings that Canada was fighting this. We should be fighting back and getting the government to comply. It turns on the issue of beneficial ownership. That means that a company is hidden behind a shell. What the G8 is looking at, and what Mr. Cameron is pushing for and what number three in the communiqué is about, is that there be full disclosure. Companies can no longer have this parlour trick of hiding behind beneficial ownership. That means having a public registry of all companies showing exactly who owns them. We do not have that right now. Prime Minister Cameron said, “Personally, I would hope the whole world will move towards public registers of beneficial ownership”.

Aid agencies say that private registries would be second best. In other words, there would be a registry, but it would not be public; it would be in government. We are hearing that only the U.K. and the U.S. have committed to having public registries.

I hope the government will take this seriously, because if we are to deal with foreign corruption, we have to have transparency. If we are serious about this communiqué we have signed on to, we have to have a public registry of all companies, who owns them and where they sit. Otherwise, we will not be able to live up to the spirit of transparency.

Government Orders

Fourth is that “[d]eveloping countries should have the information and capacity to collect the taxes owed them—and other countries have a duty to help them”. This is critical when it comes to the issue of being able to influence foreign officials. What we often hear, on the ground, in emerging or developing economies is that officials are able to take advantage of their power to approve projects, et cetera, mainly because there is not a requisite tax system with the proper enforcement and oversight, so they can get away with it. This is what leads to corruption, because there is no proper oversight.

This is extremely important, because obviously, it would help benefit their citizens. It is also a way to deal with the potential for corruption. If there is full disclosure and sunlight, if you will, on who owes taxes and whether they have been paid, it is a disincentive for officials to use their power for corruption.

The fifth point is very important for us in the NDP: “Extractive companies should report payments to all governments—and governments should publish income from such companies”.

We have heard a positive message from the government that it will get behind this. We need to see legislation. From what we have seen and heard from the government, there is no requirement that these reports are to be made public. It is important that we fully embrace transparency and not go just halfway.

By the way, mining companies have said that they would sign on to this. I am hoping that all the extractives will get behind it.

• (1055)

Number six is very near and dear to my heart. It states: “Minerals should be sourced legitimately, not plundered from conflict zones”. As members know, this is the whole issue of conflict minerals. In places like the eastern part of the Congo, where there are human rights abuses and massive corruption, it is a conflict zone. Minerals that go into all of our devices, such as BlackBerrys and cell phones, come from a conflict zone. In essence, we are all, unknowingly for many people, carrying a piece of a conflict in our electronics, because we do not have the proper sourcing of minerals.

What the communiqué says is that “Minerals should be sourced legitimately, not plundered from conflict zones”. This is a challenge to the government. Are the Conservatives going to get on board? Bill C-486, which I put forward, would allow us to comply with what we have seen in the United States with Dodd-Frank. Legislation is in place to ensure that all minerals are from legitimate sources and are not aiding and abetting conflict. The Europeans are moving in this direction. The OECD, which we talked about in terms of this bill, has provided guidelines on ensuring that there is proper and appropriate oversight when it comes to sourcing minerals.

The sixth point is very important, and it is something I have worked on with a lot of people, including people in this place, to get Canada on board and at least get us up to the standard that has been established by others.

Number seven is very important: “Land transactions should be transparent, respecting the property rights of local communities”. When it comes to the corruption of foreign officials, one of the biggest trends we have seen in the last while is the acquisition of land by foreign countries, particularly in developing countries. There is a massive land grab going on right now, particularly in Africa. I

will name some countries. China is big into this right now. It is banking land, taking over land. We need to ensure that local communities are respected.

Let us be honest. We are not perfect here in Canada. When we talk about social licence for companies to do their work in extractives, oil and gas, we need to respect local communities. This is an extremely important and urgent issue in developing countries, because we are seeing massive land grabs. It is about food security and about certain countries banking land and keeping an eye on their needs for minerals, oil, gas, et cetera, and in some cases, even food.

Number eight states that governments should roll back some measures on trade that they think would be helpful for trade.

Number nine is about ensuring that things are streamlined, particularly at borders between countries. We certainly know that issue with respect to our friends south of the border. Mr. Speaker, representing your constituency, you do not have to be told that this is extremely important.

Number 10, the last part of the communiqué from the G8, states: “Governments should publish information on laws, budgets, spending, national statistics, elections and government contracts in a way that is easy to read and re-use, so that citizens can hold them to account”. That is actually for us. I am going to read that one again. It is cogent, because if we are going to talk about fighting corruption abroad, we need to be transparent at home. The G8 has signed on to this.

“Governments should publish information on laws, budgets”—think about the parliamentary budget officer here—“spending, national statistics”—this is very interesting, considering what we have done to Stats Canada—“elections and government contracts in a way that is easy to read and re-use, so that citizens can hold them to account”. Number 10 needs urgently to be brought into force here.

I have listed these G8 points that just came out in the communiqué, because as I said in my comments when I questioned the parliamentary secretary, this bill does not go far enough. If we are going to seriously deal with corruption abroad, and we are going to actually be leaders, then it is not good enough just to get up to a minimum standard. That is not the Canadian way. I feel that we are living in the past with the current government.

Government Orders

●(1100)

The way the current government seems to operate, and the parliamentary secretary said it well himself, is that the Conservatives brought forward Bill S-14 because the OECD had cited us as being laggards. It was not until that happened that the government decided to bring forward this legislation. That is not the Canadian way. We should be leading. We should be looking at our practices to see where we are in terms of other jurisdictions.

Everyone knew that we were laggards. Transparency International has been saying so for quite a while.

We can look at this 10-point communiqué of the G8. Are we going to at least meet the standard of our allies? I would like us to see us go further.

For instance, I am concerned when it comes to the issue that Prime Minister Cameron cited about companies being transparent about who owns them so that we can deal with tax evasion. We are hearing that Canada is not going to do that. We are not going to publicly publish who owns a company.

As I mentioned, we need to deal with corruption seriously. We need to have full daylight, and if the government is only going to go halfway on this initiative, we will again fall back. We will be back in this House debating a bill to bring the standard up yet again. The government should embrace what both the U.K. and the U.S. are planning to do and have public registries listing who owns which companies. It should stop the shell game, particularly this practice of “beneficial ownership”.

The point is to make sure that we are transparent when it comes to the extractive industry. The government talked about signing on to the initiative for ensuring that all payments made between foreign governments and Canadian companies are transparent, but to whom? Is the information going to be kept within government, or would it be public? Will we have to ATI to obtain it, or would government do what other governments have done and make it transparent?

As I mentioned before, we must ensure that we get up to the standard of other countries on the issue of conflict minerals so that we no longer are looking the other way when it comes to the sourcing of the supply chain for many of the things that we rely on in our technologies.

If we are serious about it, we would embrace these initiatives of being fully transparent on who owns what companies, being fully transparent and pushing transparency when sourcing minerals in the supply chain for our electronics, and being fully transparent about payments between companies and governments abroad. Then we would be at the same standard as our allies. If we do not meet that standard, then we will be left with what we are doing here, which is trying to catch up.

I will be a bit partisan: what we have seen from the Conservative government is that we have become laggards. We sign on to international treaties, but then we do not follow up with implementation that lives up to the treaty.

For example, we have been called out by Norway and the Red Cross on the fact that the cluster munitions treaty that we signed on to will be undermined by Bill S-10, the proposed implementation

legislation, which we have debated. It would undermine this international treaty.

We must think about this for a second. The International Committee of the Red Cross never comes out and criticizes government, but they just did yesterday. It said that Bill S-10, the implementation bill for the cluster munitions treaty that we have signed on to, would actually undermine the treaty. It is shocking.

I am very concerned that when we sign on to this communiqué for the G8 that we actually follow up, live up to the spirit of what we have signed on to and not undermine it.

Another example when it comes to international treaties is the arms trade treaty we agreed to. Then we find the gun lobby taking it over from the government. It is astonishing.

Instead of embracing the future, these guys are living in the past. They are affecting our reputation. Instead of getting on board with progress, they are holding us back just because of their ideology.

Bill S-14 will be supported by the NDP simply because it is the least the Conservative government can do. However, what we want to see is full transparency. When we see the follow-up to the communiqué on the G8, we will be holding the current government to account to at least come up to the standard of our allies.

Personally, and I am sure I speak on behalf of my colleagues, we would like to see Canada lead and not be a laggard. It is something I think most Canadians want to see as well.

●(1105)

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, I trust the member opposite knows better. Quite frankly, I find his broad-brush accusations of corruption in the other place obscenely disingenuous.

People who live in glass houses should not be casting stones. I happen to know that the overwhelming majority of Canadians, senators included, are decent, hard-working, honest people who deserve much more respect than the member opposite has decided to cast their way. For the member opposite to suggest otherwise is nothing more than a mean-spirited political exercise in character assassination.

In light of the member's self-defined righteous value system, can he then explain to Canadians how it is that his leader failed to immediately disclose his involvement in an attempted bribery offer some 17 years ago? How can the member consider such hypocrisy worthy of this honourable place?

●(1110)

Mr. Paul Dewar: Mr. Speaker, I did not mean to exercise the minister to the extent that he seems to be so exercised. I simply made a comment. I did not mention one senator.

I said it is ironic, irony being a literary device, that we are dealing with a bill, Bill S-10, which deals with corruption and which comes from the other place. That is all I said.

Government Orders

Maybe the member is feeling defensive about payments from the Prime Minister's chief of staff to a senator. I do not know what he calls it. I do not call it enlightened behaviour. I would call it enlightened behaviour when we have a party that calls upon us to bring ourselves up to an ethical standard and have integrity in how we do our business.

When a person makes a mistake, he or she owns up to it. We have not seen that from the Conservative government.

In case he was not listening carefully, I did not name any particular senator. I talked about the irony. I would encourage him not to get too exercised about it. Maybe I will use a metaphor later, but he should not take it personally.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I wonder if the member could respond to the same question I asked the parliamentary secretary earlier.

I think we are seeing a general problem. I never thought I would see the day, for instance, when academics would forge their research in order to get grants. There is a decline in our general sense of "all I have is my good name", which people used to say in my grandfather's day. It used to mean something.

Celebrities seem to think that as long as they are in the media, it does not matter if the stories they are telling about themselves are good, bad or indifferent. The standard to which we hold ourselves is falling. There is no question about that.

The response from the minister was as if the member for Ottawa Centre had said something outrageous. Analogies, irony and metaphor have a place, even here.

My question to him is what would he do, and what would all Canadians do, when we hold up a mirror and look at ourselves, to know that Canada is the ethical country we think it is? How do we get rid of corruption, which seems to be on the increase across Canada?

Mr. Paul Dewar: Mr. Speaker, I want to touch on two aspects of my colleague's question. One is what we can do domestically. We need to be a lot more ethical in our standards, obviously, as politicians. We have to make sure that the people we appoint to senior posts are going to live up to that ethical standard.

In the case of Arthur Porter, here was someone who was appointed to essentially oversee national security and ensure that there was accountability there. Now we find him in a jail in Panama. That could have been avoided. We on this side think that we should have a public appointments commission that would allow for the vetting of appointments of senior officials.

However, the Conservatives are so stubborn on this issue. They just avoid it. They thought their guy, Gwyn Morgan, who they thought was somehow objective and unaffected by partisanship—and I leave it to others to look into that—was the only person out of 30 million who could do the job. Then they picked up their toys and went home. They killed the public appointments commission.

That is the problem with the current government. We should have that in place. We should have all ministerial staff abiding by an ethics code, as they do in the U.K. That was part of the NDP's platform in the last election. We should have ethical standards for

advisers and we should have more accountability in ministers' offices. We should allow Parliament to be a little more autonomous from the executive branch. Clearly we have seen problems in that area with this government.

That would be a start. Maybe later on we could talk about what we could do internationally.

[*Translation*]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, corruption is an evil thing that is very similar to cancer. Unfortunately, when Canadian companies are allowed to get away with things too easily, once they become corrupt, it rubs off on the lives of Canadians as well as on our institutions and our representation.

All too often, at our embassies overseas—

● (1115)

The Deputy Speaker: I am sorry to have to interrupt the hon. member, but there is a translation problem. Can the member continue?

Mr. Alain Giguère: Mr. Speaker, the problem is that, unfortunately, at our embassies—

[*English*]

SUSPENSION OF SITTING

The Deputy Speaker: There is a problem with the equipment in the translators' booth, so we will suspend for a few minutes.

(The sitting of the House was suspended at 11:16 a.m.)

● (1120)

[*Translation*]

SITTING RESUMED

(The House resumed at 11:24 a.m.)

The Deputy Speaker: The hon. member for Marc-Aurèle-Fortin has the floor and may continue with his question.

Mr. Alain Giguère: Mr. Speaker, if we are serious about fighting corruption, we should also discuss the often inappropriate behaviour of the Canadian government, which provides scholarships, immigration opportunities and jobs in our embassies to foreign students whose parents or families are associated with foreign governments.

Will our diplomats not only seek to enforce this legislation but also ensure that, ethically, they are beyond reproach?

● (1125)

[*English*]

Mr. Paul Dewar: Mr. Speaker, when we talk about accountability and oversight, it is important that all our officials abroad are going to be involved.

Government Orders

I heard the parliamentary secretary talk about the training of our diplomats to deal with issues like the one we are discussing today. However, it needs to have strong oversight when it comes to the government of the day being able to assure its citizens that everyone who is working abroad is doing it for the public good. That is why we have touched on the need for more ethics in ministers' offices, for instance. It is high time that the staff and advisors to ministers provide the highest ethical standards that they can provide to their ministers. We have asked to see that happen. The same has to happen with our diplomatic corps. We have to see that they are going to be abiding by the highest ethical standards.

However, I am more concerned now with the relationship between some who are involved in commerce abroad and dealing with foreign governments. The rules have not been clarified. Businesses will tell us that if there are clear rules they will follow them. The problem is that the government has not clarified the rules. We need to see more of that.

[*Translation*]

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, I congratulate my colleague from Ottawa Centre for doing a great job as the foreign affairs critic for the official opposition. At the same time, I would say I am rather shocked that the minister has failed to recognize the hon. member's excellent work.

Indeed, judging by his question to my colleague, he seems to have been offended by some of the points he raised, yet my colleague was quite right when he said that this bill does not go far enough and will barely lift Canada out of Transparency International's bottom rankings, in terms of the transparency measures in its anti-corruption legislation.

My colleague mentioned several extremely interesting points. I would like him to talk about them a bit more. In particular, he stated that Canada is a laggard when it comes to bringing its legislation in line with the international treaties it signs. Often, Canada simply does not live up to these treaties.

What does my colleague think Canada can do to improve its image, which has taken a serious beating in recent years?

[*English*]

Mr. Paul Dewar: Mr. Speaker, simply put, we need to start living up to the treaties we sign. We need to make sure that when we bring in legislation to enact these treaties, we are not undermining them. We must also sign on to the ones we have agreed to, like the arms trade treaty.

That would perhaps get us going in providing more credibility in the international community. Our international image is suffering. The government is seemingly living in the past. It is time to get on with living in the real world and getting on with the standards that have been seen set by our allies.

On the G8, let us hope that this communiqué is not going to be just words and that we will see action from it.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I am pleased to add my voice to the debate on Bill S-14, an act to amend the Corruption of Foreign Public Officials Act.

This bill makes six much-needed amendments to the Corruption of Foreign Public Officials Act. First, it would remove the words "for profit" from the definition of business so that bribes involving non-profits and charities are included in the act.

Second, it would increase the maximum sentence of imprisonment applicable to the offence of bribing a foreign public official, from the current maximum of 5 years in jail and unlimited fines, to 14 years in jail and unlimited fines.

Third, it would eliminate the exception contained in the act for what are called "facilitation payments". These are payments for carrying out acts of a routine nature. That exception would be eliminated.

Fourth, it would create a new offence relating to books and records, and the bribing of a foreign public official or the hiding of that bribery.

Fifth, it would establish nationality jurisdiction that would apply to all of the offences under the act, so that all Canadians, permanent residents, Canadian companies, etcetera, can now be charged for crimes taking place in foreign countries.

Finally, it would designate the Royal Canadian Mounted Police as the agency with the exclusive ability to lay charges associated with the act. This specifically refers to the RCMP international anti-corruption unit.

These changes, as we have already heard, are meant to bring Canada in compliance with the OECD conventions on combatting bribery of foreign public officials in international business transactions, which this country ratified in 1998, as well as other international obligations. The Liberal Party will be supporting this bill, as it did through the Senate.

Despite widespread calls for Canada to step up its foreign anti-bribery measures, during the seven years the Conservatives have been in power, they have only begun to deal with the shortcomings of this statute that they propose to fix by this bill.

Bill S-14 updates Canada's anti-corruption laws and puts them in line with Canada's international anti-bribery convention commitments made with the OECD, as well as others made through the United Nations and the Organization of American States. In addition to meeting our commitments to various anti-bribery conventions, Bill S-14 allows Canada to be a country that demonstrates a high level of ethical standards for other countries.

There are important preventative measures that governments should be taking to ensure the RCMP has the resources to successfully investigate cases that are relevant to Bill S-14. A private member's bill, Bill C-474, proposed by the Liberal member for Scarborough—Guildwood, is one such measure, but sadly it is being opposed by the government.

Bill C-474 would attempt to make revenue transparency the norm in resource extraction industries. This transparency would allow for Bill S-14 to be more preventative instead of reactive.

Government Orders

Bill S-14, presently before the House, would result in more prosecutions and convictions for foreign bribery offences. Canada is a bit of a laggard in this regard, even accounting for size differences in population and economy. Canada falls behind, having only prosecuted three cases compared to other major economies. There were 227 cases prosecuted in the United States, 135 in Germany, 35 in Switzerland, 24 in France, 18 in Italy, and 17 in the United Kingdom, as examples.

• (1130)

This bill, as was indicated, would amend the Corruption of Foreign Public Officials Act, which was passed in 1998 and came into effect the next year. Its passage meant that Canada ratified the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. The Corruption of Foreign Public Officials Act also implemented Canada's international obligations under the United Nations Convention against Corruption and the Inter-American Convention Against Corruption. In 2002, there were several technical amendments that were made to the act because of amendments to the relevant sections of the Criminal Code.

The OECD working group on bribery has produced at least three follow-up reports on Canada's progress. The phase 1 report was released in July of 1999, the phase 2 report in March of 2004, and the phase 3 report in 2011. Each one commented on Canada's progress and set out areas where Canada needed to improve to stay on par with its international neighbours.

The phase 1 report, in 1999, was focused on the implementation of the Corruption of Foreign Public Officials Act. It was almost entirely positive. It stated that the working group was of the opinion that the Canadian act met the requirements set by the convention. It did address the issues that might need to be discussed during the phase 2 evaluation in 2004, including the exemption for "acts of a routine nature", which are the facilitation payments that I referred to earlier; the effectiveness of the penalties, including monetary sanctions; and the lack of the nationality jurisdiction. All of these things that were referenced in that phase 1 report, in July 1999, are now contained in Bill S-14.

Five years later, the recommendations contained in the phase 2 report included the following: giving a coordinating role to one of the agencies responsible for the Corruption of Foreign Public Officials Act's implementation; reconsidering the subsection 3(4) exemption for facilitation payments, which I referred to earlier; redefining the word "business" in section 2 to include "not for profit"; and reconsidering the decision to not establish nationality jurisdiction for the crime of bribing foreign officials. Again, all of these recommendations from the working group have been included in the provisions of Bill S-14.

In 2008, the RCMP formed an international anti-corruption unit, which became responsible for investigating bribes of foreign officials. It has two seven-man teams, one in Ottawa and one in Calgary, the latter being the centre of Canada's resource extraction industry. They work with the Public Prosecution Service of Canada, which does the prosecutions in foreign bribery cases. As of May of this year, there are 35 ongoing foreign bribery investigations. There have been only three convictions against companies in the oil and

gas sectors, with fines of \$9.5 million and \$10.35 million in two of those cases.

As the House is aware, one was the case of Griffiths Energy International, an engineering company that had an inappropriate financial relationship with the wife of the former ambassador from Chad. Another case was Niko Resources, for bribing a Bangladeshi official. SNC-Lavalin, Canada's premier engineering firm, was recently convicted on bribery charges in Bangladesh and has been barred from competing for World Bank contracts for the next decade.

In 2009, an attempt to implement similar changes to those that are in the bill before us today passed at second reading. It was at committee stage when it died, after the Prime Minister prorogued Parliament in December of 2009.

• (1135)

That brings us to the phase 3 report of the OECD working group from a couple of years ago. This report again found problems in several areas. These included only counting bribes for the purpose of gaining a business advantage for profit. These sanctions were not effective, proportionate and dissuasive. The extraterritorial jurisdiction issue, which I mentioned in connection with the nationality jurisdiction, only applies to bribery carried out overseas if there is a real and substantial link to Canadian territory. Considerations of national economic interest, the potential effect upon relations with another state, or the identity of the natural or legal persons involved, are only prohibited if improper.

In 2011, the Transparency International Global Corruption Report noted that Canada fell in the lowest category of countries since it had little or no enforcement in terms of following the OECD bribery standards and was the lowest ranked member of the G7.

As indicated, the measures contained in Bill S-14 are long overdue and are needed to bring Canada in line with its international obligations. They are measures that the Liberals will be supporting.

• (1140)

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I listened with interest to my hon. colleague's comments on this legislation. I certainly agree with him that the bill is long overdue.

I just wonder whether he also picked up on the communiqué from the G8 that my colleague from Ottawa Centre mentioned earlier in the debate. One of the items that he focused on in looking at the G8 communiqué was the need to have a public registry, a need to have much better transparency for companies operating abroad, and to get away from the practice of hiding behind a shell company. Even if we do want to enforce the law, it is hard to know on whom it should be enforced.

Does my colleague agree that we need to go further than this legislation and adopt measures such as a public registry to avoid shell companies being set up?

Privilege

Mr. Sean Casey: Mr. Speaker, I share the concerns expressed by the member. With Canada being such a significant player in the resource extraction industry worldwide, this is a real opportunity not just to meet and to be level with its international obligations, but to lead. An excellent example was just cited with respect to transparency. The private member's bill brought forward by the member for Scarborough—Guildwood would go a long way toward that goal of Canada being an international leader in transparency and ethical conduct.

Often, it is not good enough just to be level. In our case, there is a real opportunity to lead. This is an opportunity that should be seized both with respect to the initiatives that emanated from the G8 and with respect to the initiatives contained in the private member's bill, Bill C-474.

[Translation]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, in its 2012 report, Transparency International indicated that active enforcement was a real way of combatting this type of foreign bribery. We also know that the RCMP is the body responsible for conducting these investigations and reporting the facts.

I would like to know what my colleague thinks about the cuts that have been made to the Canada Border Services Agency and the RCMP in successive budgets.

Can he elaborate on that?

Mr. Sean Casey: Mr. Speaker, I would like to thank the hon. member for her question.

This remains a problem. Time and time again, budget cuts are being made to very important services that affect the public. We have here yet another example. These organizations need to have sufficient resources to accomplish essential tasks, such as the ones set out in this report.

Most of the time, there is a lack of consideration. Not enough good ideas are being put forward and not enough effort is being made before budgets are cut.

• (1145)

[English]

I absolutely share the concerns expressed by my colleague from the NDP that all too often with this single-minded focus on trying to balance the books as a result of the financial mess that we have been thrust into by the government, we see very important front-line services, very important international obligations, compromised because of some wrong-headed and misguided assessment of priorities.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it seems that we are increasingly seeing bills come before us in the House that properly should have begun in the House and then gone to the Senate. I am finding it strange. It has been raised before, but I am wondering if the hon. colleague from Charlottetown, having served much longer than I have in this place, could shed light on how it is that we are seeing this increased number of bills coming from the Senate as opposed to originating where they should, in the House.

Mr. Sean Casey: Mr. Speaker, I have very high regard for the member for Saanich—Gulf Islands, but I need to commence with a correction. I have been in this House exactly the same amount of time as she, having been elected for the first time in May 2011. Because of that relative newness, I cannot speak from a position of experience with regard to whether it is normal or whether it is not normal for bills to be emanating from the Senate.

In my view, this bill is something that has gone partway through the House, but was killed by prorogation. The fact that it is back before us is important. The House has had an opportunity to scrutinize it. It is fair comment that perhaps it is a troubling pattern that there are so many bills emanating from the Senate, but because this one is necessary, I do not think that we should be preoccupied by the manner in which it came before us. It is important to have it here, to get it done and to get Canada on an equal playing field with its allies internationally.

[Translation]

Mrs. Djauouda Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, first, it is important to point out that this bill originated in the Senate. In a report released in 2011, Transparency International ranked Canada as the worst of all the G7 countries with respect to international bribery. The organization pointed out that Canada rarely, if ever, enforces its negligible anti-corruption legislation.

There have been only three convictions under the Corruption of Foreign Public Officials Act. Does my colleague agree that this is an embarrassment to our country?

Mr. Sean Casey: Mr. Speaker, if I understood correctly, the question pertains to Canada's standing in the world with respect to anti-corruption regulations. Of course, we should be concerned and perhaps even a little bit worried about this.

That is why it is important to adopt the measures set out in the bill. The hon. member has reason to be a bit concerned about Canada's standing, but that is also why she should support the bill. Of course, the bill is not perfect. The bill could and probably needs to be improved, but it is a good start.

• (1150)

[English]

The Deputy Speaker: Before resuming debate, I understand there is an intervention by the hon. government House leader on a question of privilege.

* * *

PRIVILEGE

DATA USED BY GOVERNMENT WITH RESPECT TO BILL C-54

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I rise to respond briefly to last night's further intervention by the hon. member for Kingston and the Islands on the question of privilege respecting Bill C-54, the not criminally responsible reform act. My intervention will be brief and I hope it will be the final of many interventions on this point.

Government Orders

On the report tabled on Thursday, the hon. Parliamentary Secretary to the Minister of Canadian Heritage pointed out last night that the hon. Minister of Justice had sought, and did in fact receive, unanimous consent to table that document. For example, page 433 of the *House of Commons Procedure and Practice*, second edition, at footnotes 111, 112 and 113, notes several examples when documents have, with unanimous consent, been tabled in only one official language.

Mr. Speaker, in the case currently before you, the Minister of Justice sought such unanimous consent to table the report for the very reason that it was produced in only one official language. Otherwise, he would not have had to seek such consent in the first place. The minister did so in the fullness of transparency, to provide members with the document as quickly as possible. Of course, once the translation is complete, the document will be tabled in the other official language as well.

On the tabling of a Microsoft Word track changes version of the document, it is my understanding that this was deliberately chosen as the means by which the House could most easily, readily and quickly determine what had changed between the two versions of the report. Rather than the member opposite trying to ascribe the most nefarious possible motivation to the minister tabling the track changes version, I would suggest that he, instead, consider the most plausible explanation: the minister was simply trying to be as transparent as possible. What he did was provide the House with an easy-to-reference version specifically highlighting the differences. For those not satisfied with that, he also provided the website address where a clean print of the updated version of the report could be located.

It is important to bear in mind that the original version of the report, which I will note was marked as final by the author in November 2012 and with consent to release, as tabled in a response to Order Paper Question No. 1169, was upward of 200 pages in length, thus making the need for track changes or the benefit of track changes rather obvious.

On the matter of the response to Order Paper Question No. 1169, I would refer to what was asked in the order paper question itself. In paragraph (a), the government was asked for certain information relied upon “in developing this legislation”. That is a very important part of the question. The material that was provided in answer to that was the earlier version of the report. I am left wondering how data received well after second reading debate started—that is, the revised report—could be responsive to a question related to the development of the bill, which was the question on the order paper.

Despite that, my colleague should be commended for noting in his response to that order paper question that a revised version of the report had been received. Therefore, not only was he responsive to the question, he was also transparent and open at the same time.

Finally, the hon. member for Kingston and the Islands offered some comments on a systemic remedy, which he proposed. Despite his creativity, I disagree that there is a prima facie case of privilege to be found here. As such, I need not respond further to his suggestion on how to craft an order of reference to the procedure and House affairs committee.

The Deputy Speaker: I thank the hon. government House leader and, of course, assure him that the Chair will be as expeditious as possible in responding with a ruling.

* * *

FIGHTING FOREIGN CORRUPTION ACT

The House resumed consideration of the motion that Bill S-14, an act to amend the Corruption of Foreign Public Officials Act, be read the third time and passed.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am pleased to rise in the House today to speak to Bill S-14, an act to amend the Corruption of Foreign Public Officials Act, and as we are debating this at second reading, it still has to go to committee.

I have listened with interest to the debate in the House today. It appears that all parties will be supporting this bill. We are debating it in principle but, nevertheless, it is important for us to go through the bill to examine it, as we should all legislation, and then it will go to committee.

I want to begin by saying that these last few weeks in the House have been particularly difficult because the government has used time allocation, a form of closure, I think 47 times, if I am keeping the tab correctly. It is really quite incredible that so much legislation has been rushed through.

We serve our constituents in this place. We do our work in the constituency, but our role in this House is due diligence in examining legislation and going through it. Even if we are going to support it, we have to go through it. That is part of holding the government to account in our parliamentary democracy, so it is very disturbing that we see the pattern over and over again. It has become routine. Other colleagues in the House have commented earlier that bills are now pro forma. We are expected to have a couple of hours of debate and take a cursory look, and then there is a time allocation for going through committee, report stage, and third reading. It is all established by timelines.

As members well know, that is not the way to do parliamentary business.

I wanted to begin my remarks with that because, as someone who has been around here a few years, I have watched the erosion of parliamentary and democratic practice in this House.

I can almost hear the voice of Bill Blaikie in my head, the former member for Winnipeg—Transcona. He was one of those folks in this place who had the long-term memory to know what had changed over the years. When change happens incrementally, just a little snippet at a time, it is difficult to get that overview. I think it would be useful one day to have that overview and to actually look at how much certain practices have changed in the House, say, from 10 years ago or 20 years ago. I think we would all be quite shocked, actually, no matter what matter party we belong to.

In any event, we are debating this particular bill today.

I want to begin by saying, as others have remarked today, that the bill is long overdue. Canada has, really, an embarrassing record on corruption overseas, in terms of lack of legislation.

Government Orders

As many have pointed out today, Transparency International, a very credible organization that monitors corruption and bribery in terms of what happens in different places in the world, in its 2011 report, ranked Canada as the worst of all the G7 countries with regard to international bribery. It pointed out that we had little or no enforcement, based upon the very minimal legislation we had.

There is no question that this is absolutely long overdue. It begs this question. Why does it take so long?

We look at the legislative agenda and look at all of the little boutique bills that come through on the Criminal Code, when they do not need to happen. Why has it taken so many years for something as major as this, which would deal with crime and corruption? Why has it taken so many years for anything to come forward? Where is the balance here? Where are the priorities? We are sort of pulling apart the Criminal Code clause by clause and adding in more mandatory minimum sentences. We have had so many Conservative backbencher bills, yet with something as major as this, in terms of Canada's role in the international community, we are hauled on the carpet by an organization that monitors international bribery and corruption, which has said, "You guys have got a pretty bad record; in fact you're basically the worst of all of the highly industrialized countries". This is an embarrassment.

Further, there have only been three convictions in the last number of years, in fact, since 1999, and two of those were in the last two years. This is a pretty appalling record.

Suffice it to say I am glad, at least, that we are debating this bill today. At least the bill would take some steps.

● (1155)

Just to focus for a moment on what this bill would do, for those who are watching the debate, there would be four main changes to the Corruption of Foreign Public Officials Act. One of them would be to increase the maximum sentence of imprisonment applicable to the offence of bribing a foreign public official from five to fourteen years. That is a fairly significant change.

The second change in the bill would eliminate an exception that had been in operation for what is called facilitation payments, where foreign officials are paid to expedite the execution of their responsibilities. I will come back to this, because there are some concerns about it. While we agree that this exception should be eliminated, we have to examine the impact of that, for example, on NGOs that are operating in extremely difficult circumstances in political environments that are very risky and where they have to provide payments to get essential emergency humanitarian goods through—for example, going through police checkpoints. One does have to find that balance.

Third, the bill would create a new offence for falsifying or concealing books or records in order to bribe or conceal bribery of a foreign official. This is a very important change in terms of ensuring that transparency goes right the way down the line.

Finally, the bill would establish a nationality jurisdiction that would apply to all of the offences under the act. What this means is that Canadian nationals could be prosecuted for offences that are committed overseas. Again, that is a very important measure.

I want to say very clearly that New Democrats have long supported clear rules that require transparency and accountability by both Canadian individuals and corporations overseas. In fact, the NDP has had a number of bills in this regard. One of my colleagues, the member for Burnaby—New Westminster, had Bill C-323, which would allow lawsuits in Canadian courts by non-Canadians for violations of international obligations. The member for Ottawa Centre had Bill C-486, which would require public due diligence by companies using minerals in the Great Lakes region of Africa.

These are very important issues for Canadians, because we know that the extraction industry in Canada and the way it operates overseas is a major business concern. The way those companies do business is something of great concern to Canadians in terms of ethical practices. We have seen many movements here in Canada, including NGOs, the labour movement and individual citizens who have made sure they became active on this issue.

I want to point out something about a bill we voted on not that long ago, Bill C-300, which was a Liberal member's bill. When I raised transparency in the debate, the Liberal member for Charlottetown who replied to me pointed to Bill C-300 as another attempt to bring about better transparency and corporate accountability in foreign practices.

What is really interesting, and I am sure many members here will remember, is that it was defeated in part because 13 Liberal members voted against it. I remember the bill when it came up. There was intense advocacy for the bill from major NGOs across the country. They did an incredible job. The bill itself was very reasonable. It laid out basic standards for practice. However, there was, of course, a lobby against the bill. It was really quite shocking that 13 Liberal members voting against the bill resulted in the bill being defeated by a mere 6 votes.

We actually did come close to having that bill go through the House of Commons. I know that many of the organizations and individuals that had supported the bill were quite shocked that it had been defeated and were hugely disappointed about the amount of energy, time and effort that had gone into it.

● (1200)

It was a wonderful example of how Canadians look beyond their own border, look globally to see what Canada is doing. They had paid great attention to the need for Canadian corporations, companies and businesses to be accountable, to engage in ethical practices and to ensure there is not bribery and exploitative practices taking place in terms of labour rights or the environment.

These are things Canadians are actually very concerned about. I always feel very inspired when I see these organizations and people, whether they are putting out petitions or sending us emails. People really care about what we do in other parts of the world. We care about whether or not people are being exploited.

Just a little while ago, my colleague from Ottawa Centre talked about the situation in Bangladesh. I saw the story too, last night on CBC, and it is gut-wrenching and it makes us want to jump up and ask what we have to do to make sure these kinds of terrible, appalling conditions no longer exist.

Government Orders

We are talking about thousands of people who lose their lives because they work in terrible conditions where safety is disregarded, where people are not paid decent wages. If we layer on top of that all of the bribery and corruption that goes on, this is a multi-billion dollar business in terms of corruption and unethical practices.

I do not think the bill before us would address all of that, so the other bills we have before the House, particularly from the NDP members that I mentioned, are critical to ensuring there is a comprehensive approach to the way we are dealing with this situation.

We do have some concerns about the bill, which I would like to put on the record, assuming that the bill does get referred to committee. Because the bill would amend the definition of a business to now include not-for-profit organizations, we believe that this should be studied very closely at committee, and obviously witnesses need to be brought in to look at the impact of this particular change on charitable and aid organizations. As I mentioned earlier, the reality is that those organizations do sometimes, out of sheer necessity, have to make payments to expedite or achieve delivery of very essential items and humanitarian goods. This is something that is out there in the real world.

The bill is really tackling corruption and bribery, from the point of view that money is being made, money is being put in people's pockets and officials at embassies and so on are being bribed. That is what we are trying to get at, so I think we have to be very careful that we do not, by consequence, lay down a rule that could actually have a negative impact on organizations that are legitimately and in good faith trying to do very important work in some of these global areas where there is political, military and civil conflict going on. To make sure that kind of aid is delivered in a proper way is very important. We are hoping this issue would be examined more closely at committee.

The second item we think needs further examination is that the committee should also study the consequences of establishing an indictable offence punishable by up to 14 years in prison, because once 14 years is reached, it is actually the threshold at which conditional or absolute discharges of conditional sentences become impossible. It is obviously a much more serious penalty, and the committee, when it receives the bill, should examine that very carefully to make sure there is a balance in terms of our judicial system and conditional sentencing or the question of absolute discharges.

It is easy to make a blanket case, and again we have seen that so often with the Conservative government. It tends to make harsh, blanket rules that do not allow for discretion within our court system. Our court system has a history and a tradition of allowing judicial discretion, so judges can actually examine individual cases and the circumstances that warrant a harsher or a more lenient approach. That is what balance in the judicial system is about.

• (1205)

Therefore, one has to be very careful that in bringing forward new legislation we do not tip that balance and create a system that becomes so rigid that it becomes counterproductive. As the penalty is so harsh, people could end up pleading not guilty more frequently, or prosecutors may even be more reluctant to bring forward charges.

There could be unintended consequences of having penalties that are so harsh. This is an issue that we think should be looked at in the bill. We support, in principle, the penalty being increased and the sentencing threshold being increased. However, we have to look more carefully at whether 14 years is the right cut-off.

Finally, in terms of changes that we think need to be looked at, there is the question of the rule on the facilitation payments that I spoke about earlier. We need to figure out how it impacts NGOs and non-profits. That issue would not be part of royal assent but rather would be under the consideration of cabinet, which is in the current text. That one aspect of the bill, if this bill were passed as is, would not go ahead with the rest of the bill. Therefore, that has to be examined. We need to know the reason that is being put aside. The discussion on the facilitation payments as they would impact NGOs might help inform that debate, but it is something we need to look at.

I also want to talk briefly about more current situations. We heard today from the member for Ottawa Centre, who updated the House on a communiqué he had received from the G8 that is currently taking place. It was quite interesting. He pointed out that in this communiqué the issues of corruption and transparency were quite prominent. His point was that we need to know that our own government is committed, not only to the words in these communiqués, but that it is actually going to follow up. I thought the member used a very good example when he spoke about international treaties that we sign for which there is no follow-up.

The example he used was Bill S-10 that was rushed through this House a few days ago, on cluster munitions. I was one of the people who spoke to that bill. The member pointed out very clearly in the debate on that bill that the NDP believes Bill S-10 would actually undermine the very international treaty that it is meant to be following up. The point is that when these communiqués come out and these commitments are made in places like the G8, we need to know they are actually going to be followed up. We need to know that those commitments mean something.

Again, we get back to this particular bill, Bill S-14, that has taken so long to come forward. Why has it taken so long? Why is there not a greater priority and emphasis on these kinds of bills? In the G8 communiqué, among the issues that were flagged, was the need to have greater transparency and a public registry.

The member for Ottawa Centre told us that one of the proposals is the need for a regime whereby companies would not be able to set up a shell company. Even if there is good legislation, if enforcement is to be taken on issues of bribery and corruption, it is very difficult. There could be a lack of political will, as I have just spoken about, or it could be that they are trying to figure out who the operatives are in a particular company. There is the idea of a public registry and the need for better transparency, as well as the notion that we should not allow elaborate legal complexities for the setting up of shell companies that in effect allow individuals and operatives to hide behind other entities. That makes it much more difficult to figure out who is doing what and where enforcement should be applied.

Government Orders

•(1210)

That is a very significant issue, and it is not covered in the bill, so it does show us that the bill does not go far enough. I think that was the member's point this morning.

Nevertheless, we are supporting the bill at second reading. We will pay great attention to it in committee. We will seek to improve the bill so that it lives up to its spirit and intent, which is ensuring that we tackle bribery and corruption by public officials in other countries.

•(1215)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I was quite interested to understand that the NDP is going to be supporting the bill. To get the NDP to support any bill that deals with the growth of trade or business is quite welcome by our government, considering its opposition to all trade deals. However, we note also that, as usual, it has its caveats.

What is important is that this is a bill that would make Canadian companies accountable. We are talking about a public registry. Whenever a Canadian company is not accountable and it becomes a public issue, it is a message to other Canadian companies that the government and Canadians are very serious about transparency. That, by itself, would ensure that businesses comply with the legislation.

We are thankful that the NDP will be supporting it. Three convictions have already happened, and the publicity would ensure that Canadian companies will comply with transparency, as expected by all Canadians.

Ms. Libby Davies: Mr. Speaker, I listened to my colleague with interest. I am a little surprised that he thinks three convictions over five years is a good track record. Surely, Canada can do better than that. That is actually a bit shameful, to have such a minimal response from the Canadian government.

I would like to respond to my colleague by referring to what we heard today about the G8 communiqué, which he has likely seen because of the role that he has. We need a commitment from our federal government that it is going to live up to international treaties and that there is going to be follow-through, whether it is on this bill, or cluster munitions, or trade practices, or matters affecting human rights. The follow-through is so important, and I do not get that sense from the member.

He talks about accountability. He says the bill will send a message. However, if we do not follow it up with the proper enforcement and the transparency, then it is not worth the paper it is written on. Three convictions is not quite good enough.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, the speech from the member for Vancouver East, we would say is almost across the board. She has covered so many topics. However, when she started her speech she spoke of the fact that there have been so many time allocations in the House that our debate has been limited; I believe she said it has been 47 times.

The idea of this place and of committee is to take any bill that is put forward by anyone, be it a private member, government or the Senate, and to work together to try to make it better, yet what I find

very troubling is that when we get into debate here, we oftentimes find that the government is not even engaging us. It asks the odd question, but government members are not getting up and giving speeches, putting forth a point of view and working back and forth on the bill.

In her remarks toward the end, she talked about NGOs that bring supplies to places, and refugees from Syria might be an example. They come into a country and NGOs have to pay a gratuity, a tip, or a bribe, whatever they want to call it, to get those goods off of the ship and onshore. That is a reality in the world. That is not something that is high level. Do you think that people would be sideswiped by that unintentionally?

The Acting Speaker (Mr. Barry Devolin): I presume the member was not asking me the question, but rather his colleague.

The hon. member for Vancouver East.

Ms. Libby Davies: Mr. Speaker, I hope he was not asking you the question, as I would be happy to reply to him.

This is a very important point that the member has made. It is something that I focused on in my remarks. We have to make sure there are no unintended consequences for organizations that are trying to do the right thing by getting critical aid and humanitarian assistance to people who are literally dying or who are in severe conflict. This bill came down with a heavy hand. If it zeroes in on facilitation payments, on the basis that somehow that is bribery or corruption, I think we would be going down the wrong path.

The member makes a very good point. It is something we share in terms of understanding what enforcement will mean under this bill and getting it right.

•(1220)

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, the member opposite spoke very well. I am pleased that her party supports this legislation.

However, I am concerned about the contradiction in the bill. Companies are forbidden to pay bribes to officials, but should NGOs be allowed to pay bribes to police at checkpoints where they do the shakedowns?

Police are supposed to uphold the rules of law. Some of the NGOs are actually tasked with the job of introducing, implementing, and helping out with democratic principles in these countries. Having the law on the side of the travellers, wherein they are not allowed to pay bribes, can help to act as a shield.

Letting the employer or a government get away without paying proper wages is not our role. How can the NDP support letting the employers of the police get away without paying the proper wages?

Ms. Libby Davies: Mr. Speaker, I am not sure if I completely understand the member's point, or maybe she misunderstood my point.

Government Orders

My point was that we want to make sure that NGOs and non-profits that are delivering very important aid do not get prosecuted when they are just doing their jobs. I certainly agree that we need to focus on officials who are doing the bribery, and we do need to make sure that people are getting paid properly. The NDP has a long track record of saying that when we engage in trade deals and various international treaties, at the top of the list is ensuring that we have proper labour conditions, safety and human rights.

We are now seeing more and more situations around the world, the most recent in Bangladesh, of human misery and tragedy and what happens when there are not proper standards for corporations. They can literally get away with murder.

We are the ones who have been blowing the whistle on that for years. We have said that it is completely unacceptable and cannot continue.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, last night I had a very interesting conversation with our colleague from Windsor, who sits in your chair occasionally. We were talking about the evolution of the Speaker's position and how it has changed over time.

I cannot help but notice that all the bills we have been debating over the last week or so are from the Senate. I would like to ask my colleague, who has been here for a long time and has great experience in these matters, if she has noticed that change over her tenure in the House. Whereas the government should be bringing forward bills to the House, they seem to be bringing forward partisan bills through the Senate or through private members' business.

I wonder whether the member would care to comment on that and the dangers of going that route.

Ms. Libby Davies: Mr. Speaker, there has been a very dramatic shift in this place. I tried to outline that at the beginning of my remarks. In some ways, we need to account for and look at that. However, certainly in the last three weeks since we have had these midnight sittings, I do not think I have ever seen so many bills at one time come through from the Senate.

We have had no explanation from the government as to why this is happening. I would be fascinated to hear what the Speakers think about it, but I am sure they are probably not allowed to give their thoughts on the matter. One has to ask why the government itself is not introducing its own legislation in the House of Commons. To me, it diminishes the role of the House of Commons. It diminishes the role of members who are elected to come to this place.

The government has been introducing legislation in the Senate, which itself is mired in scandal and corruption. We have begun the process with those people, who are not elected and are not accountable, and then say, "Oh well, we kind of have to go back to the House of Commons."

The proper way to do this is to have legislation in the House of Commons. That is our primary responsibility, to debate and examine legislation and to represent our constituents. We need to talk about these things more and keep bringing them forward, so that Canadians can understand how much has changed under the Conservative government.

• (1225)

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, I thank my colleague for Vancouver East for the benefit of her years of experience in this House in being able to talk about those issues.

I will be splitting my time with my friend from Chicoutimi—Le Fjord.

I rise today in the House to support Bill S-14, an act to amend the Corruption of Foreign Public Officials Act, and I do so for a number of reasons.

The bill would make four main changes to the Corruption of Foreign Public Officials Act. I will elaborate on a bit on these changes.

Bill S-14 would increase the maximum sentence of imprisonment applicable to the offence of bribing a foreign public official from five to 14 years. It would eliminate an exception for so-called "facilitation payments", whereby foreign officials are paid to expedite the execution of their responsibilities. It would create a new offence for falsifying or concealing books or records in order to bribe or conceal bribery of a foreign official. It would also establish nationality jurisdiction that would apply to all the offences under the act so that Canadian nationals could be prosecuted for offences committed overseas.

Having noted my support for the bill, I want to take a moment to comment on the process by which this bill comes before us in this House.

It is of concern that we get to this place by way of a 2011 report from Transparency International. That organization ranked Canada as the worst of all G7 countries with regard to international bribery with "little or no enforcement" of the scant legislation that exists in this country on these matters. This is to say that Canada needed to be named and shamed publicly, internationally, for our lax legislation and approach to these issues of corrupting public officials in other countries.

I also want to comment on the timing of the bill, which reflects a curious pathology of the current government. The Conservatives have been in power through a minority and now a majority government since 2006. It seems to elude them that they have been here seven years and that all that they do, now that they have been in power so long, is really an indictment of their own conduct as a government. Implicit in this kind of legislation is an indictment of what they have failed to do over the previous seven years in government.

I note that earlier today the parliamentary secretary justified Bill S-14 on the basis of the fact that we are a trading nation. Well, we were a trading nation as well when the Conservatives came to power in 2006. In fact, we have always been a trading nation. We have always been a very open economy, with goods coming and going to and from this country to other places around the world. When did dawn break over Marblehead? When did the Conservative government realize that we have always been a trading nation? The issues that the bill is meant to address existed in 2006 just as well as they exist in 2013.

Government Orders

It seemed to have taken a series of national embarrassments, largely in the extractive industry, to get the Conservative government to recognize that it needed some legislation such as the bill that we have before us. However, it is still not clear, after all of this, that the Conservatives embrace this legislation.

We had Bill C-300 before in this House. It was a bill that would have required extractive companies receiving government support to meet certain standards. As well, it would have established a system for issuing and assessing complaints against such companies. The government saw fit to whip that vote and defeat that legislation.

● (1230)

We had as well the spectacle of the foreign affairs minister introducing Canadian firms to the transition government in Libya before the United Nations could even assess the needs of post-conflict Libya. Among the companies that our minister of foreign affairs took to Libya, according to media reports, was SNC-Lavalin, a company whose contracts are now being investigated in 10 different countries. It is a company that has been banned from bidding on World Bank projects for 10 years. This is a government that only very recently saw fit to take SNC-Lavalin back into Libya to introduce it to a transition government.

We know too that to date there have only been three convictions on these matters. Since 1999, I would cite the Hydro Kleen group being fined \$25,000 in January 2005; Niko Resources Ltd. was fined in 2011 because its subsidiary in Bangladesh had paid for a vehicle and travel expenses for a former Bangladeshi state minister; Griffiths Energy International was fined \$10 million in January 2013 after it agreed to pay a \$2-million bribe to the wife of Chad's ambassador to Canada, and so on. There have been only three convictions since 1999.

All of this seeming reluctance on behalf of the government to bring forth legislation like this is confirmed by the source of this bill, and that is the Senate. The Senate is an institution with an enormous legitimacy deficit—

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Burlington is rising on a point of order.

* * *

BUSINESS OF THE HOUSE

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, there has been consultation among the parties and I believe it is possible that you could find unanimous consent for the following motion:

That Bill S-15, an act to amend the Canada National Parks Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to the Canada Shipping Act, 2001, be taken up at the report stage later today.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have unanimous consent to propose the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Barry Devolin): The members have heard the terms of the motion. Does the hon. member have unanimous support for the motion?

Some hon. members: Agreed.

(Motion agreed to)

FIGHTING FOREIGN CORRUPTION ACT

The House resumed consideration of the motion that Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act, be read the third time and passed.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, I was in the process of commenting on the source of this legislation being the Senate and the enormous legitimacy deficit that exists in the Senate. I think that is historical, but it is particularly acute these days. In particular, the Senate really is in no position to be issuing bills on the issue of corruption, mired as it is in scandals of exactly that nature.

That said, irrespective of the source and as unfortunate as the source of this legislation is, we remain prepared to support the bill. One of the central reasons for doing so is found in the legislative history of members of this party in the House. We have long supported clear rules requiring transparency and accountability by Canadian individuals and corporations overseas.

The bill complements legislative efforts by NDP MPs to encourage responsible, sustainable and transparent management practices. I speak specifically of Bill C-323, put forward by the member for Burnaby—New Westminster, which would allow lawsuits in Canadian courts by non-Canadians for violations of international obligations, and Bill C-486, from the member for Ottawa Centre, which would require public due diligence by companies using minerals from the Great Lakes Region of Africa. These bills reflect the history of our party. They reflect a respect for the democratic aspirations of people in other countries and a respect for their aspirations for better labour standards and a healthier and safer environment.

We understand that effective environmental and labour standards in developing countries often depend on advocacy and activism by local populations, and it is very difficult for local people to hold their governments to account when the government has secret sources of revenue that remove the financial incentive to be accountable in the first place.

We support this legislation as well because the lack of anti-bribery enforcement in Canada has been a national embarrassment to us. I will skip to my conclusion on this point of the national embarrassment over the lack of legislation.

It is worth pointing out that in spite of our support for this bill, it is in effect totally underwhelming. One is left asking, is that all there is?

When the parliamentary secretary points to the openness of our country to international trade and puts forward this legislation as the solution to dealing with corruption issues in such an open and global environment, when Canadians take such pride in and value so highly our reputation on the international scene, the question of why the government always seems to aim so low arises. Why can the government not aspire to a leadership role, one that Canadians could justly take pride in? If it is worth putting forward such legislation, and we certainly believe it is, why not set new and higher standards internationally to ensure that Canadians overseas conduct their affairs to the highest levels of transparency and ethics?

Government Orders

• (1235)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I listened with interest to the hon. member's response to this bill. Although that party is supporting the bill, I want to tell him quite clearly that this government has provided strong leadership not only around the world but also in Canada, and every given time the NDP opposes it.

The member talked about Canada being named and shamed internationally. The record is that the NDP leader goes overseas and has no shame in condemning Canada. What a pity. What kind of official opposition goes overseas to condemn Canada?

Most importantly, when I raised the point that three companies had been convicted, I received very strong laughter from members on the other side. They may think Canadian companies are corrupt and they may think Canadian companies are bad, but we are confident that Canadian companies are doing well. That we have few convictions for bribery speaks very well for Canada. Those members should not laugh at these things.

Mr. Matthew Kellway: Mr. Speaker, I wish the parliamentary secretary across the way had listened more carefully to my speech, because my point was quite the opposite. The NDP is not arguing that we should be named and shamed. It is with regret that we note that this legislation comes forward only in response to a public report by a credible international organization that notes our lax legislation on these issues and the need for Canada to bring itself up to what the rest of the world is doing. The legislation would only put us on par with the rest of the world and in line with the practices of 36 of 39 other OECD countries.

With respect, by no means is the NDP condemning Canadian corporate conduct overseas. We know that Canadian corporations require and look forward to a consistent set of standards and consistent enforcement so that all corporations around the world can be sure that they are playing on a level playing field.

• (1240)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, one of the greatest hindrances in many countries is corruption. Until they are able to deal with that issue, economic prosperity will tend to elude them. That is why we want to see countries around the world, such as Canada, play a strong leadership role. That is why we have the United Nations Convention against Corruption. A unified grouping of countries has taken the approach that the best way to deal with corruption is to have countries like Canada being more aggressive in playing a progressive role in combatting corporate corruption. A number of countries have been taken advantage of or exploited. I have met with students in Winnipeg North in a high school setting who have even identified this as an important issue.

How much more do you feel the government could be doing? It had opportunities, such as with private members' bills, to act earlier, but it chose not to.

The Acting Speaker (Mr. Barry Devolin): Order. Once again, I presume that the member is not asking the Chair the question but, in fact, would like it redirected to his colleague, the hon. member for Beaches—East York.

Mr. Matthew Kellway: Mr. Speaker, I would suggest to the member that it is not just prosperity that is not shared because of

corruption around the world. As I said in my speech, it goes beyond the material needs of people not being met. It goes to the democratic aspirations of people and their desire to choose the environmental standards they want to live in. It goes to fundamental issues of health and safety in the workplaces in which they work and the prospect of coming home at night after a long day's work.

I hope I made it clear that there are higher standards around the world, in terms of transparency on these matters, that Canada could adhere to. Canada could aspire to even higher standards, if the government was so willing. However, it seems quite reluctant to do even the minimum.

[*Translation*]

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Mr. Speaker, I am pleased to rise in the House to speak to Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act.

I would like to explain to those watching at home what this bill is about. It proposes four major amendments to the Corruption of Foreign Public Officials Act.

First, it increases the maximum prison sentence for bribing a foreign public official from 5 to 14 years. Next, it eliminates the exception for facilitation payments, where a foreign public official is paid to expedite the execution of his or her responsibilities. It also creates a new offence for falsifying or concealing books or records in order to bribe a foreign public official or hide that bribery. Finally, the last major amendment establishes nationality jurisdiction that would apply to all of the offences under the act, such that Canadian nationals could be prosecuted for offences committed overseas.

The bill is very important for fighting corruption despite what the Conservative MPs might think. In this debate, the Conservatives are siding with the companies that unfortunately are engaging in corruption. I am very proud to be Canadian, but when companies think they are above the law and want to engage in corruption in Canada or abroad, the NDP is here to go after them and make them pay for their crimes.

Our position on this bill is very clear. We will support it at third reading. We were a bit disappointed to see that in committee, our proposals to improve the bill did not get the attention we would have liked. There is always room for improvement, even if the Conservatives across the way do not think so and believe that everything they do is perfect. The NDP has long been in favour of clear rules requiring Canadians and Canadian companies working abroad to be transparent and accountable. The bill builds on the legislative initiatives put forward by NDP members with the goal of promoting responsible, sustainable, transparent management practices.

Government Orders

Canada's deficiencies in enforcing anti-corruption laws are embarrassing. However, it comes as no surprise since our government likes to stick with corrupt and unethical people. It is no wonder that under the Conservatives', under this Prime Minister, our country has leaned toward corruption.

As members of the New Democratic Party of Canada, we are glad that the government is finally doing something about this problem, but it is disgraceful that it took so long and that Canada had to be criticized and discredited for the government to do anything about this. Later I will get into the types of criticisms our international allies were making.

Canadians want the companies that are representing Canada to do so in a responsible and respectable manner, and Canadian companies want clear and consistent standards when it comes to international trade. Enforcing rules without loopholes will level the playing field for all companies and protect the environment, labour and human rights, something we could all be proud of.

I would like to provide some background and talk about the criticism of our international allies. In a report released in 2011, Transparency International ranked Canada as the worst of all the G7 countries with respect to international bribery. The organization pointed out that Canada rarely, if ever, enforces its negligible anti-corruption legislation. Since then, the government has been working on resolving the problem. However, since 1999, there have been only three convictions, two of the them in the past two years.

The bill is of particular importance for the mining industry, where the NDP has been and continues to be a strong advocate for accountability. Take, for example, Bill C-323 sponsored by the NDP member for Burnaby—New Westminster, which would permit persons who are not Canadian citizens to initiate legal action based on violations of international law in Canadian courts, and also Bill C-486, sponsored by the NDP member for Ottawa Centre, which requires companies that use minerals from the Great Lakes Region of Africa to exercise due diligence.

●(1245)

It is clear that the NDP stands up for people abused abroad and for justice. We expect Canadian companies to have good standards. We are always disappointed when we learn that Canadian companies are involved in corruption.

The political elite that benefits from corruption, particularly in countries and industries where corruption is rife, is made up primarily of men. Men will try to get away with whatever they can. Unfortunately, that is why we should never expect people and companies, even Canadians, to always do the right thing. Protocols must be put in place to ensure that everyone, individuals and companies alike, does their part by obeying Canadian and international laws.

At the same time, it is primarily women who lack government protection. That is why the NDP is very proud to be listening to women across the country. This is also why we are always actively looking to engage women during elections and consultations. We believe in the principle of equality, unlike certain other parties that prefer women to be a minority in their party.

I would like to talk about some numbers and facts that people at home might find interesting. Earlier, I mentioned that there have been three bribery convictions, and I would like to talk about that some more.

Since the Corruption of Foreign Public Officials Act was enacted in 1999, there have been three convictions. Hydroclean Group was fined \$25,000 in January 2005 for bribing an American immigration official at the Calgary airport. Niko Resources Ltd. was fined \$9.5 million in June 2011 because its subsidiary in Bangladesh paid the moving and housing costs of Bangladesh's then-minister of energy and natural resources. Finally, the third conviction involved Griffith Energy International Inc., which was fined \$10.3 million in January 2013 for agreeing to pay \$2 million to the wife of Chad's ambassador to Canada and to allow her and two other individuals to buy shares at a reduced cost in exchange for support for an oil and gas project in Chad.

Naturally, I hope that the Conservatives will condemn these acts and continue to flush out other companies or individuals involved in bribery. It tarnishes our international reputation. The Conservative government has done enough to tarnish it over the past seven years. This needs to stop.

Transparency International's 2011 bribe payers index ranks the oil and gas industry fourth and the mining industry fifth in the list of sectors most likely to engage in bribery. In addition, the mining and oil and gas industries are ranked second and third in the list of sectors most likely to give major bribes to high-level public officials and politicians. Bill S-14 is particularly relevant to those sectors.

To conclude, I would say that, unlike the Conservatives, the NDP is listening to the people. When the business sector tells us that Canadian companies want clear, consistent international business standards, we listen. Enforcing regulations that are free of loopholes will level the playing field for all companies.

In addition, the NDP is listening to environmental groups and task forces that want to ensure that local communities are not abused in the course of development.

Finally, we are listening to international stakeholders to ensure that Canadian companies have sound, responsible management practices.

●(1250)

[*English*]

Mr. Ray Boughen (Palliser, CPC): Mr. Speaker, I listened with great interest to my colleague's presentation. I have a couple of questions for him to consider.

If the member is aware of all these people who are in the corruption game and doing bad things, why is that not reported to the police so the officials can take the desirable action?

Government Orders

I also wonder, when he says that all this corruption is taking place in foreign countries, who made us the government of foreign countries that is going to clear up all this corruption, when it happens, wherever it happens.

The New Democrats showed us where they stood as far as the growth of Canada was concerned, and there was not any corruption. It was a trip to the U.S. to convince the Americans not become involved in engaging Canada as a working nation, which I found difficult to understand.

When it comes right down to it, I am looking at the word “convictions”, only three convictions since 1999. I wonder if the hon. member thinks we will just gather up some buddies and go and get some guys and get some convictions today because it is conviction day in the old corral. It does not work—

The Acting Speaker (Mr. Barry Devolin): Order, please.

The hon. member for Chicoutimi—Le Fjord.

[*Translation*]

Mr. Dany Morin: Mr. Speaker, I find the attitude of my Conservative colleague completely shameful. He does not really seem to think it is serious that Canadian companies are involved in corruption overseas.

He even asked what they, the Conservative government, are supposed to do. Are they supposed to play sheriff overseas?

I think that the government needs to show some backbone in the case of companies on Canadian soil that fall under federal jurisdiction, but are doing business overseas. We need to put forward legislation in Canada to protect people in other countries from Canadian companies.

If they obey the law and do not engage in corruption, they will have nothing to hide. However, because of the Conservative government's complacency, companies are currently involved in corruption and the Conservative government is washing its hands of the situation. I do not mean to insinuate anything, but I am not surprised.

• (1255)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I was a bit disappointed in the question that was put forward by the Conservative member. He gives the impression that Canada has no role to play in combatting corruption of public servants beyond Canada's borders. Nothing could be further from the truth.

At the end of the day, there is not only a legal, but, many would ultimately argue, a moral responsibility for Canada to do what it can to combat corruption. Once all is said and done, we would like to think we should be following the advice of the United Nations Convention against Corruption.

That is one of the reasons we brought in legislation during the 1990s and acted on it. I believe it was in 1999 when Jean Chrétien was the Prime Minister. We have seen private member's bills, whether from New Democrats or Liberals, that have been brought forward to try to deal with this issue.

Does the member not agree that we could be doing a whole lot more in providing leadership on this particular issue?

[*Translation*]

Mr. Dany Morin: Mr. Speaker, I find it rather ironic that my Liberal colleague is asking for my support and wondering if Canada can do more. Yes we can, and that is why the NDP introduced Bill C-300. That bill would have required mining companies that receive government support to comply with certain standards, but it would also have established a system for lodging and evaluating complaints against such companies.

Unfortunately, the government members voted against the bill. What people may not know is that 13 Liberal Party members, including the member who asked me the question, voted against the bill. Bill C-300 was defeated by six votes.

Yes, Canada can do more and so can the Liberals, by supporting NDP bills that are designed to strengthen these types of laws. We need to do more than just talk. We need to take action and vote the right way.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I am pleased to rise in the House today to speak to Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act. The bill talks about corruption and transparency.

I will be sharing my time with the member for Saint-Bruno—Saint-Hubert.

As an NDP member of Parliament and the proud representative of LaSalle—Émard, I want to say that it is very important to my constituents to have a transparent and corruption-free government, whether we are talking about this government or any other level of government. The same goes for all elected officials, at any level of government.

It is ironic that this bill was introduced in the Senate—a point that has already been raised—when we know very well that that place is severely lacking in transparency and ethics when it comes to corruption, for example.

However, when I see my Conservative colleagues rise in the House and say that a bill is a priority for this government, it always makes me wonder why the government did not introduce the bill itself if this was such a priority. I have asked myself that question about all of the bills that have recently come to the House.

This is not the first time this kind of bill has come up. In 1997, Canada signed the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. Canada ratified the convention in 1998. That was a while ago.

Then, there was the United Nations Convention against Corruption in 2004. This convention was ratified in 2007. That was not all. In 2008, the RCMP created an international anti-corruption unit, made up of two seven-person teams in Ottawa and Calgary. This unit focuses on detecting, investigating and preventing international corruption such as bribery, embezzlement and so on. The RCMP oversees this unit.

Canada and Canadians have been concerned about this issue for many years.

Government Orders

In March 2011, Canada and the Corruption of Foreign Public Officials Act were reviewed by members of the OECD working group on bribery. They welcomed Canada's efforts on this issue, but raised objections to the limits on the legislation's jurisdictional reach, the insufficient number of investigators working to uncover bribery of foreign public officials and the lax penalties that would be imposed upon conviction. These were the two criticisms presented.

Since we are part of this convention, it would be useful to conduct periodic reviews and evaluations on this.

They also made a list of recommendations, which is a little too long for me to read here. I would still like to talk more about some points related to the bill now under debate in the House.

• (1300)

Then, in September 2012, Transparency International, a non-governmental organization, released its eighth annual progress report on the enforcement of the OECD Anti-Bribery Convention, which I mentioned earlier. Moreover, the Transparency International board of directors is chaired by a Canadian, who indicated that Canada was in the moderate enforcement category.

This is one of the problems: despite ratifying these conventions for several years, Canada is still enforcing them only at a moderate level despite what the bill says. However, according to Transparency International, active enforcement is necessary to ensure that the legislation actually enables us to tackle this problem. We think that there are not enough resources specifically allocated to do this.

The report also made some interesting recommendations. It proposed ensuring that charges not fall under territorial jurisdiction, but rather be based on the principle of nationality. That is one of the interesting parts of this bill. In other words, any time a Canadian national bribes a foreign public official, the principle of nationality will facilitate the beginning of the legal process under the Criminal Code.

This recommendation, originally made by Transparency International, has been included in Bill S-14. The hope is that it will facilitate launching legal proceedings dealing with the bribery of foreign public officials. Clearly, whether we work here or abroad, we must always hold ourselves to the highest standards regarding ethics and transparency.

This is important for Canadian industries that operate here in Canada as well as abroad, because there is a cost involved any time Canada's reputation abroad is sullied. There is a high cost for the Canadian economy as well as the industries that operate here or abroad.

Canada also needs to show some leadership. We are a democratic nation that has ethical standards. We have established standards regarding working conditions, living conditions and the environment. It is therefore very important that we continue to lead by example, both here and abroad. It is very important to keep this in mind.

• (1305)

Canadians want businesses representing Canada overseas to do so in a responsible, respectable manner. Canadian companies want clear and consistent standards for international business.

[English]

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, my hon. colleague underlines the importance of Canada playing a leading role on the international stage in leading by example. Of course, we are mired in bad examples in the House of Commons and in the Senate.

Will my colleague like to comment on the ways in which Canada needs to shift focus to play that leading role, a role of an important example to the world community about how good governance on the international stage is achieved?

[Translation]

Ms. Hélène LeBlanc: Mr. Speaker, I want to thank my colleague for the question.

In fact, Canada often puts up obstacles instead of actively participating in implementing bills that tackle corruption or bills that will improve environmental standards here or elsewhere in the world. The same goes for Canada's participation in fighting climate change or banning terrible weapons such as cluster munitions.

If Canada actively addressed these issues at an international level, that would help make the world a better place.

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I listened to my colleague's speech and some of the questions she answered. We talked a bit about Canada taking a leadership role. Our government has been very forthright in moving forward around the world to negotiate trade agreements. One of the important things, when we take a leadership role, is to ensure that when deal with other countries, we set the bar fairly high so the countries we do business with have an idea of how Canada will operate. We have taken a leadership role in that regard. Each and every time we have tried to negotiate these trade agreements, except for once, the NDP has always voted against it.

We have before us an excellent bill, Bill S-14. One of the people she quoted was Janet Keeping, the chair and president of Transparency International. She said:

Transparency International Canada is delighted that the federal government is moving to strengthen the Corruption of Foreign Public Officials Act (CFPOA), in accordance with Canada's international obligations, and encourages the government to ensure that the RCMP have the resources necessary to enforce the CFPOA effectively.

Considering that Canada is taking a leadership role, does this mean now that the NDP will be supportive of the government's actions to reach out around the world to increase trade with different countries?

• (1310)

[Translation]

Ms. Hélène LeBlanc: Mr. Speaker, I am very pleased that the Conservative member who asked the question alluded to the need for resources to tackle the problem of corruption of foreign public officials. As I was saying in my speech, that is the RCMP's job.

Government Orders

I hope that the government will give the RCMP the necessary financial resources and means to tackle the problem of corruption of foreign public officials.

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, I am pleased to address Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act, to increase the maximum sentence of imprisonment applicable to the offence of bribing a foreign public official; eliminate the facilitation payments exception to that offence; create a new offence relating to books and records and the bribing of a foreign public official or the hiding of that bribery; and establish nationality jurisdiction that would apply to all of the offences under the act.

For a long time now, members of the NDP have supported clear rules requiring Canadians and Canadian companies abroad to show transparency and accountability. This bill complements the legislative initiatives put forward by members of our party to promote responsible, sustainable, transparent business practices.

In a report published in 2011, Transparency International ranked Canada as the worst of all the G7 countries with respect to international bribery. The organization pointed out that Canada rarely, if ever, enforces its negligible anti-corruption legislation. Since then, the government has started trying to address this national embarrassment. However, since 1999, there have only been three convictions, two of them in the past two years.

By eliminating the facilitation payments exception, the bill will bring Canada's practices into line with 36 of the 39 other OECD countries. However, while the remainder of the bill comes into effect on royal assent, the rules on facilitation payments will come into effect at an unknown later date, as cabinet wishes. In the United States, the rule on accounting records is already enforced in civil matters by the Securities and Exchange Commission. Canada has no equivalent regulatory authority, but there is a similar rule in criminal law.

The bill is of particular importance in the mining industry, where the NDP has been and is still an ardent defender of accountability. I can cite, for instance, Bill C-323 introduced by the member for Burnaby—New Westminster, which seeks to permit people who are not Canadian citizens to initiate tort claims based on violations of international obligations in Canadian courts, as well as Bill C-486 introduced by the member for Ottawa Centre, which requires companies that use minerals from the Great Lakes Region of Africa to exercise due diligence.

Canadians want our companies to be responsible and respectable representatives of Canada, and Canadian companies want clear and consistent standards for international business. The enforcement of loophole-free regulations will create a level playing field for all companies, while protecting the environment, labour and human rights, something we could all be proud of.

The news headlines concerning SNC-Lavalin are enough to convince us that this is necessary. A number of people in my extended family and some of my childhood friends in Algeria have written to me to find out whether corruption of foreign public officials is the norm in Canada. We are aware that a number of allegations of corruption are floating around the activities of SNC-Lavalin, not just in Libya, but also in Algeria. The company has even

been blacklisted in Algeria, including by Sonelgaz, Algeria's electricity utility.

• (1315)

Clearly, this incident was an embarrassment for Canadians. This is why Canada has a duty to adopt responsible management practices. This bill helps ensure that operations conducted by Canadian businesses abroad meet high standards, of which we can all be proud.

Under the current version of the Corruption of Foreign Public Officials Act, however, Canada exercises only territorial jurisdiction, which allows Canada to prosecute the foreign bribery offence when it is committed in whole or in part in Canada. There must be a "real and substantial link" between the offence and Canada. The fact that Canada does not exercise nationality jurisdiction in order to prosecute a Canadian for bribing a foreign public official without needing to provide evidence of a link to Canada has been the subject of negative commentary by Transparency International and by the OECD in its Phase 3 Evaluation Report. Both bodies have recommended that Canada amend its laws to exercise nationality jurisdiction over the foreign bribery offence to promote prosecution of cases under the Corruption of Foreign Public Officials Act.

The incorporation of this recommendation into the bill means that offences committed abroad are deemed to have been committed in Canada. As a result, proceedings for an offence can be commenced in any territorial division in Canada, and the provisions of the Criminal Code relating to the appearance of the accused at trial apply to the proceedings. With certain exceptions, the new provisions also provide safeguards for people who have already been tried and dealt with outside Canada for an act or omission that is deemed to have been committed inside Canada under the Corruption of Foreign Public Officials Act. This prevents people from being tried twice for the same offence, once by a court exercising jurisdiction on the basis of territory and once by a court exercising jurisdiction on the basis of nationality. Similar safeguards are already set out in the Criminal Code.

That being said, once again, as the hon. member for Outremont is fond of saying, the government needs to put its money where its mouth is both in this and in many other matters. In Canada, our inability to enforce anti-corruption laws is a source of embarrassment to the country. We are pleased that the government is finally looking into these problems, but it is deplorable that it has taken so much time and that Canada had to be condemned and discredited before the government took any action.

I would like to quote Janet Keeping from Transparency International. She said:

In our view, it is a very good thing that the Canadian government is responding to criticisms of the Corruption of Foreign Public Officials Act that have mounted over the years... I did want to have an opportunity to say that good law on the books is really important and essential, and Transparency International Canada is behind the adoption of Bill S-14. But just as in any other country of the world, legislation is only as good as it is enforced, especially in the criminal law area... [Keep] in mind that we must have the RCMP and the prosecution services adequately resourced to enforce the legislation.

Government Orders

We must therefore ensure that our excellent police officers have the resources they need to do their job. If the RCMP does not have enough staff and resources, the legislation alone will not be enough and will not meet its objectives.

• (1320)

[*English*]

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I want to thank the member for Saint-Bruno—Saint-Hubert for her remarks. Earlier the member for Winnipeg North was talking along the same lines and said that perhaps something could have been done earlier on this bill.

The member who just spoke was not in the House when Bill C-300 came before the House. I recall that night distinctly. The galleries were full of people from various NGOs and groups concerned about corporate social responsibility. It was debated when we had a minority Parliament. When the vote was called, despite the fact that it was a Liberal member's bill, it was lost, because 13 Liberals did not bother to vote.

We certainly have had an opportunity before to start addressing this.

Earlier I raised concerns that often we have NGOs trying to bring goods ashore to help people who are in difficulty. Often they are displaced persons or are even in another country. The NGOs have to pay an offloading fee or a tip, or we could call it a bribe. The reality is that those things facilitate getting that food ashore to help people.

Does the member see in this bill any concern about the fact that this might sideswipe the NGOs?

[*Translation*]

Mrs. Djaouida Sellah: Mr. Speaker, I would like to thank my colleague for his pertinent question.

Our goal was to have an exception in the bill that would accommodate non-profit organizations and level the playing field for them. The fact remains that we are supporting a bill that should have been brought forward a long time ago.

I would like to quote one of my constituents, who I met at a playground. He said to me, “Madam, politics, it is the same old story.” The NDP is different. We are working to protect human rights. Furthermore, we want to protect labour rights and the environment.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like to thank my colleague for her speech. She did a good job of summarizing Bill S-14.

She mentioned something that we often point out in our speeches. In her opinion, what concrete action could the government take? The House of Commons often votes on budgets that are part of omnibus legislation, which is really disturbing and shows a great lack of transparency on the part of the government.

What resources should be allocated to ensure that the bill is implemented properly, especially with respect to RCMP officers?

• (1325)

Mrs. Djaouida Sellah: Mr. Speaker, I thank my colleague for her insightful question. She is a very bright parliamentarian, who works very hard for her constituents.

According to Janet Keeping, from Transparency International, it is all well and good to have laws, but we need to follow up with meaningful action. Cuts are to be avoided. Instead, funding must be provided to police forces, such as the RCMP, so they can do their job properly.

Unfortunately, this is a very short-sighted government that cannot see past its nose. People are clamouring that we need human and financial resources. I hope that passing this bill will ensure that this government will put its money where its mouth is.

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, I would like to state right from the outset that the NDP is in favour of Bill S-14. We would have liked the legislation to go further and move faster, but it is a good start.

The key thing to understand in combating corruption is the importance of being vigilant. The primary purpose of this bill is to guarantee that corruption is never considered an acceptable modus operandi. Not only do we want to stop Canada from getting a reputation abroad as a corrupting nation, we also want to prevent this corruption from having a damaging effect at a local level. We do not want to be complicit in the misfortunes of people who have never done anything to us.

An Italian judge, Giovanni Falcone, when speaking out against the Mafia, stated that politicians can be divided into three groups: those who are fighting the Mafia, those who are working alongside the Mafia and, lastly, the most dangerous of all, those who let the Mafia go about their business unfettered. That last category may include any of us, hard-working people who work long hours and take part in fundraising activities where we meet all kinds of people, including lobbyists. That is part of our daily work as members of Parliament, and it can be difficult and trying. It is easy to overlook certain things. All that is needed is a moment of inattention. Nobody in the House is immune to that. Unfortunately, dishonest people take advantage of our weaknesses. The huge majority of honest people are convinced—and rightly so—that other people is just as honest as they are. That is what allows swindlers and corrupters to abuse our trust.

Bill S-14 would punish Canadians who attempt to corrupt foreign public officials. Canada must engage fully in the joint effort by the family of nations to put an end to this scourge. This corruption, in far too many countries, is a source of human rights violations. A corrupt officer in his own country breaks the law of the land at home. When a journalist writing an article on an allegedly corrupt minister challenges this officer, is he really going to incriminate himself or will he be tempted to have the journalist killed?

Government Orders

Corruption goes hand in hand with the destruction of the values of freedom, justice and democracy. The more corruption is tolerated, the more perilous it will be for democracy in these countries. We ask countries to engage in good governance, but in the same breath, we turn a blind eye to Canadians offering bribes. That has got to stop. This legislation is the House's response, across party lines, to this problem. It is also important to us. If we do not do this, our credibility as advocates for human rights and freedoms will be in tatters.

Canada missed out on the opportunity to obtain a seat on the United Nations Security Council. This is directly attributable to the fact that our foreign policy has, at times, fallen short of what is expected in terms of our reputation on the world stage. We have allowed our reputation to be tarnished, and it has sunk to new lows. The time has come to rectify this.

We remain saddled with the problem of tyrants and dictators. Both tend to be corrupt, which is why they hold on so tightly to the reins of power.

• (1330)

They are continuing to get rich off the backs of their own people. Corruption, misappropriation of funds, nothing is beyond these people. We are now openly declaring that we will no longer be complicit in this.

Libya is a hugely embarrassing problem. Mr. Gadhafi was no boy scout; he did not respect the laws and freedoms of his own people. Unfortunately, the bungling of some of our officers at the Canadian embassy in Libya, combined with the dishonesty of certain engineering firms and a number of Canadian construction and natural resources development companies, meant that a small portion of the Gadhafi family's income came from Canada. This is not something to be proud of. It is important to be aware of it and to address the situation.

Our response to the incident is Bill S-14. The legislation will punish Canadians who seek to corrupt foreign public officials. It was high time legislation like this was introduced.

Let us not complain. For once, all the parties in the House will support the bill. We support the fact that an individual found guilty of corrupting a foreign public official is liable to be sentenced to up to 14 years behind bars. There will no longer be an exception in the case of facilitation payments. This was a handout to officials not because they agreed to take on a case, but to have the case processed more quickly. Building permits, for example, were requested. People were entitled to these permits, they were legal, but the public official would claim to have a lot of work. Now, if he were enticed, the official might say that he could look after the case the following week rather than two months down the road. These facilitation payments will no longer be permitted. There will be a zero-tolerance policy.

Cooking, or concealing, the books to hide corruption will not be allowed, either. It will not be possible to tell Canadian shareholders to look at the company's terrific bottom line when it hides the fact that \$60 million or \$80 million has ended up lining the pockets of corrupt foreign officials. Sometimes, the money finds its way into the pockets of top Canadian executives, who receive what is

commonly called a kickback. For example, a person might hand over \$50 million and get a kickback in the form of \$10 million deposited into a Swiss bank account. That, too, will no longer be tolerated. It was high time. Canadian shareholders were getting the wool pulled over their eyes, and this had to stop.

The bill applies to all Canadians. Regardless of where the crime is committed, Canadian citizens will be accountable under Bill S-14. Often Canadians have several citizenships and do business in all corners of the globe, and now, extraterritoriality will no longer be grounds for immunity.

Turning a blind eye to Canadians offering bribes abroad is dangerous because once they are back in Canada, the very same Canadians end up bribing Canadian officials. That is the problem: corruption knows no borders. Corrupt people in Libya or in Latin America will be just as corrupt in Canada. Unfortunately, that is a fact. That much is obvious when it comes time to foot the bill, and the bill is steep. Canadian taxpayers have contributed to the tax-haven-sheltered bank accounts of far too many corrupt people and corrupters.

• (1335)

This is why the NDP strongly supports this bill. We stand by our position. The NDP is unequivocally opposed to corruption, which is a source of embarrassment for our country. It ruins our reputation and has an adverse impact on Canada's financial and economic opportunities.

Mining, gas, oil and manufacturing companies, the pulp and paper industry, and equipment and service suppliers will think that it is dangerous to do business with a Canadian company because they are corrupt. This kind of thinking has to stop. People need to know that if they do business with a Canadian company, that company is accountable under the law. It is not true that Canada tolerates corruption. Canada will not have that kind of reputation.

Corruption is a cancer that does not stop at our borders. It insinuates itself into our politics. Recently, cases of corruption have surfaced among our political parties. This morning, I researched the ideological path taken by one individual. My goodness, he was involved in every municipal political party, every single one. He did them all in Montreal, bar none. Provincially, he was close to the Quebec Liberal Party and the Action démocratique du Québec, Mr. Dumont's party. He toyed with the PQ, having the occasional flirtation here and there. Then, federally, he was a member of the Liberal Party of Canada, even seeking to run for the Liberal Party of Canada. It now turns out that he was a candidate for the Conservative Party. He wore every political stripe. He was always very close to power and always played the corrupt card when it came to power, always.

I can guarantee that, if he had not been caught and arrested, he probably would have tried to join the ranks of the NDP when it takes the reins of power in 2015. He is that kind of person.

No political party is immune to that kind of person. People cut from that cloth are dishonest and use how busy we are to take advantage of us. They aim to profit from the money Canada has. Indeed, if Canada were as poor as Job, they would not be like bees to honey. They seek, above all, to satisfy their personal interests, and they generally succeed. That is why we all, collectively, have a duty to be vigilant. From a purely non-partisan perspective, I can say that nobody is safe. This is happening right now. It is all well and good to say that a Conservative got caught. He was never a Conservative, but he was, and has always been, a thief. That is the take-home message.

In the past, our laws were weak. Not only did this give Canada a bad reputation, it led to some pretty poor outcomes. There have only been three convictions since 1999, and those convictions were not particularly impressive. The major players were not really caught in the net. A \$10 million fine was issued, which is nothing to be sneezed at. However, the contracts were worth billions of dollars. The penalties in other countries for corruption are significant, and those found guilty see their wealth go up in smoke.

Canada had such a bad reputation that international agencies were saying that Canada ranked fourth or fifth among the most corrupting countries. It is embarrassing.

● (1340)

Thanks to Bill S-14, we are collectively correcting our past mistakes. No one is infallible. Only those who never do anything never fail. It is because we collectively realized our mistakes that we were able to correct them. That is the difference between a mistake and a fault. Anyone can make a mistake. It becomes a fault when you keep making the same mistake over and over, without correcting it. Thanks to this bill, Canada does not have this problem.

We also need to talk about other problems, such as money laundering. Imagine a corrupt government official in an African country who finds himself with \$400 million or \$500 million, as we have seen. Nigeria once had a president who died of a heart attack and was later found to have had \$6 billion in Swiss bank accounts. When people are corrupt in their own country, they want to buy things for themselves in that country, but above all, they want to ensure that if they lose power, they will not lose their money, so they transfer it to tax havens. We need to tackle this problem.

Bill S-14 does not tackle it. However, we will tackle it through other bills. In the future, it will be impossible to divert money like that. In terms of international co-operation, we will have better regulations. It will be easier to exchange information and easier for countries that have lost money like this to recover it. That is an important element.

We have a significant banking sector. Our banking institutions play a major international role, and that is good. We cannot complain about having a solid banking system that plays an important role internationally. That is why we have to be careful. These institutions must not be left open to criticism or become a way to launder dirty money, corruption money. We will also be introducing crime bills to correct this situation.

There was also discussion about Canadian officials who represent us in embassies. They have a role to play. They must not encourage

Privilege

or tolerate this corruption. From an ethical standpoint, they must also avoid becoming corrupt by being so close to power.

Far too often, we have seen the children of a foreign president, minister or senator obtain bursaries to study in Canada or have their Canadian citizenship process fast-tracked. We have seen that sort of thing quite often, even in Syria. For example, in one case, the daughter of the immigration minister was working on the immigration portfolio at the Canadian embassy. That was not very smart.

The last few minutes of my speech will be on the Mafia and organized crime. Organized crime knows no borders. Corruption attracts corrupt people, and there is nothing more corrupt than organized crime on a global scale. It has interests in anything and everything. It knows no borders. In that sense, Bill S-14 could be improved in future when we deem it necessary. Bill S-14 is a first step, but not the last. We all think it is a good one.

● (1345)

[*English*]

The Acting Speaker (Mr. Barry Devolin): The hon. member for Beauséjour is rising on a question of privilege.

* * *

PRIVILEGE

ELECTIONS CANADA

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, I rise today on a question of privilege. It is indeed the same question of privilege my colleague from Avalon raised in the House on June 5 related to the rights of certain members to sit and vote in the House while in violation of certain provisions of the Canada Elections Act.

I would first state that I agree unequivocally with the arguments put forward by both my colleague from Avalon and my colleague the member for Winnipeg North.

Second, I understand that you, Mr. Speaker, have had a chance to consider all of the arguments with respect to this question of privilege and that you may be prepared to rule on that question of privilege.

I am rising is to tell you and my colleagues that I think it is important for the House to understand that our colleague from Avalon is not in Ottawa today, because he had the happy news this morning, at 9:55 a.m., of the birth of his second son Isaac Andrews.

I am glad that colleagues join me in congratulating our colleague from Avalon and his wife Susan on the birth of Isaac. Therefore, they will understand that he is in St. John's today and is not available to hear your ruling on this matter.

For this reason, I rise today, in essence, to resubmit the question of privilege raised by my colleague on June 5. I will spare you, Mr. Speaker, and the House the pleasure of hearing those arguments again. I would ask that you rule on the matter today if you are prepared to do so. If you are prepared to rule on the matter, Mr. Speaker, and you do find a prima facie breach of privilege, I would be prepared to move the appropriate motion.

Privilege

The Acting Speaker (Mr. Barry Devolin): The Chair appreciates the intervention by the hon. member for Beauséjour and will take that under advisement.

Questions and comments for the hon. member for Marc-Aurèle-Fortin. The hon. Minister of Veterans Affairs.

* * *

[Translation]

FIGHTING FOREIGN CORRUPTION ACT

The House resumed consideration of the motion that Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act be read the third time and passed.

Hon. Steven Blaney (Minister of Veterans Affairs and Minister for La Francophonie, CPC): Mr. Speaker, I have a question for my hon. colleague.

In his speech he said that there were three types of politicians: those who participate in corruption and those who are unaware—of course everyone is against corruption—but those who know it exists and who do nothing are the worst.

I would like to know how concerned my hon. colleague is about the actions of his leader who knew about corruption in Laval for 17 years yet did nothing. Not only did he do nothing for 17 years, but he also denied that someone had attempted to bribe him.

Does that not correspond to the third definition he just mentioned?

[English]

The Acting Speaker (Mr. Barry Devolin): Before I go to the hon. member for Marc-Aurèle-Fortin, I would like to remind all hon. members that the matter before the House is Bill S-14 and that their questions and comments and also the responses ought to be related to that somewhat directly.

The hon. member for Marc-Aurèle-Fortin.

● (1350)

[Translation]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, my colleague's last question is unfortunately so partisan that he has missed the point.

Collectively, it is our duty to protect our country against corruption and the corrupt. Unfortunately, those who disregard this make personal attacks and focus on imagined facts. At present, people are fighting corruption in Canada and abroad.

Unfortunately, collectively, we are sometimes not vigilant enough. Canada's response to this lack of vigilance is Bill S-14. We are going to deploy teams of expert police officers to fight this phenomenon.

In Montreal, the Marteau squad is tackling corruption. Unfortunately, if the member would open his eyes, he would see that the Marteau squad arrested the assistant to one of his ministers. These are not just suspicions; he is being charged with corruption. Just two months ago, that man claimed to be the shadow MP for the riding of Mount Royal.

We can fight corruption, not with partisan attacks, but by working together as we did on Bill S-14 and as I encourage the House of Commons to do in all circumstances.

[English]

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, the member mentioned a number of issues around international corruption that we need to take seriously. He talked a bit about the context, which is that we are facing scandal upon scandal in this very country in our political establishments, in the Senate and here in the House.

Could my colleague comment on the importance for Canada to show leadership abroad? We on our side of the House believe the government should show leadership and claim the place that we have always held in the international dialogue. Could the member comment on the importance of cleaning up the scandals that beset the government here at home first, or as well?

[Translation]

Mr. Alain Giguère: Mr. Speaker, people who are corrupt outside the country will also be corrupt inside the country. They are the same people. That is clear from the criminal charges that were recently laid.

The same people who gave bribes to Mr. Gadhafi gave bribes to the McGill University Health Centre in Montreal. The people who said they were experts in military intelligence and were members of the CSIS board of directors are the same people who accepted bribes.

No one is immune to corruption. Nor is any political party. However, we can implement measures to correct the situation as quickly as possible when it does happen. We can combat corruption with legislation, regulations and joint effort.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I thank my colleague from Marc-Aurèle-Fortin for his very eloquent speech.

I would like him to talk a bit more about Canada's international reputation. Indeed, *The Globe and Mail* reported today that Canada is still seen as the holdout at the G8 summit. It is not willing to make reforms on tax transparency at the international level. It is resisting reform and putting on the brakes.

Could my colleague comment on the way Canada has been doing things over the past few years, resisting reforms that would make us active participants in the global efforts to improve the situation?

● (1355)

Mr. Alain Giguère: Mr. Speaker, this is directly related to a government policy. The government chose to never be on the right people's side.

An Israeli minister once said, "Palestinians never miss an opportunity to miss an opportunity". That is exactly what is happening with this government. Canada is receiving environmental booby prizes. We are in last place, the biggest polluter. We are also in last place when it comes to money laundering. The government is making cuts to the Canada Revenue Agency, which should be working to combat money laundering. Canada is also lagging behind when it comes to combatting foreign corruption.

Statements by Members

We still have not voted on Bill S-14. We are the last of the G8 countries to have a bill of this nature. At some point, the government will have to take full and exclusive responsibility in all areas.

We lost the opportunity to get a seat on the United Nations Security Council. That should have been a red flag. The Conservatives trivialized the incident. They trivialize everything. They are against anything that could stand in the way of a Canadian company making a quick buck. Unfortunately, this is tarnishing Canada's reputation on the world stage.

[English]

Mr. Andrew Cash: Mr. Speaker, on that subject, there is a 2011 report from Transparency International that ranked Canada as the worst of all G7 countries with regard to international bribery, with no little or no enforcement of the scant legislation that does exist.

We are playing a lot of catch-up on this front. Could my hon. colleague comment on why it is that the government needs to be dragged, kicking and screaming at all levels, in order to present transparency and accountability?

[Translation]

Mr. Alain Giguère: Mr. Speaker, Canada is in last place because it is the last country to pass this type of legislation. Our country has become a laughingstock. This government has known for years that this type of legislation is essential.

At the very beginning of my speech when I quoted what Judge Giovanni Falcone said about politicians, I said that there were those who are fighting the Mafia, those who are working alongside the Mafia and those who let the Mafia go about their business unfettered. Clearly, the government's actions in this case were not inadvertent or due to a lack of vigilance. This government knowingly allowed companies to engage in wrongdoing.

Diplomats at the Canadian embassy in Libya were involved in the corruption surrounding the Gadhafi family. That is unacceptable. That is why Canada is in last place and everyone knows it.

When it comes to making a quick buck, this government will support the corrupt, regardless of the long-term effects or the impact it will have on Canada's reputation. The government wants Bill S-14 because it no longer has a choice.

The NDP government will go much further. We will re-establish Canada's reputation of excellence.

Ms. Hélène LeBlanc: Mr. Speaker, I want to reiterate that the NDP has always been in favour of responsible, sustainable and transparent management practices. My colleague alluded to this during his speech, and I would like him to reiterate the NDP's commitment to that.

I also appreciated how he mentioned that it was up to each one of us to recognize our responsibility to adopt ethical and responsible measures.

Mr. Alain Giguère: Mr. Speaker, that is a good question.

In many cases, the purpose of corruption is not just to facilitate access to the resources of a foreign country. Often it is used to bypass the basic rules of sustainable development. I am talking about anti-pollution rules, respect for workers' rights and respect for the

right of local communities to live in a healthy environment without having to disturb modes of transportation or water supplies. All of these things are part of regulation, and corruption can deny these people their right to sustainable development.

STATEMENTS BY MEMBERS

● (1400)

[Translation]

CONSERVATIVE GOVERNMENT OF CANADA

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, Quebecers can point to a dismal record for the parliamentary session just ending.

In terms of governance, the Conservative government is navigating from scandal to scandal without a moral compass. The attempt to cover up the fraud committed by senators to the tune of thousands of dollars and the defence of former minister Penashue, who broke campaign spending rules, are obvious examples of this government's moral bankruptcy.

With regard to consequences for Quebec, across the economic, political, social and environmental spectrum, the government has made a growing number of decisions that clash with Quebec's interests. The government's actions in maintaining the Clarity Act with the support of the NDP and the Liberals, thereby preventing the Quebec nation from deciding its own future, and the support from all federalist parties to fund the Churchill Falls project, which uses our own money to compete with Hydro-Québec, show just how far all federalist parties are willing to go to harm Quebec in favour of Canada.

At the same time, the deeply unfair employment insurance reform, which is devastating and weakening our regions, leads us to conclude that this is indeed a dismal record.

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[English]

ABORIGINAL AFFAIRS

Ms. Wai Young (Vancouver South, CPC): Mr. Speaker, today I rise to mark a historic moment in this place. When our government passed Bill S-2, the family homes on reserves and matrimonial interests or rights act, shamefully, the Liberals and the New Democrats voted against this important legislation, which would give women and children living on first nations reserves the same matrimonial rights and protections as all Canadians.

Despite the courts having identified a legal gap in the protection of women and children on reserves some 25 years ago, violence and sometimes even death have resulted for too long. While it is unconscionable that the opposition parties stood against giving these rights to aboriginal women and children across our country, I applaud those countless women and organizations who came forward to support this bill.

Together, we have closed this gap, provided these protections and made our communities safer.

*Statements by Members***EMPLOYMENT**

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, today, for the first time ever, almost 50% of workers in Toronto cannot find stable, full-time jobs. What does this mean for urban workers and, in fact, for all workers across the country who are among this growing sector? It means part-time work, split shifts, serial contracts, self-employment and, increasingly, it means unpaid internships.

There are many excellent internship programs out there, but their reputation is being tarnished by companies that wish to exploit young workers. Indeed, more and more young people who are recent graduates, carrying on average \$28,000 in student debt, are told that they must work for free first before being able to get a paying job in their field. It is tantamount to being bribed with the possibility of a job in exchange for free labour. Indeed, too often unpaid internships are being misused while the current government turns a blind eye.

This inaction is one of the many reasons that I will be tabling an urban worker bill in the House that will, among other things, call on the government to crack down on the misuse of unpaid internships. I urge the government to finally take this issue seriously, to take the issue of youth unemployment seriously and to support my bill.

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[*Translation*]**MUNICIPALITIES OF SAINT-ÉDOUARD AND
LECLERCVILLE**

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, I am pleased to say that two municipalities in my riding—Saint-Édouard and Leclercville—are gearing up to celebrate their 150th anniversaries.

Rich in history and filled with welcoming and vibrant people, these two municipalities continue to grow and develop. They are good places to live. A variety of activities will be held in the near future, giving residents and everyone else the opportunity to celebrate with loved ones and discover this beautiful part of the country along the river.

I would like to acknowledge the outstanding work of those organizing and volunteering at these events, which promote cultural and local development and help form friendships that will last for years, for generations.

Happy 150th everyone!

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● (1405)

[*English*]**NORTH KOREAN REFUGEES**

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, earlier today South Korea indicated it will do more to help refugees fleeing their repressive northern regime, a measure responding to the recent forced repatriation of nine North Korean refugees from Laos. The defectors were detained and handed over to North Korea, a move that contravenes the UN convention on refugees. Such violations are not unusual and the incident only underscores the need for action.

North Koreans flee because they live in one of the world's most undemocratic countries, where human rights are ignored and dissent is dealt with harshly. They are captured and repatriated because the world closes its eyes. This is intolerable, and Canada must be a voice for victims.

When dealing with a country that seeks isolation and seclusion in order to violate human rights, we must deny them the conditions of isolation and seclusion. The time has come for Canada to show the world that the terrible human rights record of North Korea is not acceptable. Let these nine defectors be the last ones.

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FOREIGN AFFAIRS

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, people in the Hamilton area, and most certainly their families, were relieved to hear the news last evening that the charges against two Hamilton men in the Dominican Republic were dropped after they reached common ground with the other Canadian involved, and they have been released.

We give thanks to the efforts of the Canadian consular officials in the Dominican Republic, who were praised by officials from the Dominican justice system, and to the Minister of State of Foreign Affairs for Americas and Consular Affairs and her hard-working staff for their engagement on behalf of all Canadians involved.

Our citizens have been through an ordeal that we certainly hope no others have to suffer. I think this is a good reminder to all Canadians, as we head into the summer travel season, that when travelling abroad, one is subject to local laws and local justice systems, which are different from our own.

Travelling abroad is a wonderful opportunity, however, please be aware of the precautions and advisories that the Department of Foreign Affairs provides. The booklet that is available at all passport offices, MP constituency offices and the Foreign Affairs website is chock full of valuable travel information and tips.

Our government wishes that all Canadians have a great and refreshing holiday. They should get informed, travel safe and bon voyage.

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[*Translation*]**CONSERVATIVE GOVERNMENT OF CANADA**

Mr. José Nunez-Melo (Laval, NDP): Mr. Speaker, the Conservative government's days are numbered. Considering its track record in recent weeks, with merely a glance, anyone can see that the Prime Minister's Office is in full panic mode. With 48 gag orders under its belt, this government is limiting debate on issues that affect all Canadians, because it is afraid of defending its indefensible positions. By silencing the opposition, the Conservatives are really silencing the voices of all Canadians.

Statements by Members

The sense of panic within the government is obvious in its members' speeches. The Conservatives are clearly scraping the bottom of the barrel and are all over the map: endless gag orders, senators who keep spending irresponsibly and a Prime Minister who cannot even control his own caucus.

In 2015, and perhaps even before that, the NDP will be there to get Canada back on track and replace this government with a competent and compassionate team.

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[*English*]**RECREATIONAL FISHERIES**

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): Mr. Speaker, last May, the Prime Minister announced the creation of the hunting and angling advisory panel, an acknowledgement of our government's appreciation for the conservation record of Canada's hunting and angling community.

Today I am proud to talk about our government's recently announced \$10 million recreational fisheries conservation partnership program. Through partnership agreements between the Department of Fisheries and Oceans and local angling groups, this program will enhance recreational fisheries by restoring habitats and improving fish production. This partnership program was enabled by changes that our government made to the Fisheries Act.

The value of recreational fishing in Canada is an impressive \$8 billion, and an estimated four million Canadians are active anglers. Our new program is a win-win for anglers, tourism-dependent communities and, of course, Canada's aquatic ecosystems. It will deliver real conservation results, a notion that the opposition simply does not understand.

As chair of the Conservative hunting and angling caucus, I am so very proud to be part of a government that stands up for the angling and hunting communities across Canada.

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**NATIONAL ABORIGINAL PARLIAMENTARY PRAYER
BREAKFAST**

Mr. Rod Bruinooge (Winnipeg South, CPC): Mr. Speaker, this Friday, June 21, we celebrate National Aboriginal Day. We celebrate the heritage, culture and achievements of Canada's aboriginal peoples, both past and present, and look forward to the future.

There are many events taking place from coast to coast to coast, but there is one in particular that I would like to mention that will take place right here in the nation's capital.

The national aboriginal parliamentary prayer breakfast is hosted by honorary chief Kenny Blacksmith, founder of Gathering Nations International. He will gather leaders from across communities in the spirit of renewal and unity. This year's theme is entitled "Beyond Forgiven".

Kenny is a strong aboriginal leader and a friend to many. I wish him great success with this year's national aboriginal prayer breakfast and thank him for his hard work and dedication to the first nation communities.

I would like to invite all parliamentarians to join in attending this great event at the Chateau Laurier this Friday morning.

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●(1410)

PUBLIC SERVICE CUTS

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, for the past four years the Conservatives have slashed public services and tried to get buy-in by calling them austerity-related cutbacks, but Canadians are not buying it because they know that the Conservative axe is slashing the very programs that we all hold most dear.

Let us have a look. Here are some of the biggest cuts as a proportion of the department's size.

Statistics Canada is losing one-third of its workforce, but then no one has ever accused the Conservatives of wanting to base their decisions on evidence and facts.

Next is HRSDC, where one-quarter of the workforce will be gone. These are the folks who deal with things like EI, pensions and housing. There is a staggering 62% cut to programs that support homelessness initiatives.

Next there is Veterans Affairs, where the largest proportional cuts are going to programs that support disability, death and financial benefits for veterans. This is how we give thanks to our troops.

The Canadian Food Inspection Agency is losing 1,400 positions, or 20% of the staff. The biggest cuts are in the programs that keep us safe from things such as mad cow disease.

These cuts affect us all, so let us push back together. Let us fight to protect our public services. After all, we paid for them.

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**LEADER OF THE NEW DEMOCRATIC PARTY OF
CANADA**

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, it is clear that the Leader of the Opposition possesses dangerous driving skills. Last week, the Leader of the Opposition ran through five stop signs, committed five Criminal Code infractions and refused to pull over when emergency lights on a fully marked police car were activated.

As a former RCMP officer, I too have encountered individuals who think they are above the law. When finally stopped, he tried to intimidate the officer saying, "You're going to be in a lot of trouble".

The Leader of the Opposition then had the audacity to hide during question period instead of immediately apologizing to Canadians and the RCMP.

Statements by Members

To make matters worse, the member for Timmins—James Bay insultingly referred to female officers as “meter maids”. I have worked with many excellent female officers and stand with them and all those who risk and gave up their lives serving in the RCMP.

The Leader of the Opposition endangered Canadians, and his driving could have resulted in someone being hurt or worse.

* * *

[*Translation*]

WORLD REFUGEE DAY

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, June 20 is World Refugee Day. It reminds us of the importance of showing leadership to prevent and stop conflicts that force families to leave their homes. Canada's role in improving conditions for current refugees, the victims of modern conflicts, must continue to be a central pillar of humanitarian aid.

We must not abandon people in need. People do not choose to flee. Their forced displacement endangers lives and the safety of families. Kidnapping, rape and torture are just some of the dangers faced by refugees.

When we celebrate this day, we remind ourselves of the challenges faced by refugees and our duty to take action.

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LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA

Mr. Bernard Trotter (Etobicoke—Lakeshore, CPC): Mr. Speaker, last week, the Leader of the NDP did a Reese Witherspoon imitation saying, “Don't you know who I am?” A female RCMP member was forced to chase him around Parliament Hill after he decided security measures did not apply to him. Once he was confronted and given a warning not to repeat this stunt, the Leader of the Opposition moved on to intimidation, threatening this front-line officer that she would get in a lot of trouble.

Parliament Hill's bearded bandit is not above the law. He can run, but he cannot hide. The NDP leader thinks he is above the law and disrespects those who put their lives on the line to keep Canadians safe. That attitude shows a lack of judgment and makes it clear why the NDP leader is not fit to govern.

* * *

[*English*]

BRAIN INJURY AWARENESS

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, June is national Brain Injury Awareness Month and highlights awareness of the causes and effects of brain injury. Automobile and cycling accidents, falls, sports injuries, strokes, tumours and other non-degenerative conditions are leading causes of brain injury in Canada, a silent epidemic, with brain injury being the number one killer of people under the age of 44.

Unfortunately, there are no drugs or techniques that can cure a brain injury, and the emotional, social and economic costs are devastating to families.

Sandhya and Swapna Mylabathula in my riding have been working with the Brain Injury Association of Canada to promote a pan-Canadian concussion strategy.

Together, let us fight for a year of the brain and fight for a national brain strategy to improve the quality of life for all Canadians living with a neurological disease, disorder or injury, and their families and caregivers.

* * *

•(1415)

LEADER OF THE LIBERAL PARTY OF CANADA

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Speaker, as members of Parliament, part of our job is to work with the pillars of our communities to help make them better places for everyone.

In 2010, just two years after being elected, the leader of the Liberal Party spoke to a professional development conference for teachers in my riding and educational staff from local prisons, as many of us do. I would say bully for him.

However, did he do it out of the goodness of his heart or for the betterment of my community or other communities? Sadly not; he did it for \$15,000 of taxpayers' money. This is on top of the generous salary he already received as a member of Parliament.

Canadians know there is only one taxpayer and this type of double-dipping is reprehensible. The Liberal leader has clearly shown that he puts his own financial interests ahead of education and that he is just in over his head.

* * *

[*Translation*]

TOURS OF PARLIAMENT

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, instead of the biased training manual for Parliament Hill guides, I came up with a few suggestions to make tours more interesting and representative of reality. We should create a wing in honour of the Prime Minister, with portraits of Mike Duffy, Pamela Wallin, Patrick Brazeau, Arthur Porter, Bruce Carson and Saulie Zajdel. For the kids, there would be a ball pit where they could search for the \$3.1 billion the Conservatives lost. However, the highlight of the tour would be a laminated copy of Nigel Wright's \$90,000 cheque.

Since we are currently in a period of fiscal restraint, I thought we could organize a fundraiser with a non-profit organization to finance this new wing. The member for Papineau could make a speech, but it seems as though his events do not go too well. At the end of the day, it does not scream champion when you have to pull out your chequebook like Nigel Wright to repay thousands of dollars.

I do not know what the best solution is, so I will share a quote from a great orator: “...I am struggling myself with my own position”.

Oral Questions

[English]

LEADER OF THE LIBERAL PARTY OF CANADA

Mr. Chris Alexander (Ajax—Pickering, CPC): Mr. Speaker, as you know, childhood is a sacred time for Canadians. It is a time when friendships are forged for life, so imagine our surprise last week when a defiant millionaire Liberal leader sent out his childhood friend from across Sussex Drive, the member for Beauséjour, as the sacrificial lamb to defend his exorbitant speaking fees scammed from charities.

The member for Beauséjour demanded apologies from those who called the Liberal leader out for ripping off charities. For a few short hours, that childhood friend, the member for Beauséjour, was the one person in Canada who did not feel ripped off by the Liberal leader. That all changed when the Liberal leader abandoned his position and hung his childhood friend from Rideau Hall out to dry.

Make no mistake, the Liberal leader will not think twice about scamming the most vulnerable in our society or abandoning his best friend, if he thinks he can make a buck. The Liberal leader's favourite cause is a long way from charities or childhood. It is the Liberal leader.

ORAL QUESTIONS

[Translation]

ETHICS

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, five days ago the RCMP publicly confirmed that it was looking into the \$90,000 cheque that Nigel Wright wrote to Mike Duffy.

Has anyone in the Prime Minister's Office been contacted by the RCMP about this investigation?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, they asked that same question yesterday, and the answer has not changed.

The answer is no. Neither the Prime Minister nor anyone else in his office has spoken with the RCMP. The leader of the NDP is another story. He said that he did not speak to Montreal police about the scandal surrounding the mayor of Laval.

There are two different approaches here. There is the Conservative Party's approach, which is to be direct and tell the truth, and there is the NDP's approach, which is to hide details for 17 years.

• (1420)

[English]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, yesterday, the Minister of Canadian Heritage said that Nigel Wright wrote a personal cheque to Mike Duffy. Does he have proof of this? If he does, will he table it today?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as I have said before, no, I do not have access to other Canadians' personal bank accounts. It was indeed a fact that Mr. Wright resigned. He took sole responsibility for his behaviour, because that is indeed how these

matters unfolded. This was a transaction between Nigel Wright and Mike Duffy individually.

Again, the larger question for the NDP, and they try to avoid this day in and day out, is why the leader of the NDP failed, after 17 years, to disclose corruption in the city of Montreal. Why did he hide it? Why did he not come forward with it? Why did it take so long for him to finally admit that he was offered a bribe by the Mayor of Laval?

* * *

GOVERNMENT APPOINTMENTS

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, speaking of day in and day out, let us turn to yet another issue where the Conservatives are in trouble with the law.

Did the Minister of Canadian Heritage even know Saulie Zajdel when he hired him? Who recommended him for the job?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, Mr. Zajdel was a councillor for 23 years. He was a candidate for the Conservative Party. He has been arrested on four specific charges.

Let me say this. As I said yesterday very clearly, if Mr. Applebaum or Mr. Zajdel or anybody is convicted of having done anything wrong, they should have the book thrown at them and be held accountable to the fullest extent of the law. That is what taxpayers expect. They expect people to respect the law, which is something the leader of the NDP absolutely failed to do for 17 years in an absolute failure of leadership for the people of Montreal.

[Translation]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, when he was hired by the Minister of Canadian Heritage, politician Saulie Zajdel was not particularly well known for his cultural expertise.

Did Dimitri Soudas, Leo Housakos or even the Minister of Citizenship, Immigration and Multiculturalism suggest that the Minister of Canadian Heritage hire Saulie Zajdel?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, if Mr. Zajdel, Mr. Applebaum or anybody else is convicted of wrongdoing, he or she should be held accountable to the full extent of the law. That is very clear.

There has to be accountability here in the House of Commons and at the municipal level in Quebec. Clearly, it will be better for Montrealers, Quebecers and Canadians if the process is carried out effectively and efficiently.

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, I did not ask about the Minister of Canadian Heritage's values. I asked him whether someone recommended that Saulie Zajdel be hired.

Let us move on to another topic. Every day, we learn that another Conservative is being investigated by the RCMP. Hubert Pichet, a former Conservative candidate and a former aide to Senator Pierre-Claude Nolin, is being investigated by the RCMP for the role he played in the awarding of a contract to renovate the West Block on Parliament Hill.

Oral Questions

Has the PMO contacted Senator Nolin to find out why his former aide allegedly used his position to try to influence the awarding of a public contract?

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC): Mr. Speaker, senior officials at Public Works and Government Services Canada have clearly stated that there was no political interference in the awarding of that contract.

Anyone who is found guilty of wrongdoing will face the consequences.

Public servants are responsible for managing the entire process, including the awarding of contracts.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, Saulie Zajdel, a former Conservative candidate and employee, has been arrested for corruption that was allegedly committed prior to the 2011 election.

A security check should have identified Mr. Zajdel as a potential risk. However, the Conservatives decided to give him a job paid by Canadian taxpayers.

Why did the minister hire someone with such a dubious past as that of Mr. Zajdel, at taxpayers' expense?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, frankly, that is not at all the case. As my colleague must know, his party asked Mr. Zajdel to run as a candidate for the Liberal Party.

There is a process under way and that involves holding these individuals to account. If anybody is found to have broken the law, he or she will be held accountable to the full extent of the law.

* * *

[*English*]

ETHICS

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the culture of corruption is so deep in the Prime Minister's Office that now two of his ex-chiefs of staff are facing RCMP investigations with respect to potential criminal behaviour involving legislators and other government officials.

The question must be asked: What does the Prime Minister ask his chiefs of staff to do that ends them in a police investigation and facing possible jail time?

• (1425)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, my colleague should know very well that Mr. Wright has resigned and has taken sole responsibility for his actions, which is entirely appropriate, given this matter.

Again, if today's leader of the Liberal Party wants to speak to others about the importance of acting responsibly in public office and demonstrations of leadership by those who are in positions of authority, perhaps he can explain why the current Liberal leader has, again, taken money from charities that were designed to raise money to provide beds for seniors and literacy programs for kids, that were

designed to support mental health. He took hundreds of thousands of dollars from charities that were designed to help those who are the most vulnerable in our society. He should show leadership himself.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, Nigel Wright, Mike Duffy, Saulie Zajdel, Bruce Carson, Arthur Porter: the Prime Minister clearly likes to surround himself with men of conviction. In Bruce Carson's case, I think he has five.

When did the Prime Minister decide that to work for him, one must either have a criminal record or be willing to obtain one?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, Liberal Senator Pana Merchant has \$1.7 million hiding outside of this country and is not paying her taxes, who was advocated by the member for Wascana, the Liberal Party—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. Minister of Canadian Heritage has the floor.

Hon. James Moore: Mr. Speaker, it is the Liberal leader who says that it is okay for Mac Harb to take \$231,000 from taxpayers. As long as he pays it back, he is welcome to come back into the Liberal Party. That is the Liberal standard of ethics. Their senators can rip off the taxpayers, take money away, and as long as they pay the money back, if they get caught, they are welcome to come back into the Liberal Party. That is their approach to ethics: take money from charities, support Liberal senators who do not pay their taxes, and welcome senators back into their caucus who are a disgrace to Canadian taxpayers.

* * *

[*Translation*]

GOVERNMENT APPOINTMENTS

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I would like to come back to the Conservative minister's former assistant, who was arrested yesterday.

Did the Minister of Canadian Heritage personally interview Saulie Zajdel before hiring him? If not, can he tell us who interviewed him?

[*English*]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as I said in French, if Mr. Zajdel, Mr. Applebaum or anybody is convicted of wrongdoing, he or she should be held accountable to the full extent of the law. That is what the people of Montreal expect. That is what all Canadian taxpayers expect.

Again, it is no wonder the Charbonneau commission is going to take five years and cost millions of dollars, when people like the leader of the NDP do not co-operate with these investigations as they are ongoing. That is why the people of Montreal are frustrated. That is why Canadians are frustrated when they have the failed leadership of people like the leader of the NDP not co-operating and getting to the bottom of these scandals.

*Oral Questions**[Translation]*

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, this is strange. They hired someone who is now facing criminal charges, but they do not seem bothered by that.

Saulie Zajdel is being investigated for fraud, corruption and breach of trust for acts dating back to a period between 2006 and 2011. The last federal election was in 2011. When did the Conservatives approach Mr. Zajdel and ask him to run? What was the exact date that he became a Conservative Party candidate?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, at 10 a.m. yesterday, the police held a press conference regarding Mr. Zajdel. That was the first time his name was mentioned in this process. My colleague should be more familiar with this matter.

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, lack of judgment is becoming the Conservatives' trademark. Mr. Zajdel, Ms. Wallin, Mr. Brazeau, Mr. Duffy, Mr. Porter and so on were all appointed by the Prime Minister. All these people are suspected or accused of committing fraud.

During his hiring interview at the Minister of Canadian Heritage's Office, did Saulie Zajdel ever mention that he had special ties to Montreal's municipal government?

• (1430)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, frankly, this is ridiculous. During this session of the House of Commons, the NDP has truly displayed its judgment: members who do not pay their taxes and a leader who shirks his responsibility to work with the Charbonneau commission. The leader of the NDP does not obey the rules, even here on the Hill, when he is in his car. It is the NDP that has no respect for the Hill, procedure or the laws of the land.

* * *

ETHICS

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I know it is hard to keep track of all the criminal investigations into members of the Conservatives' entourage. I just want to make sure the minister is following.

I will stop talking about the arrest of the Minister of Canadian Heritage's former assistant and start talking about the RCMP investigation into Senator Nolin's former assistant.

Did the Minister of Public Works and Government Services ever have a discussion with Hubert Pichet about a \$9 million contract for renovating the West Block tower?

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC): Mr. Speaker, senior officials at Public Works and Government Services Canada have clearly stated that there was no political interference in the awarding of that contract. Anyone who is found guilty of wrongdoing will face the consequences. Public servants are responsible for managing the entire process, including the awarding of contracts.

[English]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, more questions about Conservatives being arrested for corruption, and no answers from these Conservatives. I will give the Conservatives one thing. They are very good about finding their friends good jobs.

Who recommended to Senator Nolin that he hire Hubert Pichet, and did any ministers recommend Mr. Pichet to the senator?

[Translation]

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC): No, Mr. Speaker.

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the problem is that it is not just the Prime Minister and key Conservative senators who are being investigated by the police right now. Yesterday, a key political adviser to the minister of heritage was arrested for corruption. Today we have a Conservative staffer who has also been arrested and charged on the issue of the West Block scandal.

My question is simple. Did any minister or any staff from the Prime Minister's Office ever discuss the West Block renovation project with Senator Nolin's staffer, Hubert Pichet?

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC): Mr. Speaker, the answer is no.

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GOVERNMENT APPOINTMENTS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, they are pretty happy over there with the fact that more and more of them are being busted. Sooner or later, we are going to have to be doing question period in the Don Jail.

In any event, if they cannot give a straight answer on this Conservative staffer who was just arrested, maybe we could get a bit more of an understanding about this political adviser who was hired by the minister of heritage and is now under arrest.

Did Saulie Zajdel do any work for ministers, other than the minister of heritage?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): No, Mr. Speaker.

*Oral Questions***BUSINESS OF THE HOUSE**

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the Conservative government has moved time allocation to shut down debate for the 49th time in this Parliament alone. MPs of all parties come to this place to bring forward their best ideas and the hopes of all Canadians, but the government clearly does not like to hear from them, especially those Canadians it happens to disagree with. They call them “radicals”. They call them “enemies of the state”.

Would the government House leader acknowledge that his record-breaking choking off of debate is the clearest indictment of the Conservatives' failure to work with Canadians?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, our government took on this mandate with a commitment to Canadians to deliver on the number one priority for Canadians: jobs and economic growth.

As a result, we put forward an agenda in a series of budgets and other bills to do exactly that. The results are apparent. Canada is leading the world with over a million net new jobs. Our government is delivering on what really matters to Canadians, while they stand in the way.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, 300,000 lost manufacturing jobs, highest unemployment rate, highest personal debt rate in Canadian history, that is the record of the Conservatives on the economy.

The secrecy and abuse of power is not only an attack just on the opposition and Parliament. Backbench revolts spiked by the PMO, legislative debates shut down by the government House leader, those are simple and clear questions about a massive scandal that goes right into the heart of the PMO: arrogant denials from Conservative ministers.

Canadians deserve better, a government that is not afraid of the truth and respects Parliament. In 2015 they will get a chance to vote for one.

• (1435)

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, the record is clear. We have over a million net new jobs. We are on track to balance the budget by 2015. We have the lowest debt and deficit of any of the major economies. We are the first of the major economies to recover the jobs lost in the economic downturn, and we have the strongest job creation performance of any of the major economies in the face of a global economic downturn that was stifling every economy in the world.

Canada has done well because of an economic record and leadership that has delivered on what matters to Canadians.

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[*Translation*]

ETHICS

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, the list of Conservatives under police investigation just keeps on growing. Now we have learned that Hubert Pichet, a former employee of Conservative Senator Nolin, is under investigation in

relation to Parliament building renovations. However, two years ago, ministers opposite assured us that there had been no political interference in that file.

Why did they hide the truth for two years? Can they assure us that they will co-operate fully with the RCMP?

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC): Mr. Speaker, senior officials at Public Works and Government Services Canada have clearly stated that there was no political interference in the awarding of that contract.

Anyone who is found guilty of wrongdoing will face the consequences.

Public servants are responsible for managing the entire process, including the awarding of contracts.

* * *

[*English*]

GOVERNMENT APPOINTMENTS

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, ACOA and ECBC have become the targets of three separate investigations under the minister's watch.

When asked yesterday about the integrity commissioner's investigation, the minister replied as if I were asking about the public service commissioner's report.

Will the minister now confirm to the House that she has made herself aware of the third investigation of her portfolio by the integrity commissioner and that she will co-operate fully with the commissioner and provide whatever information is asked for concerning the involvement of the Minister of National Defence in inappropriate, partisan hiring at ECBC? Will she do that?

Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, I cannot speak to the details of any ongoing investigation, but I can assure the hon. member that although ECBC is an arm's-length crown corporation, I expect officials to co-operate with any investigation that is ongoing.

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, the Public Service Commission report that was originally presented to the minister was not the same one that was tabled in the House.

Even though it was ACOA that was being investigated by the PSC, it was the Minister of National Defence's chief of staff who got involved and demanded that a section of the report, pointing to the Minister of National Defence's involvement in the illegal hires, be removed from the report.

Will the Minister for the Atlantic Canada Opportunities Agency promise the House that the report of the public sector integrity commissioner will not be altered, redacted or whitewashed in any way?

Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, I can assure the hon. member there was no whitewashing of any report.

The Public Service Commission found no evidence of any political interference, which not surprisingly is in stark contrast to a 2006 report on the Liberal phantom job scheme. Maybe the Liberals could talk about that.

* * *

[Translation]

NATIONAL DEFENCE

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, Lockheed Martin has started signing contracts with Canadian companies for the manufacture of F-35 parts. The problem is that we still do not know if the F-35 is airworthy, able to fly through clouds, able to fuel in mid-air or able to land in the Arctic.

Is Lockheed Martin awarding contracts to Canadian companies because the Conservatives have already decided to purchase the F-35s? Or have they never seriously considered other options?

[English]

Hon. Kerry-Lynne D. Findlay (Associate Minister of National Defence, CPC): Mr. Speaker, our government is proud of the 80,000 Canadian aerospace workers across Canada, many of them in Quebec. Our participation in the MOU ensures that Canadian industry continues to have access to billions of dollars in contracts.

As we have said before, the government will not proceed with the replacement of the CF-18s until the seven-point plan is completed. Until a decision is made, we will continue to support Canadian workers in our world-class aerospace industry.

• (1440)

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, yesterday, while the Associate Minister of National Defence was standing in the House claiming no decision had been made on replacing the CF-18s, Lockheed Martin was signing a deal for training systems support in Canada for the F-35.

Will the minister now tell Canadians what Lockheed Martin already knows?

Hon. Kerry-Lynne D. Findlay (Associate Minister of National Defence, CPC): Mr. Speaker, my colleague is quite right. I stand by what I said yesterday. No money has been spent on the purchase of new fighter aircraft. We will not purchase a replacement aircraft until our seven-point plan is complete.

Approximately 70 of our world-leading aerospace companies have already won contracts for \$438 million. Our remaining in the program means continued benefits for the Canadian industry and jobs.

When a decision is made, we will let Canadians know.

Oral Questions

FOREIGN AFFAIRS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, the Conservatives are undermining our international reputation, yet again, when it comes to deadly weapons targeting civilians.

The International Committee of the Red Cross is voicing strong warnings about the huge gaps in the Conservatives' bill to ratify the Convention on Cluster Munitions. They are gaps that show that if this legislation goes forward, it would mean that Canadian Forces would be in joint operations using cluster munitions, if we can imagine that.

Why is the government proposing flawed legislation with huge loopholes, instead of honouring Canada's commitment to ban cluster munitions?

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, our legislation fully implements Canada's commitment to the convention and is in line with our key allies, including Australia and the United Kingdom. The Canadian Forces will make its policy to prohibit its members from using cluster munitions.

This legislation preserves Canada's ability to work alongside our allies.

[Translation]

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, cluster munitions kill and injure thousands of innocent victims, especially children, even decades after a conflict has ended.

The Conservatives' bill is riddled with holes and merely proves that they do not really intend to abolish these arms.

Will the government agree to work with us to quickly correct the very serious flaws of this bill?

[English]

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, our government is proud to have participated actively in the negotiations of the Convention on Cluster Munitions. We were one of the first countries to have signed on to the convention in 2008.

The prohibiting cluster munitions act would fully implement Canada's commitment to the convention and would strike a full balance between humanitarian obligations, while preserving our national security and defence interests.

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LABOUR

Mr. Ben Lobb (Huron—Bruce, CPC): Mr. Speaker, I opposed Bill C-377, the union transparency bill. I can also tell the House that I never have taken any money from unions before or after being elected MP. Had I done so and voted against Bill C-377, I would have been in a conflict of interest.

Oral Questions

To contrast, the Liberal leader took over \$100,000 in personal payments from unions, including tens of thousands of dollars in his time as MP. After receiving this money, he is now a vocal opponent of the union transparency bill and his party is opposing it in the Senate.

I will be raising this matter with the Conflict of Interest and Ethics Commissioner. Could the government comment?

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, this matter does in fact deserve to be investigated by the Ethics Commissioner.

Allow me to quote from section 8 of the Conflict of Interest Code for Members of the House of Commons. It says, "When performing parliamentary duties and functions, a Member shall not act in any way to further his or her private interests". Furthermore, there needs to be an investigation into whether the Liberal leader's acceptance of this money placed him in a real or perceived conflict of interest with respect to his policy position.

I applaud the member for putting ethics first.

* * *

[Translation]

INTERGOVERNMENTAL RELATIONS

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, with each passing day, we learn a bit more about how incompetent and inexperienced the Conservatives are when it comes to job training. Yesterday, the western premiers joined Quebec and Ontario in condemning problems with the Canada job grant, a program, I should point out, that does not even exist.

Can the minister tell us why she is ignoring the provinces and why she is wasting thousands of dollars promoting a program that does not exist?

• (1445)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, we will work with the provinces so that training flows from the government to employers and available workers. There are jobs sitting vacant in Canada because employers cannot find workers with the right skills. Our initiatives will help employers fill available positions by hiring Canadians who want to work.

The opposition voted against all of those programs.

[English]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, western premiers have joined Ontario and Quebec in criticizing the government's Canada jobs grant.

The Conservative plan cuts funding from training programs that are working well, programs now helping the most vulnerable find work. Experts are calling it a "deeply flawed public policy". Premiers are saying "no."

Will the minister now agree to stop wasting money on prematurely advertising this grant and instead sit down with the provinces and territories to develop a serious, pan-Canadian job training program?

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, as I just said, we want to work with the provinces to shift training out of the hands of government and into the hands of employers and employees.

We have serious skills shortages across the country. We are focused on ensuring every Canadian has an opportunity to be trained and enter into those jobs that are available.

We encourage the opposition to support these opportunities for all Canadians.

* * *

[Translation]

GOVERNMENT APPOINTMENTS

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the Office of the Public Sector Integrity Commissioner is probing the Conservatives' mismanagement of the Enterprise Cape Breton Corporation.

Chief executive officer John Lynn is under investigation for hiring four employees with ties to the Minister of National Defence and the Conservative Party.

The bilingualism requirement was removed and the positions were not even posted. Why is the Minister of Defence using the Enterprise Cape Breton Corporation to find jobs for his friends?

[English]

Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, we cannot speak to the details of any ongoing investigation, but as soon as I became aware of these allegations, I did direct ACOA officials to refer the matter to the Ethics Commissioner.

We do expect ECBC to conduct business with integrity, with accountability and with respect for Canadian taxpayers.

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, hiding behind the integrity commissioner's investigation is not a response to blatant Conservative patronage.

The Enterprise Cape Breton Corporation is just the tip of the patronage iceberg. ACOA has become a home for Conservative mismanagement, a home for ethical breaches and rigged hiring processes.

The Minister of National Defence is playing political puppet master, while hiding behind a report into Conservative patronage that his chief of staff tried to whitewash.

I have a simple question. When are the Conservatives going to stop treating Atlantic Canadians like fools?

Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, ACOA is actually busy doing a lot of good work in that member's riding.

What the member is alleging is completely false, and he knows it. The Public Service Commission was very clear in its report. The member obviously has not read that report, which he should do before making all these ridiculous allegations.

Oral Questions

We did not write the report, so we could not change something that we did not write.

* * *

[*Translation*]

GOVERNMENT ADVERTISING

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, yesterday evening during the hockey game, taxpayers had no choice but to watch three Conservative government ads, which were paid for out of their own pockets and cost a total of \$420,000.

Rather than forcing taxpayers to pay for ads announcing programs that will not exist as long as lengthy and difficult negotiations are not held with the provinces, seven of which have already said they are not interested in negotiating, why does the government not spend that money on real training for workers who want to learn new skills today?

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, the government has a responsibility to inform Canadians about the programs and benefits available to them. For example, this year, the government is implementing new measures to help Canadians, including the new Canada job grant to help Canadians get training so they can find a job or find a better job.

• (1450)

[*English*]

We are focused on making sure Canadians have jobs, and that is exactly what our program is about.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, the government is advertising during the Stanley Cup playoffs for a Canada job grant program that does not exist and likely never will. That is like sending out birth announcements for a baby who not only has not been conceived, but the hoped-for partners that the individual wanted to have the baby with have already turned the individual down. At \$140,000 a pop, some of the most expensive TV time available, these are very pricey birth announcements.

What is the total ad budget for this phantom job grant program, and why this abuse of the public purse?

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, as I have said before, we want to work with the provinces to make sure that training dollars are put in the hands of employers and employees. We are focused on making sure that we are creating jobs for Canadians, unlike the Liberal leader who is focused on himself. Back in April 2012, he took \$20,000 from the Literacy for Life Foundation. We are focused on making sure that charities receive.

I encourage the Liberal leader to follow the example of our Prime Minister who donated generously when he was a backbencher. He should be ashamed of himself.

[*Translation*]

PENSIONS

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, Prince Edward Island just proposed an action plan to improve pension plans. However, the Minister of Finance does not seem interested in hearing about it. He could not even bother to free up a few hours to hold a meeting he promised six months ago to move forward with reform of CPP and QPP.

Instead of going to a photo op at the Guinness museum in Dublin, why did the minister not take some time to meet with his provincial counterparts?

[*English*]

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, we continue to meet with our provincial counterparts because we share the jurisdiction on the Canada pension plan with them.

That hon. member should understand that the last three times that we met with the provincial finance ministers there was no consensus among those ministers to move forward with any expansion of the Canada pension plan. The Canadian Federation of Independent Business actually encouraged us not to move forward with expanding the Canada pension plan but to move forward with pooled registered pension plans, and that is what we have done.

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, it may have skipped their notice but the CFIB is not the premiers of this country.

The required support among the provinces exists and the Minister of Finance has previously stated support for enhancing CPP and QPP.

Is the lack of leadership because the minister is flip-flopping, or will he work with the provinces and set a date for this important and promised meeting?

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, I will repeat. It takes consensus among the provinces, the federal government and the finance ministers from those jurisdictions to move forward with any changes to the Canada pension plan. There was no consensus to move forward in the last three meetings that we have had. We continue to look at the Canada pension plan, to look at the economic indicators that might provide us with the opportunity to do that.

The provinces have agreed that we should move forward with the pooled registered pension plans to provide a pension for those 60% of Canadians who are in the workforce and who do not have a pension plan now.

* * *

NATIONAL DEFENCE

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, over the past decade, thousands of Canada's brave men and women have deployed to Afghanistan to promote freedom, democracy, human rights and the rule of law. That includes the hon. member for Pickering—Scarborough East, who served a tour of duty there and several of us who had the honour of spending time there with our troops.

Oral Questions

Our nation is well-served by these courageous individuals who have helped strengthen Afghanistan's capacity to rebuild its country and provide basic security. We helped establish security and now for the past two years, Canada has been helping train the Afghan security forces. Now the Afghan security forces are taking over responsibility for all security.

Could the minister please update the House on Canada's contribution to this significant milestone?

Hon. Kerry-Lynne D. Findlay (Associate Minister of National Defence, CPC): Mr. Speaker, Canadian soldiers are deploying to Afghanistan for the final rotation of Operation Attention, Canada's most recent contribution to the people of Afghanistan.

The Canadian Forces has done exemplary work helping Afghans rebuild their country into a nation that is more stable and secure. More than 350,000 members of the Afghan security forces have been trained. Our efforts have not been without Canadian sacrifice, including 158 soldiers and a diplomat. Many have been injured, both physically and mentally. However, these efforts have helped Afghanistan reach the significant milestones today, where it is taking over the lead for its security nationwide.

* * *

•(1455)

CANADIAN HERITAGE

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, one of Canada's greatest and most celebrated strengths is its diversity. Despite this, recent cutbacks at ethnocultural television stations have caused the cancellation of more than 21 programs representing at least 12 minority language groups. Encouraging and promoting diversity in our media is a principle supported by all Canadians, and a central objective of Canada's broadcasting.

What is the Minister of Canadian Heritage and Official Languages going to do to about the millions of Canadians who rely on that language programming that they very much enjoy? What is the government going to do to protect their interests and their rights?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, that is an important principle and an important question.

Our government has created the Canada media fund; that is what we are doing. The fund provides \$100 million every single year to support the diversity of Canada's broadcast system. By the way, under the previous Liberal government there was the Canada television fund and the Canada new media fund. We merged them together and we created the Canada media fund. It is \$100 million every year; it does not sunset like the Liberals used to have with their television programs.

It is \$100 million, A-based, every single year to support Canadian broadcasting in minority languages across the country, and in both of Canada's official languages in every region of the country. The Canada media fund is part of our cultural infrastructure now and forever. It was the first announcement I made for Canadian heritage, and we are proud to support the fund.

GOVERNMENT APPOINTMENTS

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, at Blue Water Bridge Canada, former managers were paid over \$650,000 in severance and the CEO who approved this move was reappointed by the Minister of Foreign Affairs. The Integrity Commissioner found this affair to be "...misuse of public funds and...breach of the code of conduct". Now we learn the people who blew the whistle have been fired.

Why is the minister allowing this abuse of public funds, and will he give these brave whistle-blowers their jobs back?

Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification, CPC): Mr. Speaker, we want employees to feel safe bringing forward concerns about wrongdoing in the public service. We put in place tough rules following 13 years of Liberal scandals and mismanagement. That is precisely why we put in place this legislation, which gives employees options to report their concerns and imposes consequences for individuals who fail to play by the rules.

* * *

PUBLIC SAFETY

Mr. Jay Aspin (Nipissing—Timiskaming, CPC): Mr. Speaker, while the leader of the NDP drives recklessly around the Hill and tries to intimidate RCMP members, and the member for Timmins—James Bay refers to female RCMP members as "meter maids", our government is standing up for front-line law enforcement.

Our Conservative government has consistently taken steps to ensure that our front-line police officers have the tools they need to do the job. Could the Minister of Public Safety please update this House on our government's policies with respect to law enforcement?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, the NDP leader's true colours were all on display last week. In a stunning display of elitism, he demanded special treatment from law enforcement based on his position, and when he did not receive it he made threats to the female RCMP member who had confronted him.

Not to be outdone, the member for Timmins—James Bay dismissively said that this female RCMP member was nothing more than a meter maid.

Our government has listened to law enforcement and has passed numerous laws to keep our streets and communities safe. The New Democrats seem to have opposed these measures simply due to their own lack of respect for those who daily put their lives on the line to keep us safe.

* * *

OFFICIAL LANGUAGES

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, the previous member who asked a question maybe should concentrate on issues in his riding.

[Translation]

Francophone minority communities in Canada receive assistance from the federal government. The roadmap for official languages is meant to support minority communities across the country. The problem is that the money allocated for training francophone immigrants outside Quebec is being used to provide English courses.

Can the minister assure us that the money will help francophones outside Quebec achieve their potential?

• (1500)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, one of the goals of our roadmap for official languages is to protect and promote French outside Quebec, in every region of the country, as well as English. The roadmap supports Canada's two official languages. We want to ensure that training and investments are there to help francophones outside Quebec and in my region of British Columbia.

[English]

My hon. colleague should know as well that the road map for Canada's official languages is about supporting and encouraging Canadians to understand and better speak both of Canada's official languages. It is true that a lot of new Canadians, for example, in the city of Vancouver, are struggling to learn either of Canada's official languages, so we do have funding available if they wish to learn to speak French or English. We want to support both of Canada's official languages being taught and understood better by Canada's new immigrants.

* * *

EMPLOYMENT

Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.): Mr. Speaker, the Alberta economy is the engine of economic growth for Canada. With an unemployment rate of less than 4.4%, temporary foreign workers are simply a reality for many Alberta employers.

The Minister of Citizenship and Immigration knows, and in fact he has said publicly, that when the Royal Bank attempted to use the TFW program to outsource 45 information technology positions, it was doing so illegally and outside the existing rules of the program.

Why did the government overreact by changing the rules, making the program more expensive and difficult to access, rather than simply enforcing the rules against outsourcing?

Some hon. members: Oh, oh!

The Speaker: Order, please.

The hon. Parliamentary Secretary to the Minister of Human Resources would like to answer the question. Order, please.

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, our government has introduced reforms to the temporary foreign worker program so that Canadians always come first in line for every available job. That is what we are focused on and will continue to be focused on.

Government Orders

Our reforms strengthen compliance and oversight to ensure that the program is being used as it is intended, to make sure that Canadians are first in line and that when there are absolute shortages, temporary foreign workers are available. Inspections will be conducted when necessary, with businesses taken into account.

It is no surprise that the opposition does not think that greater oversight is actually required and does not support this, because the opposition members continue to ask for temporary foreign workers in their own ridings.

* * *

POINTS OF ORDER

STATEMENTS BY MEMBERS

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I raised this point of order some time ago. The tradition and the principles behind the Standing Order 31 rule are that it allows members of Parliament to raise issues of concern to their constituents. I raised the point many months ago that they were now being used increasingly for crass partisan purposes, and now they are increasingly being used for personal attacks.

You said, Mr. Speaker, that you might consider at some point ruling on it. Perhaps over the summer you could give it some thought, and we could start in the fall with some guidance on this point.

The Speaker: I thank the hon. member for Saanich—Gulf Islands. I will take a look at today's S. O. 31s and come back to the House if necessary.

The hon. member for Prince Edward—Hastings is rising on a point of order.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Speaker, I heard the comment from the member for Saanich—Gulf Islands and I take offence to it.

The reason I take offence is that when I stand in this place, I am typical of any member of my party or another member of Parliament. It is offensive to suggest that I am not doing it because it does not matter to my riding when \$15,000 came from my riding to a person it should not have. That is wrong.

The Speaker: We are certainly not going to get into debate on points of order on an S. O. 31 that I have yet to review.

We will move on to the vote now.

GOVERNMENT ORDERS

• (1505)

[English]

CANADIAN MUSEUM OF HISTORY ACT

The House resumed from June 17 consideration of Bill C-49, An Act to amend the Museums Act in order to establish the Canadian Museum of History and to make consequential amendments to other Acts, as reported (without amendment) from the committee, and of the motions in Group No. 1.

Government Orders

The Speaker: Pursuant to order made on Wednesday, May 22, 2013, the House will now proceed to the taking of the deferred recorded divisions on the motions at report stage of Bill C-49.

Call in the members.

The question is on Motion No. 1. The vote on this motion also applies to Motions Nos. 2 to 15.

• (1510)

(The House divided on Motion No. 1, which was negated on the following division:)

*(Division No. 757)***YEAS**

Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélangier
Benskin	Bevington
Blanchette-Lamothe	Boutin-Sweet
Brisson	Brousseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Chisholm	Choquette
Chow	Christopherson
Cleary	Comartin
Côté	Crowder
Cullen	Cuzner
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dewar
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Easton	Eyking
Foote	Fortin
Freeman	Fry
Garneau	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Jacob
Jones	Julian
Kellway	Lamoureux
Lapointe	Larose
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Mourani	Murray
Nantel	Nicholls
Nunez-Melo	Pacetti
Péclat	Perreault
Pilon	Plamondon
Quach	Rafferty
Rankin	Ravignat
Raynault	Regan
Rousseau	Saganash
Sandhu	Scarpaleggia
Scott	Sellah
Sgro	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sims (Newton—North Delta)	Sitsabaiesan
St-Denis	Stewart
Thibeault	Tremblay
Turmel	Valeriotte — 114

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Anders	Anderson
Armstrong	Aspin
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Crockatt
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Findlay (Delta—Richmond East)
Fletcher	Galpeau
Gallant	Gill
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kent
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauson
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKenzie
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
Obhrai	O'Connor
O'Neill Gordon	Opitz
O'Toole	Paradis
Payne	Poillievre
Preston	Rajotte
Rathgeber	Reid
Rempel	Richards
Saxton	Schellenberger
Seeback	Shea
Shipley	Shory
Smith	Sopuck
Stanton	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Tweed	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer — 141	

PAIRED

Nil

The Speaker: I declare Motion No. 1 defeated. I therefore declare Motions Nos. 2 to 15 defeated.

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC) moved that the bill be concurred in.

The Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the yeas have it.

And five or more members having risen:

• (1515)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 758)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Anders	Anderson
Armstrong	Aspin
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooogee
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Crockatt
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Findlay (Delta—Richmond East)
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kent
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKenzie
May	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson

Norlock
O'Connor
Opitz
Paradis
Poilievre
Rajotte
Reid
Richards
Schellenberger
Shea
Shory
Sopuck
Strahl
Tilson
Toews
Trottier
Uppal
Van Kesteren
Vellacott
Warawa
Watson
Sky Country
Weston (Saint John)
Williamson
Woodworth
Young (Oakville)
Zimmer — 143

Government Orders

Obhrai
O'Neill Gordon
O'Toole
Payne
Preston
Rathgeber
Rempel
Saxton
Seeback
Shipley
Smith
Stanton
Sweet
Toet
Trost
Tweed
Valcourt
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Wong
Yelich
Young (Vancouver South)

NAYS

Members

Angus
Aubin
Bélanger
Bevington
Boutin-Sweet
Brousseau
Caron
Cash
Chicoine
Choquette
Christopherson
Comartin
Crowder
Cuzner
Davies (Vancouver East)
Dewar
Donnelly
Dubé
Duncan (Edmonton—Strathcona)
Eyking
Fortin
Fry
Garrison
Genest-Jourdain
Godin
Gravelle
Harris (Scarborough Southwest)
Hsu
Jacob
Julian
Lamoureux
Larose
LeBlanc (Beauséjour)
Leslie
MacAulay
Marston
Masse
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)
Mourani
Nantel
Nunez-Melo
Péclet
Pilon
Quach
Rankin
Raynaut
Rousseau
Sandhu
Scott
Sgro

Privilege

Simms (Bonavista—Gander—Grand Falls—Windsor)
 Sims (Newton—North Delta)
 Sitsabaiesan
 Stewart
 Tremblay
 Valériote— 113

St-Denis
 Thibeault
 Turmel

PAIRED

Nil

The Speaker: I declare the motion carried.

* * *

PRIVILEGE

ELECTIONS CANADA

The Speaker: I am now prepared to rule on the question of privilege raised on June 5 by the hon. member for Avalon, and again today by the hon. member for Beauséjour, regarding the right of the members for Saint Boniface and Selkirk—Interlake to continue to sit and vote in the House.

[*Translation*]

I would like to thank the hon. member for Avalon for having raised this matter, as well as the hon. Leader of the Government in the House of Commons, and the members for Toronto—Danforth, Winnipeg North, Selkirk—Interlake and Saint Boniface for their comments.

● (1520)

[*English*]

In raising his question of privilege, the member for Avalon focused on the situation of the members for Saint Boniface and Selkirk—Interlake who had failed to correct their electoral campaign returns by a specified date, as required by the Chief Electoral Officer, pursuant to subsection 457(2) of the Canada Elections Act. Accordingly, he argued, pursuant to subsection 463(2) of the same act, the members no longer had the right to continue to sit or vote in the House. While acknowledging that both members had made applications to the courts on this matter, he claimed that a review by the courts does not provide relief from section 463 of the act, arguing that the members: "...should not sit or vote in the House until the matter is rectified, either by Elections Canada or by the Federal Court".

[*Translation*]

Furthermore, the member for Avalon argued that only the House and neither the courts nor the Speaker, possessed the authority to determine the right of any member to sit and vote in the House. In response, the Leader of the Government in the House of Commons described the situation in each case as a dispute about the interpretation of accounting practices, one which did not justify the suspension of duly elected members from participating in the proceedings of the House. It was also one that he found to have been raised prematurely, and he saw no merit in asking the Chair to intervene prior to the conclusion of relevant court proceedings.

[*English*]

The government House leader held that the members currently have two options—either to submit returns that comply or to file an application with the courts—with suspension from the House being the consequence only if a member failed to choose one of the

available options. Thus, he claimed that to accept the interpretation that these members could not continue to sit or vote would effectively remove the members' right to seek redress through the courts and grant Elections Canada an inordinate, albeit unintended, power.

On June 7, the members for Selkirk—Interlake and Saint Boniface intervened. Each agreed that the matter was a disagreement with Elections Canada as to accounting interpretations applicable to certain expenditures, and each stated that pursuant to section 459 of the Canada Elections Act they had filed applications with the Manitoba Court of Queen's Bench. Each member argued that this put into abeyance the provisions of subsection 463(2) of the act, regarding what would amount to suspensions from the House.

[*Translation*]

Given that the matter is currently before the courts, and that they are both party to court proceedings, both members invoked the *sub judice* convention, arguing that any debate or decision on the matter outside the court would prejudice their interests in the court proceedings.

Before I begin to outline the complex issues with which we are all grappling, allow me to review for the House the sequence of events that have led us to where we are today.

[*English*]

While the election expense review processes undergone by the members for Saint Boniface and Selkirk—Interlake began some time ago, for our purposes this issue arose on May 23 and 24, when I received letters from the Chief Electoral Officer informing me of the status of the respective cases involving the two members. The letters both contain a reference to the relevant section of the Canada Elections Act and close with the following sentence: "In the event that the corrected returns or an application to a court is subsequently filed, I will advise accordingly".

On May 24, the Chair learned that both members had filed applications to the Manitoba Court of Queen's Bench in relation to these matters.

Perhaps I should explain that immediately on receipt of the first letter from the Chief Electoral Officer, I sought the advice of the clerk and the law clerk. Neither was aware of any precedent and both undertook further research, after which they confirmed that the situation is indeed unprecedented.

However, it was only on June 4, having by then been informed as well that the two applications in question had been filed, that the Chief Electoral Officer could himself notify me officially, by letter, of the two applications.

[*Translation*]

Thus, it was only after these events, and following media reports regarding the existence of these letters, that on June 5, the hon. member for Avalon rose in the House on a question of privilege to argue the case. Other members have intervened in the matter and that has led us to this ruling today.

After the intervention by the member for Avalon, the member for Saint-Léonard—Saint-Michel raised a related issue on June 6, arguing that the Speaker ought to table the letters from the Chief Electoral Officer in the House.

[English]

The Chair then returned on Friday, June 7, to address the matter of the House being notified on the situation. I stated that I was not prepared to table the letters at that time. Since there was no provision to deal with letters of that nature and since I was currently considering the entire matter, I believed it would be appropriate to wait and address all aspects of this situation in a comprehensive ruling.

It seems evident to the Chair that the lack of a clear process, either for me or for the House, in matters of this nature leaves us all in a complicated situation. As Speaker, I must be mindful of my duty to protect the rights of individual members while, at the same time, balancing that responsibility with the responsibility to ensure, as the servant of the House, that I protect its exclusive right to deal with matters affecting the collective privileges of the House. In the present circumstances, this is no small challenge.

● (1525)

[Translation]

The right—in fact, the absolute need—for members to be able to sit and vote in the House is so integral to their ability to fulfill their parliamentary duties that it would be difficult for the Chair to overstate the importance of this issue to members individually and to the House as a whole. Page 245 of *House of Commons Procedure and Practice*, second edition, states that, “...the determination of whether a Member is ineligible to sit and vote is a matter affecting the collective privileges of the House...”

[English]

At the same time, as the member for Selkirk—Interlake reminded the House, *House of Commons Procedure and Practice* at page 307 states, “It is the responsibility of the Speaker to act as the guardian of the rights and privileges of Members and of the House as an institution”. In my view, this is especially important in the case before us today because of the potential infringement on the rights of certain members individually and on the rights of the House collectively.

[Translation]

In fulfilling this responsibility, it is incumbent upon the Chair to remind the House of the limited role assigned to the Speaker in matters with legal implications. Simply put, the Speaker’s role is to determine procedural issues, not matters of law, which are for the courts to decide.

[English]

Where a statute lays down a specific course of action, for example to table a document or to hold off on taking action while an appeal to the courts is ongoing, the Chair governs itself accordingly. However, where—to a lay reader—related provisions of a statute are categorical in stating, as subsection 463(2) does in this case, that a particular consequence applies and is silent as to any mitigating effect of an

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application to the court for relief from that consequence, then the Chair must heed this reality.

[Translation]

That being said, *O’Brien and Bosc* states at page 259 that:

In the case of statutory provisions, the House of Commons endeavours to ensure that its Standing Orders and practices are consistent with statutes while retaining the exclusive jurisdiction to determine whether the provisions of a statute apply to its proceedings.

[English]

Further, at page 265 it also states:

...since the House has the exclusive jurisdiction to determine whether and how a statute applies to its proceedings, there may be extraordinary situations when the House determines that a statutory provision ought not to apply.

To answer this question of how a statute might apply to the House proceedings, the member for Avalon looked to a ruling given by Speaker Lamoureux on March 1, 1966, for guidance. In it, he found evidence that it is indeed the House, and the House alone, that retains the sole authority to determine when members of Parliament may sit and vote in the House.

On page 1940 of the *Debates*, Speaker Lamoureux stated:

...the house is still the sole judge of its own proceedings, and for the purpose of determining on a right to be exercised within the house itself which, in this particular case, is the right of one hon. member to sit and to vote, the house alone can interpret the relevant statute.

However, does this mean that the House should therefore be seized with this matter immediately in order to pronounce itself on the substantive issue, as several members have seemed to suggest? Let us consider that question.

House of Commons Procedure and Practice, second edition, at pages 244 and 245 states:

Once a person is elected to the House of Commons, there are no constitutional provisions and few statutory provisions for removal of that Member from office. The statutory provisions rendering a Member ineligible to sit or vote do not automatically cause the seat of that Member to become vacant. By virtue of parliamentary privilege, only the House has the inherent right to decide matters affecting its own membership. Indeed, the House decides for itself if a Member should be permitted to sit on committees, receive a salary or even be allowed to keep his or her seat.

Bourinot's *Parliamentary Procedure and Practice*, fourth edition, at page 64, reads as follows:

The right of a legislative body to suspend or expel a member for what is sufficient cause in its own judgment is undoubted. Such a power is absolutely necessary to the conservation of the dignity and usefulness of a body.

Thus, I believe there is no dispute that it is up to the House as a whole, and not for the Speaker, ultimately to decide if one of its members should continue to sit and vote.

[Translation]

While there may admittedly be some lessons to be drawn from the 1966 case, I must point out that the circumstances facing Speaker Lamoureux in 1966 were markedly different than those at play in the present case.

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•(1530)

[English]

Some days before ruling as he did, Speaker Lamoureux had informed the House of a judgment on the case at issue. This reference may be found in the *Debates* for February 28, 1966, at page 1843. As members who visit that reference will find, it appears that in the 1966 case, the legal process was at an end and the member whose right to sit and vote had been questioned had been cleared to sit and vote. By contrast, in the case before us today, applications have been filed, as all hon. members know, although court hearings have yet to begin.

With these considerations in mind, the Chair must determine a way forward for the House that respects and safeguards its rights and privileges. To be sure, the arguments presented have revealed just how rare it is that the Chair is asked to pronounce itself on an issue of such deep significance and with such potential consequences, yet with so few precedents to guide it. The question of the processes that ought to be followed in cases of this kind is of critical importance and is one that the Chair believes the House ought to clarify.

The current situation—and the various interventions on the matter—points to a serious gap in our procedures here in the House in cases where an impasse is reached in a dispute between a member and Elections Canada. The Canada Elections Act provides that the Chief Electoral Officer inform the Speaker when key milestones have been reached in the course of a dispute. Thus, as I explained earlier, I received a letter from the Chief Electoral Officer informing me that a member had not complied with his request for corrections and informing me of the suspension provision of the act applicable in the circumstances. Also, while elsewhere in the act there are provisions for a member in those circumstances to apply to the courts for relief, the act is silent on the effect of such an appeal on the suspension provision.

I am not the only one left with questions about how to respond to this situation. Some argue that the provisions in subsection 463(2) demand immediate action—namely, the suspension of a member who has not complied with the Chief Electoral Officer in his application of subsection 457(2) of the Canada Elections Act—even as they acknowledge that there is no procedure for operationalizing such a suspension. Others hold that since the Canada Elections Act provides for an application for relief from the provision in subsection 457(2), any suspension is held in abeyance until the court makes its decision.

We can all agree, however, that this silence is in sharp contrast to the statutory processes contained in part 20 of the Canada Elections Act with regard to contested elections, described in O'Brien and Bosc at pages 193 to 195.

In those cases, subsection 531(3) of the statute provides that the clerk of the court shall inform the Speaker of the decision of the court and whether or not an appeal has been filed. The statute is very clear about the Speaker's duties. It states:

Except when an appeal is filed under subsection 532(1), the Speaker of the House of Commons shall communicate the decision to the House of Commons without delay.

If there is an appeal to the Supreme Court, then the Speaker awaits the decision of that court, which its registrar must communicate to

him. Here again, the Canada Elections Act is very clear. Once in possession of that decision, “the Speaker of the House of Commons shall communicate the decision to the House of Commons without delay”.

However, in the case before us, the Speaker is given no such direction and there are no precedents to be guided by. I will therefore respond to the situation as fairly as I can, trying to maintain an equilibrium between the rights of the House as a whole and the rights of the individual member.

Make no mistake: any member—any one of us—could potentially be in such a predicament; this highlights all the more vividly the importance of my duty to safeguard the rights of each and every member and of my potential inability to do so without the proper mechanisms in place.

Therefore, in the absence of statutory guidance, should a Standing Order mechanism be developed to guide the Chair in such cases?

To answer that question, I believe it would be helpful to the whole House, and to me as Speaker, if the Standing Committee on Procedure and House Affairs were to examine the issue with a view to incorporating in our Standing Orders provisions on how the Chair and the House ought to deal with such matters in the future. The committee might begin by looking at the lack of a clearly defined process for communications on these matters between the Chief Electoral Officer and the Speaker and between the Speaker and the House. This would fall squarely within the mandate of this committee, which is charged, pursuant to Standing Order 108(3), with “the review of and report on all matters relating to the election of Members to the House of Commons”.

If the committee were to proceed in this manner, the Chair believes the *sub judice* convention would not be breached as the deliberations would not reach into the substance of the disputes themselves. Rather, they would focus on the processes that the Speaker could follow in these cases while remaining true to his fundamental duty as Speaker to act as the guardian of the individual rights and privileges of each member while safeguarding the rights and privileges of the House as an institution.

[Translation]

This would be in keeping with the ruling made by Speaker Sauvé on March 22, 1983, in which she stated that:

...the sub judice convention has never stood in the way of the House considering a prima facie matter of privilege vital to the public interest or to the effective operation of the House and its Members.

•(1535)

[English]

For his part, in remarking that he had a certain appreciation of the Speaker's position in the absence of any guidance at all, either from the statute or from the Standing Orders, as to how to execute the provisions of subsection 463(2) of the act, the member for Toronto—Danforth came to a conclusion with which I can entirely agree, namely:

this honourable House cannot function without the Speaker and the House as a whole working in concert...

Privilege

[*Translation*]

It seems evident to me that the lack of a clear process is not satisfying the needs of the House nor indeed of the individual members concerned.

As always, in deciding on questions of privilege, the Speaker's role is well-defined—some might even say constrained—as it is limited to determining if, at a first glance, the matter appears to be of such significance as to warrant priority consideration over all other House business.

[*English*]

In the present case, circumstances are significantly different from those of the 1966 case relied upon by the hon. member for Avalon. However, the Chair is faced with the fact that some have argued that it is just and prudent to continue to await the conclusion of legal proceedings, while others have maintained that the two members ought, even now, not to be sitting in the House.

I believe that the House must have an opportunity to consider these complex issues. This approach is founded on an ancient practice summarized in a section of *Bourinot's*, fourth edition, found at pages 161 and 162 of that work, where it states:

In the Canadian as in the English House of Commons, "whenever any question is raised affecting the seat of a member, and involving matters of doubt, either in law or fact, it is customary to refer it to the consideration of a committee".

Accordingly, the Chair has concluded that there is a prima facie case of privilege here.

I would now like to return to the issue of the letters I have received from Elections Canada on these cases. As I said before, the Speaker generally tables documents in accordance with statutory requirements or the Standing Orders. Outside of the sorts of documents enumerated in O'Brien and Bosc, at pages 435 and 436, the Chair is not aware of any precedent or practice that would suggest that letters to the Speaker, even letters from an officer of Parliament, are de facto letters to the House, as has been suggested.

[*Translation*]

However, I cannot logically come to the conclusion that this situation warrants immediate consideration by the House, without also ensuring that the House has access to the letters from the Chief Electoral Officer to me on the situation. The Chair would welcome recommendations from the Standing Committee on Procedure and House Affairs and the House's clear directions on how these issues must be handled in the future.

[*English*]

Meanwhile, I will make available the letters I received from the Chief Electoral Officer informing me of the application of the provisions of subsection 436(2) of the Canada Elections Act and the letters I received informing me that applications to the courts had been made for relief from these provisions. I am also prepared to make available correspondence that I might receive from the Chief Electoral Officer in future cases that may arise in like circumstances. I also wish to advise the House that, just today, I have received a letter from the Chief Electoral Officer informing me that the member for Saint Boniface has since provided a corrected return as required by the Canada Elections Act.

In summary, then, to bring clarity to the situation at hand and to give the House a voice on the matter and to seek its guidance, the Chair has concluded that immediate consideration of the matter by the House is warranted.

In view of the circumstances brought to the attention of the House regarding the situation of the member for Avalon, I now invite the member for Beauséjour, who has raised an identical question of privilege, to move the appropriate motion.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, based on your ruling of a prima facie case of privilege, I move:

That the matter of the question of privilege raised by the Member from Avalon be referred to the Standing Committee on Procedure and House Affairs.

The Speaker: Debate, the hon. member for Beauséjour.

[*Translation*]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, I would like to begin by thanking you for having studied this important issue. It is clear that you looked closely at any precedents as well as House procedure, and we thank you for your careful consideration of this question.

● (1540)

[*English*]

I think all members will acknowledge, and the Speaker's ruling makes it clear, that this is not an easy situation, and it is one for which not many precedents exist. I think a great deal of merit has been given to the question of privilege raised by my colleague, the member for Avalon.

Mr. Speaker, you have obviously given a great deal of attention to the interventions of other colleagues on this question of privilege, and for that, Mr. Speaker, I thank you profoundly.

The issue has been and continues to be, from our perspective, the issue of members of Parliament having earned the right to take their seats in this House. Those of us who are privileged enough to represent our constituents in this great democratic assembly also have the obligation to arrive in this place having followed every single section, every principle and every precedent of the Canada Elections Act and the various court cases over the years that have interpreted the application of Canada's electoral legislation.

[*Translation*]

This is a relatively simple concept. Every voter has the right to vote in a fair election. The person who wins the most votes wins the privilege of representing their constituents in the House of Commons.

However, the election itself still needs to be fair, fair to all of the parties and all of the candidates who are running. When a candidate chooses to flout election rules, the vote is, by definition, unfair. Democracy pays the price.

Privilege

[English]

As I stated earlier, I think, and I agree with the Speaker, that the procedure and House affairs committee of the House of Commons is the place for members to properly understand the application of the Canada Elections Act and also the rights and privileges of members of this House to sit, debate and vote with colleagues who arrive here having followed all of the prescriptions of the Canada Elections Act.

I think it would be instructive, as we begin a debate on this very important matter, for my colleagues to be reminded of subsection 463(2) of the Canada Elections Act, which my colleague from Avalon raised, which says:

An elected candidate who fails to provide a document as required by section 451 or 455 or fails to make a correction as requested under subsection 457(2) or authorized by 458(1) shall not continue to sit or vote as a member until they are provided or made, as the case may be.

I would draw attention to the words “shall not”. The legislation, from our perspective, is unambiguous. It is prescriptive. It does not say “may not”. It does not say “might not”. It says “shall not”.

That is why, Mr. Speaker, you were in the difficult position of having to reconcile that section of our election legislation with other sections that provide, for other offences or other non-compliance measures, an opportunity to seek a judicial review before the appropriate court of competent jurisdiction.

[Translation]

That is why we will continue to ask—and we will repeat our demands—that any member who does not comply with the law be stripped of the right to vote and sit in the House.

If, after the Standing Committee on Procedure and House Affairs has looked into the matter, the House concludes that in a specific case the member should have the right to sit in the House, the House of Commons has that power and privilege.

However, for the moment, the House has not ruled on this matter. That is why we continue to have serious concerns about the member's right to sit and vote in the House after having received an official letter from the Chief Electoral Officer regarding the section cited.

[English]

The statute passed by the House, the Canada Elections Act, is very clear. It says that members who are not compliant with the act shall not sit and vote. This is the case, as we now know, with respect to at least one member of the Conservative Party, the member for Selkirk—Interlake.

If the House, in its wisdom, chooses to stay this proceeding, having been informed by the Speaker, as you have just done, of the receipt of this communication, and it allows colleagues to continue to sit and vote, that is properly a privilege and right of the House. However, as we stand here today, we are in the absence of that opinion from the House.

Whether the law was well drafted, desirable for some Conservative MPs, pleasant, agreeable or nice, it is very clear: those members for whom an official communication has been received by the Speaker shall not sit or vote.

Once the procedure and House affairs committee, I hope at an early opportunity, is seized of this matter following your ruling, and I hope, following a vote in the House, it is our intention to continue the argument that in the absence of a decision by the House to the contrary, the legitimacy of these members is unquestioned. That comes directly from statutory authority, in the Canada Elections Act.

● (1545)

[Translation]

To conclude, Mr. Speaker, I would like to thank you for your ruling. I believe that you have taken the time to reflect. You spoke about the difficult situation that you find yourself in because this is setting a precedent.

[English]

I do not disagree. Obviously, I would not disagree with the Speaker. I do not disagree in terms of the procedure and House affairs committee's role in this. However, I would ask colleagues, and we will ask our colleagues on the committee, to reflect on this question: In the absence of a decision by the House, as you correctly noted in your ruling, Mr. Speaker, how legitimate is it for members to sit and vote in the House when they have been subject to a communication under that section of the Elections Act, which is prescriptive?

If the House wants to change the elections legislation and that section of the Canada Elections Act, there is a procedure to amend that statute. We are obviously waiting. The government has talked often about making amendments to the Canada Elections Act. It does not seem to be in a big hurry to do so, although it has perhaps briefed the Conservative caucus, in its horror, on allegedly toughening up the elections legislation. It has since run for cover.

If Parliament wants to amend the act, that is a separate issue from the application of the current legislation to members who were elected in the general election of 2011. That should properly be the subject of the discussion in the House this afternoon.

I hope that my colleagues on the procedure and House affairs committee will act forthwith to rectify what is an untenable situation for the members themselves, who are subject to this communication, for the Chair himself, who received this communication, and for members of the House, who we believe have not had their privileges respected because of the continued presence of members who have not complied with the Canada Elections Act.

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, I too would like to thank you for the carefully considered ruling. It is quite obvious that you considered it from all points of view and you did come up with a very judicious ruling.

As you noted toward the end of your remarks, I ended my own intervention by indicating that we did indeed trust the good counsel of the Speaker on the matter. We did appreciate the position that you, as Speaker, were in with respect to the absence of clarity in subsection 463(2) on what the effect of going to court was on whether it would enter into immediate effect.

Privilege

You have canvassed very well, Mr. Speaker, the legal issues at stake with interpreting the statute, but also the very special question of the House's own jurisdiction, to make its own interpretation of what should happen with respect to our colleagues from Saint Boniface and Selkirk—Interlake. I note, however, that you have now brought to our attention that the Chief Electoral Officer appears to have sent a letter that indicates that one of the two members, if I heard correctly, may now indeed be in compliance with the corrected returns provision of the act, and we may be in the position of only talking about one of our colleagues.

I would like to return to what my colleague from Beauséjour has referred to, which is that we are still left with the issue of what should be the case with respect to the right to sit or vote now. I will use the member for Selkirk—Interface as the reference point.

The fact that the member for Saint Boniface has received a new letter that indicates her right to sit or vote in the past will still be legitimately looked at as part of the package of the issues PROC has to deal with, but we are at the moment immediately dealing with the right of the member for Selkirk—Interlake to sit or vote.

All I would like to say there is that in the spirit of your ruling, Mr. Speaker, and the fact that we have not actually implemented any suspension but are going to PROC, and you did find a prima facie question of privilege, it is incumbent on our colleague to ask himself whether he should voluntarily recuse from his right to sit or vote.

I see that you are wanting to end the debate, Mr. Speaker.

•(1550)

The Speaker: Members are on questions and comments, so I would like to allow the member for Beauséjour a chance to respond. If he is done making his comment or putting his question, I will give the floor back to the member for Beauséjour.

Mr. Craig Scott: Mr. Speaker, I would not mind some clarity from my friend about this question of what we now do about the right of our colleague from Selkirk—Interlake to sit or vote. It is a matter of whether he still wants to vote, or would he prefer this to be left in the hands of our colleague to do the right thing?

Hon. Dominic LeBlanc: Mr. Speaker, the question and comment of my colleague from Toronto—Danforth reminded me of his rather loquacious intervention that he made with respect to this question of privilege. He raises the nub of the issue from our perspective.

My colleague from Scarborough, in a conversation, said that perhaps we were looking for some sort of interim relief, some sort of temporary relief pending either, ultimately, the disposition by the Court of Queen's Bench of Manitoba or a decision of the House with respect to whether the member for Selkirk—Interlake should continue to sit and vote. From our perspective, the prudent thing would be for the member not to sit and vote, because as I said, the legislation is prescriptive. It does not say “may” or “might”, it says “shall”. We think the legislation is very clear.

In the absence of either a court decision that the House chooses to enforce or a decision of the House itself, the member for Selkirk—Interlake should not be sitting or voting during proceedings of the House.

[*Translation*]

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, the issue being debated is very serious. Since the House will, in all likelihood, adjourn this week—on Friday, according to the parliamentary calendar—Canadians are wondering what is going to happen if the issue is not resolved this week. I have two questions for my colleague.

Can we expect the Standing Committee on Procedure and House Affairs to sit today and promptly report to the House, so that the House may dispose of the matter this week? If not, can we expect the committee to sit in the days following adjournment, rather than wait until the fall? It is important that this question be asked because Canadians will want to know what is going to happen over the days to come.

Hon. Dominic LeBlanc: Mr. Speaker, I thank my hon. colleague from Ottawa—Vanier because he has asked the same question that gave us pause when my colleague from Avalon rose earlier. We are faced with an untenable situation. A number of members—or in this case, at least one member—is the subject of a letter that was sent to you, Mr. Speaker. We do not believe that the Standing Committee on Procedure and House Affairs should take the summer to reflect and make a decision regarding this issue, and then report to the House of Commons.

As far as the member for Selkirk—Interlake is concerned—and I can certainly put myself in his shoes—it is a displeasing and untenable situation for him to be in, too. I am sure that he hopes that the House will make a decision as quickly as possible in regards to this matter.

In your decision, you invited the committee to consider another procedure and clarify the rules of the House. Obviously, that is an important process, but perhaps it is not as important as immediately deciding the status of a member of Parliament who is the subject of a letter addressed to you.

•(1555)

[*English*]

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I listened to my friend from Beauséjour with great intent, and also to your ruling, a finding of a prima facie case of privilege. This goes to the heart of our democracy. It goes to the heart of how Parliament functions. We do not have explicit rules in all of our history in Canada for this situation, as you stated in your ruling, because we have never had a situation like this.

We have never had such consistent and patterned language of abuse of the electoral system to the extent, breadth and depth that we now see with Conservative members across the way.

I am frankly losing track and count of the number of Conservatives who are under some form of fraudulent investigation by Elections Canada. They can complain and claim conspiracy theories all they want, but the facts remain the facts. The recent ruling from the judge suggested that there was trench warfare being conducted by the Conservatives, even in trying to investigate acts of known electoral fraud. Therefore, we have one case that has obviously been clarified somewhat, as you mentioned, Mr. Speaker. It seems that there is another case coming forward.

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First, I commend you for your ruling, Mr. Speaker. I think it was a difficult one to make in balancing the different interests and powers that be.

For my friend from Beauséjour, does this moment that Parliament is seized with not need the full debate of the House to talk about what is affecting our very democratic institution, this Parliament? Also, do we not need to have a full and public discussion at the committee to get into this to find out what is really going on here and the power that Parliament has to ensure that those who are sitting in this place are meant to be here and have come here fairly in a free election?

Hon. Dominic LeBlanc: Mr. Speaker, I agree with my colleague from Skeena—Bulkley Valley, the House leader of the official opposition, on the two essential points he made.

This is a pattern of difficulty complying with elections legislation. We could go back to the in-and-out scandal where the Conservative Party ended up pleading guilty to a serious election offence. There is a long list, a direct line from these offences to the current situation in which some members find themselves. I share his view that it is a pattern of disrespect for election legislation.

I also share his view that the House should take the time to pronounce itself and to consider this matter thoroughly and completely. These issues have precedence over other matters before the House. I hope we can hear from colleagues on all sides of the House.

It would certainly be our intention to participate in what I hope is a full and substantive debate, starting this afternoon, on this matter. Once the House votes, ultimately, and once the debate is finished and no member rises to speak, then the procedure and House affairs committee can consider its work. However, until that time, we are looking forward to hearing interventions from many members.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, may I add my comments to those of my colleagues that your ruling was considered, your ruling was certainly thought-provoking because it highlighted to all members in this place the difficulty the Chair had been placed with this issue. The process, frankly, that you have followed in making many rulings on questions of privilege in the past does not seem to be clear in this instance. You yourself noted the lack of clarity.

However, I also think the conundrum that you find yourself in, Mr. Speaker, the difficulty that you have in an almost untenable situation, is your ability to determine the rights of all members vis-à-vis the rights of the individual, particularly when we look at the *sub judice* convention, which, as all members know, prevents members from speaking in the House of an issue currently before the courts that might be prejudicial to the individual who is before the courts.

In other words, that very wise convention was put in place to prevent members in this place making either prejudicial or inflammatory comments that might then become part of the public purview and influence the court's decision on a matter currently before the court.

Mr. Speaker, how do you balance them, the rights of the individual as to the collective? Your suggestion to refer this to the

procedure and House affairs committee is a very wise decision because there has to be consideration given to the process and the procedures of the House when dealing with a matter that we currently have before us, a procedure that has not been identified or articulated ever before, to my knowledge at least, in the history of this place, this institution.

Your observations and your words, Mr. Speaker, give us, I believe, as parliamentarians, much to consider. Also, it certainly would give the member for Selkirk—Interlake time to consider his options under Standing Order 20.

Therefore, while members opposite are arguing for a long debate this afternoon, it appears to me that there needs to be more time to reflect and to consider both your words, Mr. Speaker, and the implications of your decision.

In that light, and because of that, I move:

That the debate be now adjourned.

● (1600)

The Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the yeas have it.

And five or more members having risen:

The Speaker: Call in the members.

● (1640)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 759)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Anders	Anderson
Armstrong	Aspin
Bateman	Benoit
Bergen	Bernier
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Crockatt	Daniel

Davidson
Del Mastro
Dreeshen
Dykstra
Fletcher
Gallant
Goguen
Goodyear
Gourde
Harris (Cariboo—Prince George)
Hayes
Hilyer
Holder
Jean
Keddy (South Shore—St. Margaret's)
Komarnicki
Lake
Leitch
Leung
Lobb
Lunney
McColeman
Menegakis
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nicholson
Obhrai
O'Neill Gordon
O'Toole
Payne
Preston
Rempel
Saxton
Seeback
Shipley
Smith
Stanton
Sweet
Toet
Trost
Tweed
Valcourt
Van Loan
Warawa
Watson
Sky Country)
Weston (Saint John)
Williamson
Woodworth
Young (Oakville)
Zimmer— 137

Dechert
Devolin
Duncan (Vancouver Island North)
Fantino
Galipeau
Gill
Goldring
Gosal
Grewal
Hawn
Hiebert
Hoback
James
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kent
Kramp (Prince Edward—Hastings)
Lauzon
Lemieux
Lizon
Lukiwski
MacKenzie
McLeod
Menzies
Miller
Norlock
O'Connor
Opitz
Paradis
Poilievre
Reid
Richards
Schellenberger
Shea
Shory
Sopuck
Strahl
Tilson
Toews
Trottier
Uppal
Van Kesteren
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Wong
Yelich
Young (Vancouver South)

NAYS

Members

Allen (Welland)
Atamanenko
Bélanger
Bevington
Boutin-Sweet
Brosseau
Caron
Cash
Chisholm
Chow
Cleary
Côté
Cullen
Davies (Vancouver Kingsway)
Day
Dionne Labelle
Doré Lefebvre
Duncan (Etobicoke North)
Easter
Foote
Freeman
Garneau
Genest
Giguère
Goodale
Groguhé
Harris (St. John's East)

Angus
Aubin
Benskin
Blanchette-Lamothe
Brisson
Byrne
Casey
Charlton
Choquette
Christopherson
Comartin
Crowder
Cuzner
Davies (Vancouver East)
Dewar
Donnelly
Dubé
Duncan (Edmonton—Strathcona)
Eyking
Fortin
Fry
Garrison
Genest-Jourdain
Godin
Gravelle
Harris (Scarborough Southwest)
Hughes

Privilege

Jones
Kellway
Lapointe
LeBlanc (Beauséjour)
Leslie
MacAulay
Marston
Masse
May
Michaud
Morin (Chicoutimi—Le Fjord)
Morin (Laurentides—Labelle)
Murray
Nicholls
Pacetti
Perreault
Plamondon
Rafferty
Ravignat
Regan
Saganash
Scarpaleggia
Sellah
Simms (Bonavista—Gander—Grand Falls—Windsor)
Sims (Newton—North Delta)
Sitsabaesan
Thibeault
Trudeau
Valeriote— 109

Julian
Lamoureux
Laverdière
LeBlanc (LaSalle—Émard)
Liu
Mai
Martin
Mathysen
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)
Mourani
Nantel
Nunez-Melo
Péclet
Pilon
Quach
Rankin
Raynault
Rousseau
Sandhu
Scott
Sgro
St-Denis
Tremblay
Turnel

PAIRED

Nil

The Speaker: I declare the motion carried.

The hon. member for Skeena—Bulkley Valley is rising on a point of order.

Mr. Nathan Cullen: Mr. Speaker, I seek some clarity from you. First, I would like to commend my two friends from Selkirk—Interlake and Saint Boniface. It was noted that they did not participate in the vote. I think that was the correct thing to do, and we offer them our commendation for having chosen to take that step.

My question to you is this. We were engaged in the process of a prima facie case of privilege that the House was then seized with. It was only, by my estimation, 30 minutes into the conversation when the government sought to adjourn a debate on a question of privilege. In typical House procedure, that is something that properly dominates the business of the House and supersedes all other business, particularly a question as important as this one of members rightfully sitting in the House. Therefore, I seek some clarification from you in the use of adjournment to shut down a debate that had just begun on so important an issue to Canadians and all of us here in the House of Commons.

The Speaker: If the member's question is on what happens to the question of privilege, I can tell the hon. member that the House has just taken a decision to adjourn the debate. Therefore, tomorrow, when we get to orders of the day, the question of privilege will be back before the House and then the House will again be able to consider that question.

I wish to inform the House that because of the deferred recorded divisions, government orders will be extended by 14 minutes.

The hon. member for Winnipeg North is rising on a point of order.

Mr. Kevin Lamoureux: Mr. Speaker, I would also like to address the issue and discussion by having you reference our Standing Order 20, where it states:

Government Orders

If anything shall come in question touching the conduct, election or right of any Member to hold a seat, that Member may make a statement and shall withdraw during the time the matter is in debate.

I wanted to bring that to the attention of the House.

The Speaker: I appreciate the hon. member raising that to the House.

Orders of the day, the hon. government House leader.

Hon. Peter Van Loan: Mr. Speaker, I too thank the hon. member for his Standing Order of the day. I look forward to his next one tomorrow.

GOVERNMENT ORDERS

• (1645)

[English]

NOT CRIMINALLY RESPONSIBLE REFORM ACT

BILL C-54—TIME ALLOCATION MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC) moved:

That, in relation to C-54, An Act to amend the Criminal Code and the National Defence Act (mental disorder), not more than five further hours shall be allotted to the consideration of the third reading stage of the Bill; and

That, at the expiry of the five hours provided for the consideration of the third reading stage of the said Bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and, in turn, every question necessary for the disposal of the said stage of the Bill shall be put forthwith and successively, without further debate or amendment.

The Speaker: Order. There will now be a 30-minute question period. The hon. member for Skeena—Bulkley Valley.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, people say hitting 50 is not easy. It can be hard on a person, realizing that shutting down debate 50 times in the House of Commons is breaking all previous records by any government, and there have been some bad governments.

I am sure my Conservative colleagues would agree that there have been some awful Liberal and Conservative governments, but this one is beating them all. Even on bills that we in the official opposition agree on and even on bills that we should have some discussion about, the government feels inclined to abuse its power as a majority government, something the Conservatives said, when they were in opposition, was wrong and anti-democratic.

I remember the Minister of Canadian Heritage and Official Languages, the Minister of Foreign Affairs, the Leader of the Government in the House of Commons and the Prime Minister saying that for a majority government to abuse its power by shutting down debate like this was wrong. These guys took lessons from those bad governments and made it so much worse.

Shutting down debate 50 times is not something that the Conservatives should be celebrating. On something as important as justice issues, the government wants to shut down debate even before the discussion has begun. How can the minister possibly expect, after so many experiences with his government writing bad law that gets challenged at the Supreme Court, that he is justified here again today in shutting down debate in the House of Commons?

I am not the one saying it is bad law; it is our Supreme Court justices who are striking down his laws, which is very costly to Canadians and bad for justice.

Let us just have the conversation. Let us get justice right. Let us make the system work for Canadians and not have some draconian ideology shutting down conversations and shutting down our democracy.

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, in the first part of his remarks, the member said there was something we could agree on. I want the House to know that as a student of Canadian history, I am very familiar with the governments that have governed this country, and there have been no bad Conservative governments in the history of this country—none.

If the member wants me to table evidence or information with respect to that statement, we could go right back to Sir John A. Macdonald and the founding of this country. We could go back to Mr. Mulroney, John Diefenbaker, R.B. Bennett, Arthur Meighen and Sir Robert L. Borden. They did a great job.

The hon. member—

Mr. Yvon Godin: Mr. Speaker, on a point of order, I remember Brian Mulroney not paying his taxes on \$250,000, and he was the Prime Minister of this country.

Some hon. members: Oh, oh!

The Deputy Speaker: Order. That was not a real point of order.

The hon. Minister of Justice.

Hon. Rob Nicholson: Mr. Speaker, I would like to spend the whole 30 minutes talking about great Canadians like Brian Mulroney and other great Canadians, but 30 minutes would not be nearly enough to talk about the accomplishments of Conservative prime ministers in this country. It would not even come close to what we would need.

That said, I am pleased that we are moving forward on this Bill C-54 that concerns not criminally responsible individuals. I think, and everybody should agree, that having five hours of debate can be very helpful. This bill has been in the works for quite some time. It has been before committee and it was here for second reading.

Again, I hope nobody over there is offended that protection of the public will be the paramount consideration. It seems to me that protection of the public should have the support of everyone. I look forward to this debate.

• (1650)

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, the Conservatives are putting forward closure for the 50th time, but there is reason to celebrate. We saw the money that the Conservatives spent on 1812, and I think celebrating this is at least worthy of the same type of budget.

Government Orders

The Montreal Canadiens have won 25 Stanley Cups and have pennants hanging from the ceiling. The New York Yankees have 40 World Series championships, and pennants hang from their rafters. Are the Conservatives contemplating action plan signs hanging from the roof of the chamber? They should take a great deal of pride in their abuse of the democratic process in this House.

Hon. Rob Nicholson: Mr. Speaker, this party, I think, invented the democratic process and certainly adapted it here in Canada, so we have so much to be proud of.

I would say to the hon. member that I appreciate that those members always just want to talk about procedure, but I would ask them to sometimes, on these justice bills, look at the substance. It is standing up for victims and protecting the public. They should think about that. Let us talk about that.

Again, I am probably talking to deaf ears when I talk to members of the Liberal Party. Procedure is all they want to talk about. They never want to get into protecting victims and standing up for the public interest of this country. That is what we are all about on this side.

The Deputy Speaker: On a point of order, the member for Saanich—Gulf Islands.

Ms. Elizabeth May: Mr. Speaker, I apologize to the hon. Minister of Justice for interrupting. However, when we are on a motion, which by its terms requires us to speak to procedure on time allocation, I do wish the Minister of Justice would stick to the relevance and not accuse those of us in opposition for being irrelevant when we speak to the point at hand, which is time allocation, a matter of procedure.

The Deputy Speaker: I, and other members of this chair, have said repeatedly that the relevancy of debate is both with regard to the procedural motion this is before the House and the piece of legislation that is before the House. Comments with regard to either of those are proper and relevant to the discussion.

The hon. member for Chambly—Borduas.

[*Translation*]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, in my opinion, if Canadians thought that the Mulroney government was so extraordinary, they would not have reduced it to a two-member caucus at the next election.

The fact remains that the minister is doing what his colleague, the Minister of Heritage, did with Bill C-49. He claims that he is mulling over the issue and that he has been working on the bill for some time. However, he should make the distinction between his work, the work he does behind the scenes, and the business of Parliament. I think that they are three separate things.

Members heard the same thing from the Minister of Canadian Heritage when he claimed that the matter has been a topic of discussion for the past eight months. Perhaps he has been discussing the issue for the past eight months, but members of the House, duly elected by Canadians, have not had the same opportunity. We support the bill being debated in the House. However, as members, we are nevertheless very pleased to be able to have an opportunity to speak.

I think that the minister should make the distinction. Moreover, he should stop saying that the simple act of debating the issue automatically means that victims' rights are not being respected. In my opinion, that is a disrespectful case to be making, both to colleagues in the House and to me.

[*English*]

Hon. Rob Nicholson: Mr. Speaker, I will not correct one of the mistakes the member made about what happened in Canadian history.

That being said, I am very pleased to discuss the substance of this bill. I appreciate that other members say that we should always talk about procedure, but, again, I respectfully disagree with that.

The member asked what we have done. Yes, I have discussed this with my federal-provincial counterparts, certainly in my last meeting with them at the end of last year. What is most important as well, and this has been a priority for this government throughout the last seven and a half years, is that we speak with victims' groups all the time.

Whenever I leave Ottawa and visit any community across this country, I always sit down and meet with victims. They were very clear on issues like the not criminally responsible provisions of the Criminal Code, other areas of the Criminal Code and indeed the procedures that are in our criminal courts and our judicial system. They have been very clear that they want their priorities to be heard, that they are important and that their issues should be addressed. I have been very pleased and very proud that this legislation does exactly that. This is why I think it is so well received among victims' groups.

• (1655)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I have more of a comment than a question.

I just want to say that on the weekend I had the great pleasure of reading a fairly well-written piece in *The Globe and Mail* about our Supreme Court Chief Justice. I think colleagues here may wish to read that report, because the Chief Justice did make comments about the direction the bill we are now going to be debating for the next five hours or so is headed. I think members might want to take it into account before they cast their vote.

Hon. Rob Nicholson: Mr. Speaker, again, many different elements go into making up this legislation, a number of which I am particularly proud of.

Certainly helping to ensure that victims are notified upon request when an NCR accused is discharged makes a lot of sense. I think it is only fair. Again, this is what victims groups have told me: allow non-communication orders between the not criminally responsible accused and the victim. I think most people would agree with that. It does not fit into an argument about procedure, but rather about substance, putting that in there to make sure victims are heard.

This is not confined, of course, to this piece of legislation, but is relevant to all the pieces of legislation that we have introduced. In fact, that is one of the first questions my colleagues will ask once a bill is drafted: "What are you doing for victims? Are victims being taken into consideration?"

Government Orders

I have been very proud over these last six or seven years to assure them that, yes, the rights and the concerns of victims are incorporated into legislation, and this bill is no exception to that rule.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I certainly appreciate the Minister of Justice's explanations thus far. I would simply like to ask the minister this.

The NDP voted at committee for this legislation to proceed. The Liberals, obviously, are certainly happy with the status quo and do not believe that needs to be changed. The victims that were heard at committee clearly said that this bill would help people like them in very tragic circumstances have a sense of safety, security and that they are being heard. If we do what the NDP wants, which would be to stall this, what consequences would that have? It would certainly take us through the summer break.

I would like to hear if the Minister of Justice thinks it is appropriate to make victims suffer further under the status quo that the opposition seems to be fine with.

Hon. Rob Nicholson: Mr. Speaker, the member said that my comments and answers so far were very acceptable and pleasing to him. I want him to know that I will do my best to continue throughout the balance of this half hour to ensure my comments are satisfying and pleasing to him.

That said, he makes a very good point. We know what is happening. My colleagues across the aisle would like to debate this continuously and indefinitely. Then again, if we did that, the bill would not be passed before the summer break, and it is important that this piece of legislation, which, as I have indicated, takes into consideration what victims have been asking for, becomes the law of Canada.

I say to all members that there will be five hours of debate. The hon. government House leader indicated that is available to members. If members have not had an opportunity or did not take into consideration what happened in committee or during the second reading debate, I encourage them to get on their feet. Hopefully, when they analyze this, as I am sure they have over the last four or five months that this bill has been before Parliament, they will come to the same conclusion that my colleagues and people across this country have: that this is a good piece of legislation and what we need in this country.

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, 48, 49, 50, that is what should be announced in all the social media and on television all across Canada. That makes 50 times this government has muzzled us and prevented us from discussing a bill, one that deserves to be debated here in the House. We have the right to debate it. For some of my constituents and many of those of other members, the only time they hear it discussed is when we talk about it together here.

McDonald's no longer just refers to fast food. We are talking about a McDebate here. The Conservatives do not want to sit in the House any longer. They no longer want to take the time to sit in the House, apart from a mere five hours per bill.

● (1700)

[*English*]

Hon. Rob Nicholson: Again, Mr. Speaker, I would point out to the hon. member that we introduced this bill in early March. This has been part of the public record and has been before Parliament since that time.

If members do not like a bill or do not want us to move forward in the justice area, I can appreciate that they would want to continuously debate these issues, but they have another five hours of debate after this has already been before the committee and debated at second reading. Most Canadians analyzing this would think that is pretty reasonable. Most Canadians would say that this is an important piece of legislation, making the protection of the public the paramount consideration when these matters are heard and better protecting victims in this country. Most victims would say to never mind last March; they wish we could have done this a long time ago. This is consistent with what this government has been doing over the last seven years.

Again, I urge hon. members to do the right thing by victims by supporting this bill and getting it passed.

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I would like to thank the minister for what he has said. However, I would also like to correct him when he says that debate serves no purpose.

I would remind the minister that the Standing Committee on Justice and Human Rights, which includes Conservative members, accepted two NDP amendments. The first related to victims.

The minister says debate and conversation serve no purpose, yet we listened to victims, and they said they wanted to know about the intended place of residence of the accused. The government had to backtrack. It realized that its bill was incomplete, and still had flaws. It was because the opposition was able to look into this and listen to the experts and the victims that we were able to solve the problem.

We proposed other amendments for which we requested verification. We also asked the government to change its position. Unfortunately, it refused.

The government did accept another amendment so that the legislation will be reviewed in five years because, as noted, it still has many flaws. Moreover, there has not been much consultation, particularly with experts working in the field of mental health.

If the minister says that debate serves no purpose, why did the Conservatives accept amendments which resulted in a better bill for victims?

[*English*]

Hon. Rob Nicholson: Mr. Speaker, I am all in favour of debate. What I have also said is that indefinite debate is not helpful in moving forward and making progress.

Government Orders

The hon. member made a very good point on the value of committees. The bill was before a committee, a couple of amendments came forward and the government accepted them. I hope that this pleases the opposition member. I have always said that if something makes sense, we should have it.

That is what committees are all about. They hear evidence, they analyze it, they look at the legislation and they come to a conclusion. They came to a conclusion and they made the motion for a couple of relatively minor amendments, but they are important amendments nonetheless. Yes, the government accepted that.

The system is working. This is why it is important to get this bill passed before the summer. We have listened to the opposition. We have listened to what has taken place in the debates. We have listened to victims groups, law enforcement agents and people across the country.

Let us move forward. This bill is important.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I want to follow up on the observation made by my colleague from Ottawa—Vanier when he referenced an article from *The Globe and Mail* on the weekend about the Chief Justice. The article was on the issue of mentally ill offenders, and it said:

At least once a year, their status is reviewed by expert panels. After treatment, most of them return to society and resume normal lives. But under a federal proposal, it will become more difficult for those designated as high-risk offenders to be released.

Chief Justice McLachlin points proudly to a 1990 Supreme Court of Canada decision, *R v. Swain*, as the key move that created a new template for giving mentally ill offenders regular reviews.

"It said you can't just lock up a person who has been found not guilty by way of their illness, and throw away the key," she says. "That was the breakthrough."

Endorsing the review-board system, she says: "The interesting thing is that the hearing process is staffed heavily by psychiatrists and I think it is well-supported by the medical side of things, by the police and by judges."

At the 'intake' end of the system, however, Chief Justice McLachlin says offenders are too often warehoused...

The Chief Justice of Canada, who will likely be tasked with reviewing this legislation at some point in the reasonably near future, has said that the system actually works very well as it is.

Essentially, this is a reaction to an egregious set of facts and ultimately an attack on those who are the most vulnerable in our society, namely those who are mentally ill, dressed up in the name of victims. The ultimate irony of this entire process is that the victims who deserve every sympathy that we can afford them will actually be potentially victimized once more because of the system that the hon. Minister of Justice is proposing.

My simple question is to the Minister of Justice. Why will he not listen to his Chief Justice, who thinks that this is the wrong direction?

• (1705)

Hon. Rob Nicholson: Mr. Speaker, we have been very clear on this. The bill is not directed at the vast majority of individuals who come before the review boards and are found not criminally responsible. It is directed in the sense that we will better protect victims, give them better notification and take their concerns into consideration.

I completely disagree that this is dressed up for victims. This is all about victims and better protecting them.

When we are talking about individuals who are found not criminally responsible, we are talking about a small group of individuals who have been accused of a serious personal injury offence. The court will make a finding of it. If there is a substantial likelihood that an NCR accused will use violence that would endanger the life or safety of another person, or if the court is of the opinion that the offence was particularly brutal so as to indicate a greater risk of harm to another person, then that person would be designated high risk. That high-risk designation would not only protect the public, but the individual as well.

That is one of the things that the hon. member did not mention. For the vast majority of individuals, there is a process in place. It goes through our courts and that will of course continue. I agree with that and I certainly support that.

However, this specifically addresses the issues of victims and those high-risk individuals who, again, are a risk to the public and to themselves.

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, some of the comments that have been made would lead the public to believe the system has been radically changed because all of a sudden there has been a high-risk designation. The member previous asked a question about the timeliness of this and the failure to bring this through quickly resulting in greater victimization, greater harm to victims who had to go through a yearly process every year.

Could the minister comment on the fact that bringing this forth will somehow take away the victimization of victims having to go annually each year to hear the evidence again and relive the trauma of what has caused the death of loved ones. Would the minister agree with me that there is a compulsion to treat not only the victims by permitting them to heal by giving a longer period before the review of NCR individuals and also the treatment of the NCR period when it is found reasonably necessary to treat them for a longer period and lengthening the period of time before they are reviewed?

My point is that there is treatment not only for the victims who are permitted a cure and a longer period of time before the review and also a substantial period of treatment for a longer period of those who are found on the balance of probability need a longer period of treatment before they are reintegrated. The key is not being thrown away. We are giving them treatment. Would you agree with that, minister?

The Deputy Speaker: Again, I would ask all members to direct their comments through the Chair to the minister.

The hon. Minister of Justice.

Hon. Rob Nicholson: Mr. Speaker, I am regularly in agreement with the hon. member for Moncton—Riverview—Dieppe. He is doing a great job, and continues to do, as my parliamentary secretary.

Again, getting these individuals the help they need is everyone's priority. These individuals come generally within the provincial health system. We want them to get the treatment. We want them to get the help they need so they are no longer a danger to the public or to themselves.

Government Orders

As the hon. member has pointed out, with the high-risk designation, the review period can be extended up to three years. Again, this works in everyone's favour to ensure the individual gets the kind of help he or she needs.

Anything we can do to reduce victimization ensuring that victims are notified upon request is important. There are some victims who do not want to have their name registered and be notified, but among those who do, we have to accommodate that so they do not find themselves surprised. They are not in a grocery store and see the individual who may have murdered their children or they see this individual in church or some other place. That is a re-victimization of these individuals. The efforts to contain that and to ensure those kinds of things do not happen are very important and should have the support of everyone in this chamber.

• (1710)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, seeing that the minister wants to address the substance of the bill, having been at committee when the Federal Ombudsman for Victims of Crime, Sue O'Sullivan testified, I was surprised that among her many amendments that would have spoke to what victims wanted, so many of the measures were not included in Bill C-54. It was very clear from the victims rights groups that testified at committee. Most of them saw the very compelling need to ensure adequate mental health services, that we had more in place for prevention and that the not criminally responsible sections that were most important to victims were the ones about notification. These are not the ones who are most under assault by those who are expert in clinical psychology, forensic psychology, review boards and legal experts.

There was a way forward to respond to victims' needs and to also respect the system that, according to all the experts, was working well in the stream of not criminally responsible people who were then monitored closely. Why did the minister not pursue a compromise in which victims' rights and the rights of mentally ill people who found themselves in the NCR system were both respected?

Hon. Rob Nicholson: Mr. Speaker, every aspect of this is very reasonable and supportable. We are making the protection of the public the paramount consideration. As has been pointed out, this is one of the considerations. We are saying, let us make this the paramount consideration to ensure that public and society is protected. We have focused in on a group of high-risk individuals. We have judicial oversight for that designation.

Again, however, she did address the whole question of victims and ensuring, for instance, that victims were notified upon request when an NCR accused was discharged. I do not think there is anything unreasonable about that. This is very important.

Allowing for non-communication orders between an NCR accused and the victim, again, makes a lot sense, ensuring that the safety of victims is considered when decisions are made in this area.

From the analysis of all this government legislation, taking into consideration and ensuring that victims are heard is the right balance. It is not just about the individual who has been accused. It is about public protection. It is about victims. We have to take these all into consideration.

Again, the Prime Minister has made it very clear that the rights of victims, what victims need, what they want, what they expect, what is reasonable for them under the circumstances, is, and will continue, to be a priority for this government. That is why we have included all those provisions with respect to victims. It is the right thing to do.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, it is a sad fact that we are here at this time speaking to another closure motion. This has gone on for a long time. It has become habit forming. The government is addicted to the process that it has created with the closure motions it has put forward.

Quite clearly, through the limited debate time today, many issues have been raised and have not been responded to fully. Are we going to get to those in the five hours? I do not think so.

What we see is a failure of the government to recognize the nature of its own addiction to its belief that it is right on all issues, that it is correct. Those things are very dangerous to our process.

Would the minister look into his heart and understand what he is doing by supporting these types of closure motions over and over again? What is he doing to this process we are in?

• (1715)

Hon. Rob Nicholson: Mr. Speaker, the hon. member said that the process has made him sad. I would suggest he should be very happy about what we are accomplishing this afternoon. When he speaks with victims groups, they may ask him about the process. The processes are always important and I appreciate that. What he can say to those people is that they will feel much better about the fact they will be notified. Their interests will be taken into consideration. When a decision is made in this regard, the protection of the public, the society, will be the paramount consideration. That should cheer him up and all his colleagues when they have a look at this.

[*Translation*]

The Deputy Speaker: It is now my duty to interrupt the proceedings and put forthwith the question necessary to dispose of the motion now before the House.

[*English*]

The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And five or more members having risen:

The Deputy Speaker: Call in the members.

● (1755)

[Translation]

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 760)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Anders	Anderson
Armstrong	Aspin
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinoooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Crockatt
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Findlay (Delta—Richmond East)
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKenzie	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	Obhrai
O'Connor	O'Neill Gordon
Opitz	O'Toole
Paradis	Payne
Pollièvre	Preston
Reid	Rempel
Richards	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Stanton
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)

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NAYS

Members

Allen (Welland)	Angus
Atamanenko	Aubin
Bélanger	Benskin
Bevington	Blanchette-Lamothe
Boutin-Sweet	Brisson
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Chisholm	Choquette
Christopherson	Cleary
Côté	Crowder
Cullen	Cuzner
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dewar
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Easter	Eyking
Foote	Fortin
Freeman	Fry
Gameau	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hughes
Jacob	Jones
Julian	Kellway
Lamoureux	Lapointe
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Énard)	Liu
MacAulay	Mai
Marston	Martin
Masse	Mathysen
May	McGuinty
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Mourani	Murray
Nantel	Nicholls
Nunez-Melo	Pacetti
Péclet	Perreault
Pilon	Quach
Rafferty	Rankin
Rathgeber	Ravignat
Raynault	Regan
Rousseau	Saganash
Sandhu	Scarpaleggia
Scott	Sellah
Sgro sor)	Simms (Bonavista—Gander—Grand Falls—Wind-
Sims (Newton—North Delta)	Sitsabaesan
St-Denis	Stewart
Thibeault	Tremblay
Trudeau	Tumel
Valeriote— 109	

PAIRED

Nil

The Deputy Speaker: I declare the motion carried.

[English]

It being 5:55 p.m., the House will now proceed to the consideration of private members' business, as listed on today's order paper.

*Private Members' Business***PRIVATE MEMBERS' BUSINESS***[Translation]***CRIMINAL CODE**

The House proceeded to the consideration of Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons), as reported (with amendments) from the committee.

The Deputy Speaker: There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

• (1800)

Mrs. Maria Mourani (Ahuntsic, BQ) moved that Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons), as amended, be concurred in at report stage.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Mrs. Maria Mourani moved that Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons), be read the third time and passed.

She said: Mr. Speaker, I must say that it is a great victory that Bill C-452, a private member's bill, has made it as far as third reading. It is not my victory, but that of many groups. I feel it is important to name them because they are the ones who worked hard to develop this bill and who supported it throughout the process.

They are: the Council on the Status of Women, police experts from the SPVM morality branch and child sexual exploitation unit, the Comité d'action contre la traite humaine interne et internationale, the Association féminine d'éducation et d'action sociale, the Regroupement québécois des centres d'aide et de lutte contre les agressions à caractère sexuel, Concertation-Femme, Concertation des luttes contre l'exploitation sexuelle, the Association québécoise Plaidoyer-Victimes, the Collectif de l'Outaouais contre l'exploitation sexuelle, the diocèse de l'Outaouais, Maison de Marthe and the YMCAs of Quebec.

Many groups participated in the development of this bill. I thank them very much and I commend them for all the work that they did. These groups also appeared before the Standing Committee on Justice and Human Rights to explain the importance of this bill and, in particular, the results it will achieve on the ground.

I would like to quickly mention the things that came up in committee that I found a bit surprising, since a significant number of amendments were made to the bill. First, no major changes were made to the provisions related to human trafficking, whether with regard to presumption or the reversal of the burden of proof, consecutive sentences for offences related to trafficking in persons, or the forfeiture of the proceeds of crime for people who are charged with human trafficking. These provisions did not really change, and that is a good thing.

The provision regarding the definition of sexual exploitation was changed. A government amendment removed this provision on the basis that it could make the definition hard to understand. These were not major changes. The principles underlying the provisions on human trafficking stayed the same. I am very pleased about that.

By the way, the NDP did not propose any amendments. The Liberals proposed amendments that were rejected and that I did not support either, and the majority of the amendments proposed by the Conservatives were kept since the Conservatives have the majority. Nonetheless, some of the amendments they proposed were supported by the NDP and the Liberals.

One of the government's amendments leaves me extremely perplexed. It is the amendment that replaced our wish to have the bill come into force 30 days after royal assent. The government's amendment would have the bill come into force on a day to be fixed by order of the Governor in Council. It seems that the government wants to control the implementation of the bill.

If the bill receives royal assent, I hope that it will come into force very quickly because, as all the witnesses said, this is an urgent matter. It is essential that the police, prosecutors and victims advocacy groups have the necessary tools to combat human trafficking.

As far as the provisions on procuring are concerned, I was very shocked. I did not at all expect the government to propose amendments to the procuring provisions. On the contrary, I expected the consecutive sentences for pimps, and the forfeiture of the proceeds of crime of pimps, to be provisions that the government would support.

In committee, the government said it wanted to wait for the Supreme Court ruling in the Bedford case.

• (1805)

We know that 80% to 90% of people who are victims of human trafficking are trafficked into prostitution, especially in Canada.

Some hon. members: Oh, oh!

Mrs. Maria Mourani: Mr. Speaker, I would appreciate it if hon. members would stop talking.

The Acting Speaker (Mr. Bruce Stanton): Order, please. There is a lot of noise in the House. I ask that the hon. members who wish to continue their conversations leave the House now.

The hon. member for Ahuntsic, resuming debate.

Mrs. Maria Mourani: Mr. Speaker, as I was saying, I was very surprised to see the government's amendments respecting procuring. I do want to point out that these amendments are supported by both the Liberal Party and the NDP. Their purpose was quite simply to delete forfeiture of the pimp's proceeds of crime and, of course, consecutive sentences from the bill. The argument advanced by the government was that, since the Supreme Court was reviewing the Bedford decision, it preferred to wait until the court had ruled.

Private Members' Business

The Supreme Court heard Ms. Bedford's case on June 13. I was in the court and heard the testimony. What impressed me most was the argument of one of Ms. Bedford's lawyers. In response to a judge who had asked him a question, he said that, if Parliament—and that means all of us here—had made the legislation coherent, they would not be there. In fact, he was saying in a very polite way that, if Parliament had done its job, the Supreme Court would not be considering the Bedford case.

Why? We currently have a nonsensical situation in Canada. Prostitution is not illegal, but prostitution-related practices are. When this law was passed, it created a nonsensical situation. You cannot say that prostitution is not illegal in Canada and, in the same breath, that we are going to criminalize all prostitution-related practices, such as living on the avails of prostitution, keeping a bawdy house, soliciting and so on. That lawyer was right: that is nonsensical.

I have been a member of Parliament for seven years and a few months, and I have been waiting for seven years for the government to find the courage to table a bill on prostitution, thus triggering and provoking this debate in the House. It is not up to the Supreme Court to decide this matter; it is Parliament the must decide the kind of society in which we want to live. The Supreme Court recognizes that. It is up to Parliament, it is up to each of us, who are elected by the people, to decide, to conduct this debate in the House.

I have been waiting for this act for seven years, and I hope that the Supreme Court's decision will compel the government to bring the debate into the House and that the debate will be held in the House.

I very much hope that Canada will follow in Sweden's footsteps—that is my personal opinion—by making sure that it eliminates and eradicates this form of violence against women by criminalizing pimps, by criminalizing johns and, of course, by decriminalizing the people who are prostituted and providing the resources that must accompany that legislation in order to help these people.

Prostitution is not a job; it is a form of violence committed against another human being who is considered as merchandise. Prostitution is not the oldest profession in the world; it is the oldest lie in the world. Prostitution is not a job; it is a means of survival.

My mind is made up, and has been for a long time. I work with these women on the street, and I know all about it. All caucuses could debate this issue. Many wonder if the legalization of prostitution will result in the protection of prostitutes.

I wanted to talk to the House about a good example, that of Germany. Germany legalized prostitution 10 years ago and there have been assessments. Recently, the magazine *Der Spiegel* published its May 26, 2013, issue entitled, “German Brothels—How the State Encourages Trafficking of Women and Prostitution”. It is a very good issue and I recommend that my colleagues read it. It discusses how the legalization of prostitution in Germany has failed because it does not protect prostitutes.

● (1810)

According to estimates by the industry association Erotik Gewerbe Deutschland, there are between 3,000 and 3,500 red-light establishments in Germany. There are an estimated 500 brothels in Berlin, 70 in Osnabrück and 270 in the small state of Saarland. Travel agencies offer tours to German brothels lasting up to eight days. Prospective customers are promised up to 100 “totally nude women” wearing

nothing but high heels. Customers are also picked up at the airport and taken to the clubs in luxury cars.

Large brothels have become established in Germany. They now advertise their services at all-inclusive rates. For example, management of the Pussy Club, which opened near Stuttgart in 2009, advertises the following: “Sex with all women as long as you want, as often as you want and the way you want. Sex. Anal sex. Oral sex without a condom. Three-ways. Group sex. Gang bangs.” The price: €70 during the day and €100 in the evening.

That is how they advertise.

According to the police, about 1,700 customers took advantage of the offer on the opening weekend. Buses arrived from far away and local newspapers reported that up to 700 men stood in line outside the brothel. Customers wrote in Internet chat rooms about the unsatisfactory service, complaining that the women were no longer as fit for use after a few hours.

These are examples from a country that legalized prostitution.

Consider the following example: a guy named Marian handed over a 16-year-old girl named Sina to “No Limit”, a brothel with all-inclusive pricing. She served 30 clients a day.

In 2001, a law was passed that was supposed to improve Germany's prostitution legislation. Did it improve anything for women like Sina? Absolutely not.

According to the report on human trafficking recently released by the European Commissioner for Home Affairs, that country has over 23,600 victims of human trafficking. Two-thirds of them are being sexually exploited. Axel Dreher, a professor of international and development politics at Heidelberg University, tried to answer the following question: did Germany's prostitution laws somehow increase human trafficking and encourage traffickers and, therefore, prostitution? He did an analysis of 150 countries. The results: in countries where prostitution is legal, there is more human trafficking than elsewhere around the world.

I could go on and on with examples of the horrors of prostitutes being mistreated and neglected, all in a country that legalized prostitution. Post-traumatic stress, depression, anxiety disorders, substance abuse and repeated rape are all common problems. I could go on.

However, the big question I want to ask today is this: do we want to live in a society like the one I just described? Do we want to live in a society that passes the legacy of prostitution on to our children and our daughters?

I have always fought to stop this kind of thing from happening in our society. I do not want my sons to grow up in the kind of society that treats women like commodities.

● (1815)

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I congratulate my colleague from Ahuntsic on her bill and on having done a great deal of work to promote it. I know she has worked very hard on this bill. That is why we are proud to support it.

When the bill was studied by the Standing Committee on Justice and Human Rights, there was a very clear discussion concerning sexual exploitation. This bill goes even farther with respect to exploitation and trafficking by protecting people who do domestic work or forced labour. I would like my colleague to talk about that.

Mrs. Maria Mourani: Mr. Speaker, I thank my colleague for his question.

Private Members' Business

In point of fact, he is quite right. The bill addresses human trafficking, and in Canada, most victims are also victims of sexual exploitation. About 80% are victims of sexual exploitation, but that figure can sometimes reach 90%.

In Canada, forced labour represents a minority of cases. Elsewhere in the world, however, the phenomenon is extremely widespread. I shall provide some recent data. Worldwide, for example, 115 million children are reportedly victims of forced labour. When I saw that figure, I admit I fell off my chair.

Human trafficking for the purposes of forced labour exists, and it also exists in Canada. We must confront this new form of crime. I have spoken to a number of people in the field and I have reached the conclusion that this issue is becoming increasingly prevalent in the area of domestic help, for example.

Yes, the bill will also protect those people.

[English]

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I would like to congratulate the member for Ahuntsic for bringing forward this legislation. She gave a very compelling speech today.

We hear many speeches in the House, and sometimes we forget to listen to the kinds of things that very young people go through. I would like, for those who missed what the member said, for the member to talk about the pain that these young people go through when they are exploited and trafficked in such a horrendous manner.

[Translation]

Mrs. Maria Mourani: Mr. Speaker, I thank my colleague. Ever since I have known her, she has been fighting for the passage of effective laws to deal with human trafficking. In Canada at this time, there are huge numbers of people suffering because of this phenomenon. We have to stop believing that human trafficking and prostitution are two different things. They are not two different things.

I would like to tell my colleague and the government that it is high time Canada produced a real law to combat procuring and prostitution in general, in order to eliminate this form of crime. The government should be leading the way.

If I were a member of the government, I would suggest that all members work together to produce this legislation. We could be the generation of members of Parliament that enabled Canada to be as modern and protective of victims as Sweden and the Scandinavian countries now are. Let us be those people.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, I would like to thank my colleague from Ahuntsic for her bill and for her speech on this very important issue, protection for women and very vulnerable people. I agree that prostitution is an issue that relates to violence against women and children. It is exploitation.

I have heard it said that legalization will enable prostitutes to be safer. Does the member believe that women who are now on the streets will instead be in safer brothels? Or is it more likely that they will not be any safer because of legalization?

• (1820)

Mrs. Maria Mourani: Mr. Speaker, I would like to thank my colleague very much. This is an excellent question.

In my view, brothels do not protect women. I talked about Germany, which has between 3,000 and 3,500 brothels now that prostitution has been legalized. Women are no safer as a result, and it has not reduced human trafficking at all.

I talked about the mega-brothels with all-inclusive packages where women are treated like pieces of meat—if you will pardon the expression, Mr. Speaker.

In fact, 1,700 men have visited the mega-brothels located near airports. They even complained on the Internet about the fact that a girl was not very effective and pretty much useless after 30 guys had used her.

Brothels do not protect women. In fact, they do nothing but legalize violence against women. Consider this simple analogy. Does legalizing homicide, making it legal to kill someone, make the action less violent? The answer is no.

Prostitution is a form of violence against women and children. We must get rid of prostitution here, in Canada.

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am pleased to rise in support of private member's Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons). I would like to thank the member for Ahuntsic for introducing this important piece of legislation.

The purpose of Bill C-452 is essentially to step up the criminal justice system's response to human trafficking, one of the most odious violations of fundamental rights and freedoms.

It is generally acknowledged that trafficking in persons occurs in three stages: the recruitment, transportation and accommodation of a person for a specific purpose; exploitation, usually sexual exploitation; and forced labour. The existence of one of these factors is enough for a person's conduct to constitute the crime of trafficking in persons. A person who recruits a victim for the purpose of exploiting that person is engaged in human trafficking to the same degree as someone who transports or houses a victim for that purpose.

Traffickers force victims to work or provide services in circumstances in which they believe that any refusal on their part would threaten their safety or that of a person they know. The expression "labour or a service" includes, for example, all types of sexual services, domestic services, agricultural work and factory work.

Victims suffer physical, sexual and psychological violence and face threats of violence against family members, including violence or threats of physical violence that may be carried out.

A crime this serious requires that more rigorous measures be taken in criminal law. My colleague, the member for Kildonan—St. Paul, has introduced two bills to combat these reprehensible crimes. We must all stand up and help the victims of human trafficking.

Private Members' Business

I see that the Standing Committee on Justice and Human Rights made amendments to this bill. I believe my colleague who introduced the bill is of the view that those amendments contribute to the bill's main objectives, particularly those of making offenders accountable for their acts, providing for penalties that reflect the seriousness of the crime and ensuring that offenders do not reap the benefits of their unlawful acts.

Before commenting on the specific proposals contained in the bill and explaining why I believe they deserve to be supported, I would like to put them in context. This bill would make it possible to expand the exhaustive framework of statutory provisions against trafficking in persons.

In 2005, three specific human trafficking offences were added to the Criminal Code. In 2010, a new offence of trafficking in children was adopted when Bill C-268 sponsored by the member for Kildonan—St. Paul was enacted. An offender convicted of that offence is liable to mandatory minimum penalties when trafficking victims are under 18 years of age.

In 2012, another bill sponsored by the member for Kildonan—St. Paul granted extraterritorial jurisdiction over all Criminal Code trafficking offences and created a tool to assist the courts in interpreting the human trafficking provisions.

In addition, section 118 of the Immigration and Refugee Protection Act prohibits transnational trafficking in persons, and many acts related to trafficking in persons, such as forcible confinement, kidnapping, sexual assault and uttering threats, to cite only a few examples, are offences under the Criminal Code.

However, it is possible to do more. Bill C-452 provides, first of all, for the creation of an evidentiary presumption that would help prosecutors establish that trafficking in persons has been committed. We know that victims are vulnerable and that they fear their traffickers. That means that they may well be reluctant to testify, and we understand that.

The presumption would allow prosecutors to establish the commission of the offence of trafficking in persons by submitting evidence that an accused lives with or is habitually in the company of a person who is exploited.

The Standing Committee on Justice and Human Rights amended this proposal to make it compatible with other similar presumptions currently set out in the Criminal Code, particularly subsection 212(3), which establishes a presumption for the purposes of procuring provisions, namely paragraph 212(1)(j), and subsections 212(2) and 212(2.1).

Prosecutors also find it difficult to establish that the offence was committed because victims in these situations are often too afraid of their pimps to testify against them.

• (1825)

In 1992, the Supreme Court of Canada upheld the constitutional validity of this presumption in *R. v. Downey*. The final submissions of the majority are significant and directly relevant to trafficking in persons:

Prostitutes are a particularly vulnerable segment of society. The cruel abuse they suffer inflicted by their parasitic pimps has been well documented. The impugned

section is aimed not only at remedying a social problem but also at providing some measure of protection for the prostitute by eliminating the necessity of testifying.

Surely the same considerations apply to the victims of human trafficking.

Bill C-452 also provides that a sentence handed down for an offence involving trafficking in persons shall be served consecutively to any other punishment imposed on the person for another offence arising out of the same event or series of events. Establishing mandatory consecutive sentencing sends a clear message: committing an offence leads to a long prison term. Is this not a message we want to send to the perpetrators of human trafficking offences? There are few crimes that deserve such lengthy sentences. I applaud this proposal.

Bill C-452 would also require an offender to prove that his property does not constitute proceeds of crime for the purposes of the Criminal Code forfeiture provisions. Trafficking in persons necessarily involves profiting from the suffering of others. In fact, global revenues generated by this crime are estimated at some \$10 U. S. billion a year. That is unacceptable.

Trafficking in persons is thus one of the three most lucrative organized crime activities. We must ensure that traffickers are not allowed to keep their ill-gotten gains. It is essential that we strip them of the monetary benefits they derive from the exploitation of others so that the public can trust in the justice system's ability to hold offenders accountable for their actions and to bring them to justice. Justice is not served if an offender is allowed to profit from the suffering he inflicts on others.

The provisions of Bill C-452 contribute to the existing legislative framework to fight this crime, supplemented by a multi-pronged response to a complex problem.

I am particularly pleased to note that, on June 6, 2012, the government introduced the national action plan to combat human trafficking, which acknowledges that an exhaustive approach must be taken to consolidate efforts to fight this crime by emphasizing the four Ps: the protection of victims, the prosecution of offenders, partnerships with key stakeholders and, of course, the prevention of trafficking in persons.

All activities are coordinated by the working group on trafficking in persons, which is managed by Public Safety Canada. This shows that Canada is currently taking a strong approach to human trafficking. However, that does not mean that we cannot do more. We must be vigilant and do everything in our power to ensure that our approach is as rigorous as possible, which inevitably presupposes ongoing analysis to determine what else we can do.

Bill C-452 is precisely an example of what else we can do. We can support Bill C-452, which would assist in securing convictions, guaranteeing penalties that are proportionate to the severity of the crime and depriving offenders of their ill-gotten gains.

I believe that all members of the House should join me in supporting this bill.

Private Members' Business

• (1830)

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I have the honour to rise today to talk about Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons).

I would first like to congratulate the member for Ahuntsic on the work she has done. I know that she has worked extremely hard on this bill, which she tabled in Parliament so that we could debate and discuss it. She may rest assured that the NDP will support it.

Such a bill naturally generates a great deal of emotion. I had the good fortune, as deputy justice critic, to sit on the Standing Committee on Justice and Human Rights. Some of the evidence was so touching that it left us shaking. It made us realize certain things. The victims who came to testify have all my admiration. I would like once again to salute the courage they showed in coming to share their experiences in order to give us a better understanding of what is happening on that front.

We also heard from numerous experts, people working in community organizations and people in law enforcement. Those working in the field emphasized the importance of this bill. They felt it was something that could really attack the problem of human trafficking, a problem that exists in Canada. We all agree that it is a heinous crime and that we must amend the Criminal Code in order to deal with it. This is one more step in that direction.

Witnesses talked about the lack of resources. It is all very well to have a bill, but you have to have the necessary resources on the ground. In that respect, we shall continue to pressure the government. This will not be just a bill and some words. We must have the means to attack the problem.

I am going to talk quickly about what this bill offers, since we are at third reading, and we have already supported it.

[*English*]

Bill C-452 would amend the Criminal Code in order to provide consecutive sentences for offences related to trafficking in persons. It would create a presumption regarding the exploitation of one person by another. It would also add circumstances that would be deemed to constitute exploitation. It would add the offence of trafficking in persons to the list of offences to which the forfeiture of proceeds of crime would apply.

[*Translation*]

Witnesses stressed the importance of the changes made in the Criminal Code. It was just as important to create a presumption and attack the problem of financial resources. The topic of consecutive sentences is always somewhat controversial, but it is something we can nevertheless support because we are talking about very serious crimes.

What is human trafficking, in broader terms? This is the RCMP's definition:

Human trafficking involves the recruitment, transportation or harbouring of persons for the purpose of exploitation (typically in the sex industry or for forced labour). Traffickers use various methods to maintain control over their victims, including force, sexual assault, threats of violence and physical or emotional abuse.

I raised this question with the bill's sponsor. It is important to address sexual exploitation, but forced labour is also a very serious

factor. While it may be more serious abroad, the problem does exist in Canada.

In committee, therefore, it was important for me to emphasize that the problem exists here. Fortunately, this bill covers trafficking in people who do forced labour. In some cases, this involves domestic work. In committee, the testimony of the victims was very touching. It was highly emotional. It was obvious that many people were affected.

• (1835)

When listening to anyone who has been a kidnapping victim speak about their experience, no one can remain unmoved by their story. Once again, I wish to say how much I admire the victims who are willing to talk about it. It is important to do so, to look for help and to discuss the problem so that we can be aware of the severity of the problem and the need to take action. Everyone, including ordinary people and law enforcement agencies, needs to know that parliamentarians are there to support and listen to them.

As for human trafficking, the RCMP estimates that some 600 women and children enter Canada each year through trafficking for sexual exploitation and that this figure increases to 800 when those who enter illegally for other forms of forced labour are included. Once again, I wish to point out that there are two aspects to human trafficking.

Most of the time, the victims are, of course, exploited women. What is even worse in my view is the fact that many of them are aboriginal women. There is a real problem here. The government has been mightily criticized because of the shortage of resources for aboriginal communities. This is yet another sign that there are problems. We would therefore like the government to work harder and to provide the resources needed to address this scourge.

Needless to say, it is essential to work together with the first nations, Inuit and Metis to attack the problem proactively and combat human trafficking. Unfortunately, when funding for these communities is cut, things only become worse.

As I was saying, we tend to think that human trafficking only affects foreign countries and that it cannot possibly exist in a country as developed as Canada, yet it does. In my riding of Brossard—La Prairie I met people from the bar association in Longueuil who explained to me clearly that in some areas, like the DIX30 complex, the problem—this scourge—existed. This demonstrates just how real it is. That is why I am proud to support this bill so that the problem can be addressed.

The reason I mentioned my own riding is that we all, as parliamentarians, need to realize that we are surrounded by these problems. We need to open our eyes and talk about them. That is why I take a great deal of pride today in speaking about these issues and being willing to address them.

I briefly mentioned resources. Providing resources is very important. We need a plan that will mobilize the police and that will also provide them with the resources they need to truly attack this problem. I said that the bill was a step in the right direction, but the people who work in the field need resources.

Private Members' Business

Unfortunately, it is important to look at what is actually happening. Once again, I will take an example from my riding. I learned that there was an Eclipse squad, a team of 10 to 15 police officers from several municipalities working specifically to combat street gangs, and all of this exploitation and human trafficking. Surprisingly, however, the federal government eliminated funding for the project. This was on April 1, 2013. What they told me in the field was that these people had to return to their offices. They had to walk away from all the expertise they had built up. They now need to work on their own on certain cases without the benefit of all the expertise that had been available.

It is all very well to have a bill that is moving in this direction, but resources are also needed. The government is clearly not headed in the right direction. It is hypocritical for the government to claim it is fighting and introducing bills when there is no evidence of funding to do the work. I gave the example of a group that was working in my riding. I find it deplorable.

I would like to conclude by saying that human trafficking is an important matter.

● (1840)

We in the NDP do not believe that this is a partisan issue. That is why we are proud to support the bill to tackle this scourge.

Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.): Mr. Speaker, the introduction of the human trafficking bill, which the Liberal Party supports, calls the attention of the House to the darkest aspects of the human soul. All over the world, women, children and men are deprived of their freedom and dignity. Examples of mistreatment and abuse abound in many countries, on every continent.

It is almost impossible to restrict human trafficking within a country, a city or a community. Children are forced to become soldiers in regional conflicts. Women are sexually exploited in the western world. Men toil in farming operations in the new world and the old. We powerlessly witness the proliferation of the most diverse forms of exploitation.

In earlier centuries, the slave trade was the bedrock of colonial settlement. From Santo Domingo to Haiti to Senegal to the Andean countries to the confines of Asia, this form of human exploitation prospered everywhere. We wrongly believed that eliminating the major slave trade networks from the colonial period had for all practical purposes disappeared.

However, the world today still appears to be heavily imbued with the stench of neocolonialism, in which servitude plays a fundamental role in the underpinnings of our economies.

Nowadays, efforts are being made to identify the contours of these new exploitation networks that have become an essential component of our production, distribution and consumption systems.

Children toiling on machines to produce consumer goods can be counted in the thousands. Countless women sell their bodies working for pimps. Thousands of exploited men work on tenant farms and unsanitary farms until they reach exhaustion.

All these products and services can be used to bind, exploit, abuse and discriminate. All these girls and women are raped and held

against their will because of power relationships and the absence of justice.

A new bill has been added to the order paper to take away some of the latitude available to exploiters and abusers. Bill C-452 asks a fundamental question about trafficking in persons: what can be done to curb a growing phenomenon that has been taking the most unexpected forms?

By becoming more interdependent, the world can work to further advance the principles that underpin democratic regimes on the one hand, while on the other hand, it allows the proliferation of criminal systems for exploiting people. Canada's role in protecting people has been made increasingly complex as a result of the new human mobility provided by modern modes of transportation.

How can children be protected from compulsory service in armed conflicts? To be sure, concerted action has been taken by the nations of the world, at the instigation of exemplary people like General Roméo Dallaire who urge us to draw up international conventions and treaties.

Something must also be done to address the exploitation of stateless people who should have real access to international labour organizations.

Sexually exploited women should not simply be sent back, beyond our borders, but rather given our protection and the protection of other nations of the free world.

However, while Canada's ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime is a step in the right direction, it must be based on criminal penalties designed to restrict the latitude of all kinds of abusers and exploiters.

This bill and its aims are certainly compelling.

● (1845)

We are attentive to the needs of the victims of this system of exploitation, and we believe that the elected members of this House are all aware of the social havoc wrought by human trafficking.

In another age, abolitionist legislation could have a definite effect. The centuries-long slavery of the colonialists of the past no longer exists, but has transformed itself into a modern form that is insidious and far-reaching.

We are wholeheartedly behind this bill and its goal of eliminating trafficking in children, women and men. We support this battle for freedom and dignity. However, given the scale of the phenomenon and its highly sinister ramifications, we are bound to note the limitations of our judicial intervention.

Mankind now has the financial and technical resources to eliminate human trafficking, but does it have the necessary awareness and empathy to do so?

Private Members' Business

The debate generated here by these amendments to the Criminal Code necessarily goes beyond the boundaries of parliamentary life. This is a step in the right direction. However, are the provisions for consecutive sentences contained in this bill, and the presumption of guilt established by living with an exploited person contrary to the principle this bill seeks to defend?

In Canada, in recent years, we have unfortunately seen significant restrictions placed on judicial discretion with respect to sentencing under the Criminal Code.

How can we reconcile the elimination of human trafficking systems with respect for the fundamental rights entrenched in the Canadian charter? How can we reconcile the new criminal restrictions on present-day servitude and slavery with the Universal Declaration of Human Rights?

We face a tremendous challenge: that of aligning our domestic legislation with the great humanist principles that guide our society. We can only be inspired by our colleague's initiative, as she searches with us for a solution to this scourge. We believe that the elimination of these practices demands further political action along the lines of what we find in the form of this bill.

Federal policy in this area is unequivocal with respect to the educational effort required here and abroad in order to change these appalling behaviours. An inventory of the various types of human trafficking in Canada is contained in a report published in 2010 that leaves no doubt about the dimensions of modern slavery and the forms it takes.

We can only embrace this 21st-century challenge of restoring to millions of individuals a place and the resources to live their lives in dignity and respect. We must therefore be vigilant in everything we do that has an impact on the victims of human trafficking. Our refugee protection policies, our foreign policy, our financial investments and our criminal justice system are all things that can definitely contribute to the elimination of human trafficking.

I repeat: the Liberal Party will support this bill.

•(1850)

[English]

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I would very much like to again thank the member for Ahuntsic for Bill C-452. It is a very important bill. We have talked tonight about the importance of the bill, including the consecutive sentencing and the things in the bill that would enhance the Criminal Code here in our country. That is very important. Our government, on this side of the House, is supporting this bill.

I would like to comment on some of the other comments that have been put forth in this House.

Just a week ago I led the Canadian delegation against human trafficking to Ukraine, which was hosting a meeting on human trafficking, where 52 countries attended. As I was sitting there, each country's representatives were talking about what happens to the victims of human trafficking who are pushed into brothels. The member for Ahuntsic spoke very eloquently about what happened to the girls, young women and young men who are forced into those brothels. For one moment, parliamentarians and people from non-

governmental organizations from all across the nations were sitting together and talking about what we all know.

Up on the screen came the gateways and routes that the human traffickers use with their victims. They were all over the map. In Canada the traffickers use certain routes where they send their victims, who go through their own private hell.

What a lot of people do not know is that the traffickers target young people under 18 years of age. Why? It is because they are easy to manipulate and scare and control, and they are afraid and ashamed. As soon as they have serviced one man, they are afraid and ashamed, and the predators use that so that they can manipulate and coerce the girls.

A victim brings in between \$250,000 and \$260,000 per year to the predator. That is really a lot of money. If they have one victim it is one thing, but many of the predators have a lot of victims whom they traffic across this country.

For one moment in this Parliament tonight, I would like members to imagine their own daughter or grandchild and how they relate to them, or how members of the community listening to this telecast tonight relate to their whole families. These are children who watched *Sesame Street* as young children. These are children who give hugs when they go to bed at night. Then they become beautiful young girls and beautiful young boys, and that is when they are targeted.

I want all parliamentarians to know how predators work. The predators approach their victims in a very friendly manner and get their trust. Their objective is to get the victims' trust so that they can start influencing them. Sometimes it is young men or women who give the kids anything they want. It can be friendship. It can be parties. It can sometimes be drugs. It can be a lot of things, but the objective is to get them away from their support systems. Those support systems can be schools, families, friends or sports teams. They want to get them away and separate them from their support systems. Once they get them away, they persuade them to give them their identification, which can be drivers licences, charge cards or other things.

If parliamentarians think it cannot happen to the girl next door or to their own families, they would be mistaken. Hundreds of young girls have shared with me the terrible experience they have gone through, and to this day they have not told their parents.

•(1855)

It marks the victims forever. A lot of these girls never really get over it, but they do grow and become rehabilitated to a degree, and they do a lot to help others who are in the same predicament.

Therefore, when we talk about Bill C-452 tonight, let us put a face to the real people it would affect, the real people who have to live with it day to day, the real people who tonight are suffering not 10 minutes from Parliament Hill. We know of the very well-known case here in Ottawa with Mrs. Emerson, and there are other cases in Ottawa. The victims were manipulated. As parliamentarians, we have the wherewithal to take up the torch and stop this horrendous crime.

In Ukraine, 52 countries said they had the ability to stop human trafficking and they would do it.

As I was sitting in Kiev, Ukraine, there came an email from Calgary, Alberta. The email indicated that Staff Sergeant Rutledge and the Calgary police had taken down a trafficking ring and rescued some kids. I stopped the meeting and I read the email to the people in attendance. There was not a dry eye in the place. These high-profile, high-level conference people knew what this was all about. I told them that was the reason we were in Kiev that day, and I say to members tonight that it is the reason we are here in Parliament tonight working together as parliamentarians to stop this horrendous crime.

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Kildonan—St. Paul will have three minutes remaining, should she wish it, for her remarks when the House next returns to debate on the question.

[*Translation*]

The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

GOVERNMENT ORDERS

[*English*]

NOT CRIMINALLY RESPONSIBLE REFORM ACT

The House resumed from June 17 consideration of the motion that Bill C-54, An Act to amend the Criminal Code and the National Defence Act (mental disorder), be read the third time and passed.

Mr. Kyle Seeback (Brampton West, CPC): Mr. Speaker, I am very pleased tonight to be speaking to Bill C-54.

As a member of the justice committee, I had the opportunity to review the legislation in detail. I had the benefit of hearing witnesses who came to the committee to testify with respect to this piece of legislation. We heard from people who were strongly in favour of the legislation, people who had been victimized by those who ultimately became NCR accused. They had certain things that they thought this legislation would do to help them. They had some other comments.

We also heard from some people who had concerns with respect to the legislation. I would respectfully submit that when we deconstructed most of the concerns that people raised at the committee, they were a result of either not understanding the legislation or not having read the legislation, or perhaps a combination of both, because most of the criticisms really did not withstand an examination by members of the committee.

I want to talk a bit about what this legislation would do. I will start off by going through four of the key changes.

In my view, one of the key changes in Bill C-54 starts off with making the safety of the public the paramount consideration when determining whether or not somebody who has been found not criminally responsible is going to be released into the public.

Government Orders

As I have often done when I get up and talk about these particular pieces of criminal justice legislation and many of the things that we have brought forward, I say that many of the things that we put forward actually just make common sense. When we talk to the average Canadian on the street, for example, or when I talk to people in my riding of Brampton West and explain some of these things and tell them this is the change that we are going to make with respect to this particular bill, often their response is, "Really? You have to make that change? Boy, it would just make common sense for that would be the law. Why would you have to make that change?"

Therefore, when we say that safety of the public is paramount, it means that when a court or a review board is going to make a disposition with respect to an NCR accused, it would take safety of the public as the paramount consideration. Not only would that make sense, but we would also be codifying some of the Supreme Court jurisprudence in that area. In *R. v Conway*, it was made very clear by the Supreme Court that safety of the public should be the paramount consideration, so when we amend section 672.54 of the Criminal Code, we would make it clear that:

When a court or Review Board makes a disposition...it shall, taking into account the safety of the public, which is the paramount consideration, the mental condition of the accused, the reintegration of the accused into society and the other needs of the accused,

—and here is the next change—

make one of the following dispositions that is necessary and appropriate in the circumstances....

Again, that just would make sense. We would make a disposition that is necessary and appropriate in the circumstances.

The next major substantive change would be incorporating what we call a "high-risk" accused.

There are have been many who have come to this committee and said, "Well, this is going to stigmatize people. I mean, how dare you call somebody "high risk"? This is a person who has perhaps a significant mental disorder, and you're stigmatizing that person."

I would say the exact opposite. In fact, we would not be stigmatizing people who have mental health issues, because what we are actually doing is saying that there are a select few who might be high risk, and we are destigmatizing everybody else, because people would then know they are not high risk.

I went back to this at committee over and over. When people were raising concerns about these issues, I would say, "Let us look at the section."

● (1900)

Quite clearly, proposed section 672.64 would state, "On application made by the prosecutor before any disposition to discharge an accused absolutely, the court may, at the conclusion of a hearing, find the accused to be [a] high-risk..."

There are a number of processes taking place here.

Government Orders

The first is an application that may be brought by a crown attorney. It is not saying a crown attorney would bring this application for every person who is found to be NCR. It is quite the contrary. I know crown attorneys. My wife is a crown attorney. They are hard-working people. They are not looking for extra work. They would not try and dig up case files just because they want to make a person high risk. That would be reserved for cases where there is a significant concern.

Even if a crown prosecutor had that significant concern, it would not mean that person would be designated high risk because there is a two-fold test: first, the crown prosecutor has to bring the application; and, second, he or she has to convince a judge that the high-risk designation is necessary in the circumstances.

If I go back to the proposed section, it states:

...at the conclusion of a hearing, [the court may] find the accused to be a high-risk accused if the accused has been found not criminally responsible on account of mental disorder for a serious personal injury offence...and...the court is satisfied that there is a substantial likelihood that the accused will use violence that could endanger the life or safety of another person;

When we really take the time to listen to that section, it is saying that for a person to be designated high risk a court has to be satisfied that there is a substantial likelihood that the accused would use violence that could endanger the life or safety of another person. That to me is absolute common sense. Why would we consider an absolute discharge where a person would be released into the community, if he or she may be a high risk and there is a substantial likelihood that he or she would use violence that could endanger the life or safety of another person? That is the part of the test that has been changed. I am quite sure it would be used judiciously by our judges and it would not be used by crown attorneys all the time.

The second way that someone could be found high risk is if the court is of the opinion that the acts that constitute the offence were of such a brutal nature as to indicate a grave risk of physical or psychological harm to another person. That is a proposed section that a number of people at committee have said is wrong and that, if it were a brutal offence, would mean that the person is high risk. That is not true. A number of witnesses made that statement at committee. I had to walk them through the proposed section. It does not just say "brutal". We must look at the proposed section, which does not say that. It states:

[If] the court is of the opinion that the acts that constitute the offence were of such a brutal nature as to indicate a risk of grave physical or psychological harm to another person.

It is saying that there has to be some correlation. It is not just brutal; rather, it is brutal such that there is a risk of grave physical or psychological harm to another person. Therefore, if people want to suggest that we are saying brutal is high risk, they are not being truthful or they did not take the time to read the proposed section and understand what it says.

That is not enough. It does not just mean that there must be an indication of a grave risk of physical or psychological harm to another person because under subclause (2), "Factors to consider", it goes on to state:

In deciding whether to find that the accused is a high-risk accused...

That could be under that first part of the test I talked about or the second part of the test. In either case, the courts would have to be

satisfied that they have considered all relevant evidence included in the list. However, the phrase "all relevant evidence" does not mean that they are constrained by the factors in the list for a judge to consider. It is a non-exhaustive list.

● (1905)

Even if we accept the argument, "brutal", we would then go down and look at what else has to be considered: the nature and the circumstances of the offence; any pattern of repetitive behaviour which the offence forms a part; the accused's current mental condition; and the opinions of experts who have examined the accused.

Even if someone tried to bring an application under the so-called "brutal nature" section, a court would have to look at all the evidence, which would include such things as the opinions of experts who have examined the accused.

The criticism that this might lead to a brutal crime, meaning the person is high risk, does not hold water. It is not a legitimate argument because a section in the statute says something very different.

Another issue that was raised at committee was that if a person was designated high risk, that person had to wait three years for his or her review and this was not a good thing. That is absolutely not true. It is not automatically three years. In certain circumstances, the review for a person who has been designated high risk can be moved to three years, but it is not automatic.

It is interesting, because the person who raised the matter of this being an automatic three years was Justice Richard Schneider, who came to the committee to provide us with his evidence on this and suggested that the three years was mandatory. I asked him if he could show me where it said that in the section. I understand there was constraints of time and we were talking, but he could not find it. However, when I look at the section, which is on page 8 of the statute around line 20, there are two ways in which this can be extended to three years.

First, it can be moved to 36 months after reviewing a disposition if the accused is represented by counsel and the accused and the Attorney General consent to the extension. It has to be with the consent of the accused. Because we are dealing an accused, and in this case in particular an NCR accused, it has to be represented by counsel and with consent of the Attorney General because we want to ensure we have real and legitimate consent to extend something to 36 months.

The other extension goes to the section again. I keep going back to this because we have to read the section before we decide to make the commentary. It says:

—at the conclusion of a hearing under subsection 672.47(4) or this section in respect of a highrisk accused, the Review Board may, after making a disposition, extend the time for holding a subsequent hearing under this section to a maximum of 36 months...

Government Orders

Here is the reason. If the review board is satisfied on the basis of any relevant information, including disposition information, in an assessment report made an offer under certain paragraphs, and this is key, “That the accused’s condition is not likely to improve and that the detention remains necessary for the period of extension”. There is a burden of proof that has to be met in order to do that extension.

One of the things that was quite clear at committee, and this was virtually unanimous, was that review boards did good work. They work hard. They understand the law and we are putting that decision, the 36 months, back with the review board.

It is interesting because we did have a witness who came to the committee and who suggested that there was a problem with this 36 months review. When we look at the section, it is only if the accused’s condition is not likely to improve and that detention remains necessary for the period of the extension.

Interestingly enough, when I had the opportunity to discuss that with Catherine Latimer from the John Howard Society, her response was, “Yes, I noticed that, but you will find that if you give very burdened organizations and review boards an option to extend the review periods, they always take it to the outer limit”.

● (1910)

Ms. Latimer was basically suggesting that review boards do not care what the test is. They do not care if the accused person’s condition will or will not likely improve. The boards will do it at 36 months, because they do not want to work, because they have too much work. Ms. Latimer was one of the people who came to the committee and suggested that this bill should not pass. That was the argument. I vehemently disagree with that position.

I am going to talk briefly about the rights of victims, which is an important aspect of this legislation. I can say that I heard what I consider to be, in many circumstances, absolutely heartbreaking testimony from people who came to talk about family members who had been killed by an NCR accused person. They talked about their children being killed. We heard these things, and it was very difficult to listen to that kind of testimony.

I can tell you some of the things they were unhappy with that we wanted to fix. We cannot fix what happened. We all know that.

I cannot remember who told this story, but a person was walking in a mall and bumped into the NCR accused person who had committed the acts of violence against his or her family member. The person was in a panic. One of the revisions in this act would give the victim notice of the discharge of an NCR accused. The victim would receive notice when the NCR accused was going to receive an absolute discharge. That would be a huge step up.

The bill would make victim impact statements mandatory. If victims wanted to make statements, they would have to be considered before a disposition was made. Non-communication orders would also be mandatory. If victims did not want communication from an NCR accused, they would not have to have it. It is common sense.

I have a great example of the bipartisanship at the committee. An amendment was put forward by my colleagues in the NDP on letting victims know the intended place of residence of NCR accused

people. That goes back to the story of someone bumping into the NCR accused in the mall. If victims know that they are being discharged and where they are being discharged to, the chance of having those unfortunate incidents would decrease.

Another point raised at committee was that with this legislation, NCR accused persons would be put in jail. That was put forward by Dr. J. Paul Fedoroff. I asked him where in the legislation it said that an NCR accused person would go to jail. He could not point it out. I then walked him through the section and talked about what would happen. When dealing with people deemed high risk, they would be put in treatment.

Going back to the terms of disposition, subsection 672.54(c) states that, “by order, direct that the accused be detained in custody”, and this is key, “in a hospital”. Somebody designated high risk would not go to jail. I do not know where that came from. It is not true. NCR accused persons would be put in a hospital for treatment.

When I pointed that out, the response was that before people were declared NCR, they would be put in jail, and that was the problem. The answer was that this is how the system currently exists. When people have committed serious crimes, are awaiting trial and do not get bail, they are put in jail. This legislation would not change that.

This is a piece of legislation that would be moderately used. It is a tool. I like to call it a double-check. When a review board was about to absolutely discharge an NCR accused person, there could be an application to the court to say that the person might be high risk and could reoffend and commit a violent act. The court could be asked to look at it to make sure that it was the right disposition. It would be a sensible, reasonable safety check. I hope that it has the support of all members of the House of Commons.

● (1915)

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, we have talked about cases of people found not criminally responsible on account of mental illness. In various cases, there has been an opinion that has received heavy media coverage in Quebec. I have not necessarily taken a position, but I would be curious to know whether it was discussed in committee.

People have talked about the complexity of mental illness and whether it makes a person not criminally responsible. For example, a person can have schizophrenia but may have been completely aware of what they were doing at the time they did it, and be criminally responsible, just as they may not be.

People have said that when a person pleads not criminally responsible, they should be tried, not by ordinary juries, but by a panel of health professionals who are more capable of understanding the complexity of mental illness.

Government Orders

As I said, I have not necessarily taken a position on this, but I think it is particularly appropriate, given the subject.

I would like to know whether this question was addressed in committee or whether it unfortunately was not.

• (1920)

[*English*]

Mr. Kyle Seeback: Mr. Speaker, I thank my colleague for the question. She certainly raised an interesting point.

Changing the system of how one is designated an NCR accused was certainly not discussed at committee. However, from listening to evidence from witnesses who were victims, I can say there certainly is a concern about how people are designated as NCR accused.

I am paraphrasing to an extent, but I think that many victims felt the NCR accused designation is applied too easily and too liberally. Of course, this legislation has nothing to do with that determination, but I can certainly understand and sympathize with victims who feel that way. To an extent, they feel there is no one who is therefore responsible, in some cases, for the murder of one's children.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, in debating Bill C-54, there are two issues that come to mind for me personally.

One issue is regarding the issue of victims. I, for one, in representing Winnipeg North, am very much concerned about victims. In fact, I believe the Conservative government is doing very little to prevent people from becoming victims in the first place. It has not been progressive in terms of coming up with ideas to deal with the causes of crime in the first place. It is something in which the government has fallen short.

Speaking specifically to the bill, could the member provide a brief comment regarding the Chief Justice of Canada, who has indicated that the bill is not necessary to deal with the mental disorders and NCRs? I would appreciate a comment on that.

The other issue is on why it is that again we have the bill being rushed through in this fashion. We have seen this disturbing behaviour from the Prime Minister's Office of wanting to prevent members from having proper debate on important issues that Canadians want us to address.

Could the member could provide comment as to—

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Brampton West.

Mr. Kyle Seeback: Mr. Speaker, I find it a bit rich that a member from that party is somehow suggesting we are not doing enough for victims. It would be funny, if it were not so tragic.

We do a lot for victims. We could talk about the victims ombudsman. We could talk about doubling the victim surcharge. These are just a couple of things off the top of my head. This party has put in significant reforms within the NCR regime to support the requests of victims, so that they are not revictimized by the system.

The Liberals are going to vote against this bill, which would enshrine significant rights for victims. I do not what the comment is about in saying "We're not supporting victims", but they are going to vote against this legislation.

Yes, there has been a critic, and a good critic obviously, a former Supreme Court justice; however, I respectfully disagree. I think this bill is necessary, reasonable and prudent. Bill C-54 is a second check to make sure that we have things right. I do not see how it cannot be supported.

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I thank my colleague in the Conservative Party, who is a very good member of the justice committee. I mentioned that to make sure people know that just because he sits on that side of the House it does not mean he is not a Conservative. In fact, he is more Conservative than many of us on this side of the House.

The member is good at reading legislation placed in front of a committee and challenging witnesses on statements. Why is it important to have the facts in front of witnesses, or a member of Parliament, when dealing with a legislative committee like the justice committee?

• (1925)

Mr. Kyle Seeback: Mr. Speaker, the member has asked a good question.

I was exceptionally disappointed with the number of witnesses who came to committee to help us make our decision with respect to this legislation. It was clear that they had not read the legislation, or if they had read it, they did not understand it.

In my speech, I raised the issue of brutality. Members said that if it is brutal it is going to be high risk. That is not true. Members said we are going to put NCR accused people in jail. That is not true. They said we are going to mandatorily make these assessments go on for three years. That is not true.

The justice committee works very hard. We sat for extended hours to make sure we had as many witnesses as possible come forward and to make sure we looked at different ways to perhaps improve this legislation. However, the majority of people who had concerns or objections to the legislation did not seem to understand it or had not read it. That was disappointing.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, a lot of concern has been raised about the possible stigmatization arising from bills like this, so I think it is important to put in perspective the kind of numbers we are talking about.

There was evidence that in Ontario only 0.001% of those convicted of a crime are found not criminally responsible. That is about one in 100,000 people, and of those the recidivism rate is between 2.5% and 7.5%. For other people who are convicted of a crime, the recidivism rate is between 41% and 44%. For those who think this is about mentally ill people being the problem in society, the other 99,999 people who are before the courts do not have any mental illness. This is not really about mental illness. A very small percentage of people are involved, and a small percentage of them would be considered potential high-risk offenders.

Government Orders

Mr. Kyle Seeback: Mr. Speaker, I hate to say it, but my colleague has made an excellent point. It is hard to give these praising statements. I have done it twice today, so it is a good day.

The member spoke the truth. First of all, the number of people who are NCR in the criminal justice system is quite small. Let us look at the other factors. First, a crown attorney has to bring the application. That is going to whittle that number down significantly, for the reasons I raised in my speech. Second, crown attorneys do not win 100% of their cases. Being the husband of a crown attorney, I wish they did win 100% of their cases, but they do not. That will whittle it down again, because the judge will determine whether or not the person should be high risk.

When we talk about things like stigmatization, it is not the case. I want to make it clear and have it on the record that this would not stigmatize mental illness. It would do the exact opposite because very few people are going to be designated as high risk. That means the Canadian public has no reason to fear people who are not designated high risk or to stigmatize them. They are not high risk. This legislation would destigmatize, not stigmatize.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I will be splitting my time with the member for Montmorency—Charlevoix—Haute-Côte-Nord.

I rise tonight to speak in favour of Bill C-54 at third reading. I must say that from the day the government first announced its intention to introduce this bill, I have supported the bill in principle. I believe the matters we are seized with in Bill C-54 are very important, even though the number of individuals affected is very small.

The unfortunate incidents which have brought us to this debate tonight are obviously extremely wrenching for all the victims and their families, yet, at the same time, there is a real danger that the very small number of extreme incidents resulting from mental illness will cloud our collective judgment when it comes to addressing the broader issues of mental health in Canadian society.

I believe the bill we have before us today is a reasonably balanced bill. It is certainly not as good as it might have been, but it is better in some key ways than what was originally introduced.

To me, the most important improvement was the addition of an amendment proposed by the NDP to add a mandated five-year review of the legislation by Parliament. This is a very good way to make sure we have this right. We will look at it again in five years to see what the impacts have been.

However, the most important reason for supporting this bill is the significant progress it makes in enhancing victims rights, especially in the cases where the accused is found not criminally responsible for his or her actions.

I want to draw attention to four ways in which the rights of victims, and in particular their safety, are improved in Bill C-54.

The most important one is the entrenching in law of the right of victims, upon request, to be notified when the perpetrator is discharged. We have had one case when someone ran into someone in the community who they thought was still in custody. Obviously,

that could be very shocking. It would be upon request, but victims should certainly have that right.

Second is the provision to allow orders to be made that forbid communication between the perpetrator and the victim.

Third is the provision that adds a requirement for the review boards that makes these decisions about the release of perpetrators to consider the safety of victims when decisions are being made about the perpetrator.

The fourth major improvement, and again it was not in the original bill but was added via an NDP amendment, is the provision that is closely related to the first improvement. It would give victims the right to be notified of the address of the perpetrator if the perpetrator is released, thus making it less likely that they will have inadvertent contact with the perpetrator, which can obviously be very traumatic.

The second reason I have for supporting this bill is the fact that it now makes public safety the paramount consideration for provincial review boards in decisions relating to those found unfit to stand trial or found not criminally responsible for their actions.

The change here is that public safety becomes the most important consideration; it is not just one item on a list of considerations. Our criminal justice system always ought to function with public safety in mind, so these cases should be no different. We also need to remind ourselves that public safety, as the main priority, does not diminish our responsibility to consider these cases and to make sure they function within the bedrock of our legal system, which is the Charter of Rights and Freedoms.

The third reason I have for supporting this bill is the fact that it creates a high-risk designation for those who are found not criminally responsible for the most violent incidents. I want to stress that we are talking about a very small number of cases where the perpetrator is found not criminally responsible. It starts with a small number of those decisions, and then there is a very small number among that group.

The definition that is provided in the bill is quite sound. It talks about applying a high-risk designation to those found not criminally responsible for serious personal injury offences where there is a substantial likelihood for further violence that would endanger the public, or where acts were so brutal as to indicate a risk of great harm to the public. We are not saying that all of those found not criminally responsible will end up falling into this high-risk category, but only those who provide a great risk to the public.

This is a designation that would be made by a court and that could only be removed by a court. The result of such a designation would be to deny granting unescorted absences from a secure health facility. It would place limits on the reasons for escorted absences. It would also provide the possibility, just the possibility, of lengthening the period for review of the status of the perpetrator from one year to a maximum of three years, again at the discretion of the court.

Government Orders

• (1930)

When we are talking about creating this high-risk designation, it is important to remember the context. When considering the case of someone found not criminally responsible, provincial review boards have three choices.

The board's first choice is an absolute discharge if the person does not pose a significant threat to public safety. This means release back into society with no restrictions or supervision. I emphasize that very few of those who are found not criminally responsible are granted an absolute discharge at their first hearing. This is due to the obvious necessity of taking time to allow therapy to work. In fact, at the annual reviews in B.C., only 18% of cases are granted an absolute discharge, while the rate in Ontario is even lower at only 5%. If we look over time, studies revealed that 35% of those found not criminally responsible spend more than 10 years in the system, so it is not true that those who are found not criminally responsible are released immediately as the system exists now. However, the change we would make here is to ensure that there would be additional consideration: a second set of eyes to look at those decisions when those high-risk designated perpetrators are considered for release.

The second choice available to the expert provincial review boards is a conditional discharge. Just as it sounds, this option allows a return to society under conditions which include things like specifying a place of residence, a treatment regime or reporting requirements. These are conditions very similar to those used in the parole system.

Finally, the third choice is to retain the perpetrator in custody in a secure health facility.

I know there are those who are very worried about the creation of this high-risk designation, but its importance here is the reassurance that it would offer to both victims and the public alike, as a person designated as high risk would not be eligible for conditional or absolute discharge until both the review board and the court are convinced that the perpetrator is no longer high risk.

There is no doubt that the current system has left the public and families of victims feeling exposed. This is true if we are talking about the case of the beheading of Tim McLean on a Greyhound bus in Manitoba in 2008, where the perpetrator was held in a facility where the grounds were not fenced, and was allowed out on his own onto those grounds very soon after the events; and where the perpetrator was allowed escorted absences that were perceived to be much too early and caused a very strong public outcry. Many people were not reassured by the explanation that the perpetrator was fine so long as he was taking his medications.

This reassurance is also needed if we are talking about a case like the three Schoenborn children who were killed by their father in B. C., again in 2008. His ex-wife was understandably concerned when the perpetrator was granted escorted absences in the same suburban Vancouver community where she lived.

From the moment the government introduced this legislation, I felt it would be in the public interest to adopt it in principle, and I believe we have had significant improvements at the committee level.

However, before concluding, I would like to take just a moment to address some of the concerns expressed by those opposed to the bill.

First, I would say there should be no confusion. This bill in no way would affect the availability or the use of the defence of not criminally responsible by anyone accused of an offence.

Second, I would say that I understand the concern that the focus on the most violent incidents involving mental illness may inadvertently contribute to the unfortunate stigma surrounding mental illness in our society. However, it is my hope that in fact this bill would accomplish the opposite by helping reduce the fears surrounding these extreme incidents.

Finally, I would say that I share the concern of all those who have pointed out the deficiencies in the way we deal with mental illness in our society, especially in terms of the lack of services and supports for those individuals and families struggling to deal with the impacts of mental illness on a daily basis.

In conclusion, I believe that in Bill C-54 we have before us a balanced bill, one that could have been further improved with the additional amendments that were offered by the NDP, but nevertheless a balanced bill. Most important, I believe that Bill C-54 would deal more justly with victims and their families in cases where the perpetrator is found not criminally responsible. We have a bill before us that would make it clear that public safety must be the paramount consideration in all these cases. Finally, we have a bill in front of us that would address those very few cases involving extreme violence and high risk of recurrence, and it would do so in a way that would ensure a thorough review of the case in order to guarantee public safety and to reassure the families of victims.

For these reasons, I will be supporting Bill C-54 at third reading.

• (1935)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is so often the case when Conservatives have brought forward so-called justice legislation that they get the balance completely wrong. They often take a hammer to a problem that is of small significance or has low numbers.

As it has been pointed out by my friend from Newfoundland, the actual number of Canadians that we are talking about in this case is incredibly small, yet these cases are important. They tend to be high-profile cases, often because of their violent or extremely violent nature in some regard.

I suppose what my friend has offered is that we do not want to sacrifice the good for the perfect. In seeking to find a way to better achieve the balance, we did not get all the way there, but we made a great stride.

In the general question about justice and how we write laws for that area, is this a good example upon which the government and opposition can build in order to strike a better and more equal balance with respect to things?

The fact that we are under time allocation on this motion does not speak to a lot of confidence on the government side that they do have the right balance. They have to invoke it so often. Today was the 50th time to shut down debate in Parliament.

Government Orders

• (1940)

Mr. Randall Garrison: Mr. Speaker, yes, I think there is some irony that the government quite often will not take yes for an answer.

We worked together in committee. We had a lot more improvements that we felt could have been made to further defend victims' rights in this bill and to further increase public confidence in what we were doing.

What saved it for me was the willingness of the government to accept the five-year review. Parliament will come back and look at this issue again. As the member says, we are making an improvement and we are taking a step forward.

It is not a perfect bill, but having a five-year review by Parliament will allow us to look at this issue again and see if we have in fact done the right thing or if there is more we could do to improve the situation.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am disappointed that the official opposition is supporting this bill as is.

I read it carefully and studied it, and I still do not find that it achieves the right balance in its approach to the not criminally response system. There is currently no empirical evidence whatsoever that the system is not working for Canadians.

I am very supportive of the sections that give advance notice to victims. I think we could have done a better job of balancing the interests for victims' rights. At the same time, we did not need to include, for instance, the word "brutal". "Brutal" is now a word that would mean one or the other for the high-risk accused. If the crime committed is of a brutal category, even if it does not result in death or another serious crime, the brutality of the offence is in the act as a single reason to put someone in the high-risk accused category.

The word "brutal" has no definition in criminal law, nor does it have a definition in the field of mental health or in academic and scientific understanding. Therefore, it creates a vast uncertainty for people who might be assigned high risk accused.

I ask my friend about that weakness in the bill.

Mr. Randall Garrison: Mr. Speaker, I am bemused when she says there is no empirical evidence of a need to do something with this bill. Has she not heard the voice of victims? Has she not seen the things that have happened with victims all across the country? I believe there is, in fact, a lot of empirical evidence.

I want to say again that this bill would actually help to reduce the stigma around mental illness by separating out these very few high-risk offenders who have committed what I would say are quite brutal acts. There is no way to describe a public beheading other than as "brutal". It would also help assure the public that we have the measures in place to take care of those situations so that we can then turn our minds to the other mental health issues in society without being worried about these extreme cases.

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I want to thank my colleague for his comments with regard to the case involving Tim McClean. Tim McClean's family is one that I am quite close to, and Carol de Delley

will be very pleased to hear that the NDP member is supportive of this bill.

I want to assist my NDP colleague and friend by adding to the answer he just provided to our colleague from the Green Party. I remind her that the term "brutal nature" has in fact been interpreted to mean "conduct which is coarse, savage and cruel and which is capable of inflicting severe psychological damage on the victim...". That is from *R. v. Langevin* in the Ontario court of appeal.

I wanted to help my learned friend across the way from the NDP in answering that question and once again thank him for his comments with regard to protecting victims and supporting this bill.

Mr. Randall Garrison: Mr. Speaker, I thank the member for her comments. I struggled thinking about this speech and whether to talk about the individual cases of victims, because I know that it is often quite difficult for them to relive this over and over. My hope is that the use of these examples in the bill will help the victims' families feel that they have contributed something when we come to cases of future victims. I believe that they will make a contribution.

As when I talk about the criminal law, I rarely use the name of a perpetrator. I do not think that even in these cases perpetrators should become famous. It is the victims we should remember.

• (1945)

[*Translation*]

Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP): Mr. Speaker, before getting to the meat of this subject, I would like to mark a sad anniversary today. Earlier in the day, we had the 50th time allocation motion imposed on us, the 50th gag order. In this 41st parliament, Tuesday, June 18 is a sad anniversary.

I recall bills on which I would have liked to have the opportunity to make my contribution and to present a different perspective on the debate, one that came from the constituents in my riding, but I could not do that because, unfortunately, a time allocation motion was imposed and curtailed the debate.

I am sure that as many members on the Conservative side as on the opposition side have found themselves in that situation in various debates.

In terms of the present bill, I would first like to say that it has changed for the better as it moved through the various stages of the legislative process. That is why I am going to vote in favour of this bill. It is not perfect. We wanted to make amendments that were rejected, but we have still been promised that this bill would be reviewed in five years to see whether it is working, as we hope it will.

Public safety and the attention that victims of crime receive are issues that had to be dealt with. We succeeded in addressing issues relating to the real consequences of the proposed changes and were careful to listen to experts and victims.

Government Orders

Public safety has to be considered. I agree that it is essential to keep our communities safe. However, we need to make sure that we abide by the rule of law and the Canadian Charter of Rights and Freedoms. We had to be sure that the way we manage the cases of accused persons with mental illnesses is effective in treating mental disorders. I would therefore like to congratulate the legislators who wrote this bill, but mostly those who amended it, on the job they have done.

Numerous witnesses were consulted during and after the committee's study. We took the time to listen to victims, families and our communities. We were thus able to have the bill amended to reflect some of the testimony given in committee, and I have to say I am reasonably satisfied with the final result.

It is nonetheless important to recall that the rules in the Criminal Code regarding mental disorders apply to a very small proportion of accused persons. It is always worthwhile to listen to debate in the House and to be able to ask questions afterward, I would note in passing.

A person who is deemed unfit to stand trial or found not criminally responsible on account of mental disorder must appear before a provincial or territorial review board, which decides on a plan of action. The person is therefore neither convicted nor acquitted. Once again, this is an extremely limited number of individuals. Some of them have not committed serious crimes.

Concerns had been voiced about the bill at first. We had to make sure that we did not exacerbate the public's fears for no reason. We also had to be sure not to hinder the reintegration of individuals found to be not criminally responsible on account of mental disorder. We undertook a proper examination of the Criminal Code provisions relating to mental disorders, an issue that is important to many Canadians. Some recent cases that received heavy media coverage have also cast doubt on the effectiveness of the current approach, and the bill fixes some of those flaws in terms of victims' rights.

Bill C-54 also deals with victims' participation in the process. The ideas put forward are taking us in the right direction. In the NDP, we wanted to know, before anything else, how we could assist victims in this process. One thing the bill provides is for victims to be informed when an accused is released and for the accused to be prohibited from communicating with their victim, and for the safety of victims to be considered when decisions are made about an accused person.

I have no problem with these proposals. However, I have to say that more will need to be done to assist victims. The Conservatives have often applied the same formulas in the past. They complicate the judicial system, but they do not offer assistance for victims.

This bill, at least, is a first step in the right direction.

●(1950)

What else can we do? Catherine Latimer, of the John Howard Society of Canada, asks that more programs and services be offered to the victims of sexual abuse. In her view, the government should invest more in crime prevention. Prevention is something that is often lacking in the Conservative ideology. I totally agree with her.

Every year in Canada, the total cost of crime is at or near \$100 billion. This is a huge bill for our society. With regard to individuals declared not criminally responsible on account of mental disorders, it is important to work with key players, such as the Schizophrenia Society of Canada, in order to prevent crimes.

There are costs associated with any amendment. Once again, it is the provinces that will have to pay the bill. It must be said that under the Conservatives we have grown accustomed to seeing the bill passed on to other levels. They really like to pass legislation and then let others pay for it. They also like applying legislation according to their own ideology, without consulting the provinces. I am starting to wonder whether this is not a centralizing government after all. Perhaps the Conservatives are centralizers.

With regard to provincial prisons in Canada, the provincial and territorial governments are already forced to do what they can with the pointless reforms passed by the Conservatives.

I am not saying that any change to the Criminal Code is pointless. It is even necessary to have certain provisions, or at least consider them. In any case, I will be voting in favour of the bill. Nonetheless, certain changes made by the Conservatives have not improved safety in our communities. The only thing they have managed to do is to bog the system down even more.

Can the Conservatives tell us if they now have a financing scheme that will enable the provinces to implement the changes proposed in Bill C-54? I would really like to have an answer to this question.

It is necessary to make sure that the provinces and territories will never again receive a bill that they do not have the resources to pay. The government could thereby learn from its mistakes and at least accompany its reforms with compensation for the provinces. We can all agree that it is very easy to pass legislation when you do not have to pay to implement it. Basically, it is a simple matter of justice.

Over the past few months, the members of the NDP have spoken with experts on mental illness, victims, as well as the provinces to find it out what approach they think would be the best. We did not indulge in political games. We have concentrated on the most important thing, that is, on the study of the merits of this policy, a policy that, we must remember, must come with adequate funding by the federal government.

In conclusion, I would like to reiterate the fact that public safety must be protected as a priority, with due regard to the rule of law and the Canadian Charter of Rights and Freedoms. It is also essential to consider the needs of the victims. The bill does respond to these concerns.

With regard to the elements that raise concerns and the amendments put forward by the NDP, including clarification of the term "brutal", amendments that in any case were not accepted by the government, there is at least a guarantee that we will be able to study the bill again in five years' time, when we will be able to see the benefits and the positive impact of the change.

Government Orders

The NDP is not unwilling to change. We have done our homework, and we have managed to improve the bill. I recognize how much work we put into studying this bill and this is why I will be voting in favour of it.

[*English*]

The Acting Speaker (Mr. Bruce Stanton): Before we go to questions and comments, I see the hon. House leader is rising on a point of order.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, at the outset, I would like to say that we have had a lot to thank the staff for here on Parliament Hill, particularly for the last four and a half weeks but also the entire session and entire time since the last election. However, the last four and a half weeks, with our working late hours past midnight just about every night, a lot of people have been putting in a lot of work, security staff and the like.

I would particularly like to point out this time of year the service provided by our pages. When the House rises for the summer, they will have completed a remarkable year that they have served with us.

Being a parliamentary page is a special honour. It is an experience for which pages get to go back and tell stories of for months, years, indeed, for much of the rest of their lives because the experience of being a page is a very special one.

However, I know there is life after being a page. We have within our caucus two people who are former pages. My wife was a page in this place some years before I was elected a member of Parliament. It is interesting to observe the now chief of staff to the current leader of the Liberal Party was a page in the same year. Therefore, there is indeed life after this remarkable experience.

We want to thank all the pages for the tremendous work they do on behalf of all of us here in the House of Commons, quietly and efficiently serving all of our needs here, and we appreciate that a great deal.

However, those “thank yous” being in place, I would now like to propose the following motion for consideration of the House.

I believe, Mr. Speaker, if you seek it, you will find unanimous consent for this motion. I move:

That, notwithstanding any Standing or Special Order or usual practice of the House, Bill C-54, An Act to amend the Criminal Code and the National Defence Act (mental disorder), be read the third time and passed and passed on division.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill read the third time and passed)

FIGHTING FOREIGN CORRUPTION ACT

The House resumed from June 14 consideration of the motion that Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act, be read the third time and passed.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): I move:

That, notwithstanding any Standing Order or usual practice of the House, Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act, be read the third time and passed.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill read the third time and passed)

* * *

CONVENTIONS IMPLEMENTATION ACT, 2013

(Bill S-17. On the Order: Government Orders:)

June 17, 2013—Bill S-17, An Act to implement conventions, protocols, agreements and a supplementary convention, concluded between Canada and Namibia, Serbia, Poland, Hong Kong, Luxembourg and Switzerland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes—Minister of Finance.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

That, notwithstanding any Standing or Special Order or usual practice of the House, Bill S-17, An Act to implement conventions, protocols, agreements and a supplementary convention, concluded between Canada and Namibia, Serbia, Poland, Hong Kong, Luxembourg and Switzerland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes, shall be deemed concurred in at the report stage and deemed read a third time and passed.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill concurred in at report stage, read the third time and passed)

* * *

EXPANSION AND CONSERVATION OF CANADA'S NATIONAL PARKS ACT

(Bill S-15. On the Order: Government Orders:)

June 18, 2013—Report Stage of Bill S-15, An Act to amend the Canada National Parks Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to the Canada Shipping Act, 2001—Minister of the Environment.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

Routine Proceedings

That, notwithstanding any Standing or Special Order or usual practice of the House, Bill S-15, An Act to amend the Canada National Parks Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to the Canada Shipping Act, 2001, be deemed concurred in at the report stage and deemed read a third time and passed.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill concurred in at report stage, read the third time and passed)

* * *

• (2000)

CIVIL MARRIAGE OF NON-RESIDENTS ACT

(Bill C-32. On the Order: Government Orders:)

February 17, 2012—Second reading of Bill C-32, An Act to amend the Civil Marriage Act—Minister of Justice

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

That, notwithstanding any Standing or Special Order or usual practice of the House: Bill C-32, An Act to amend the Civil Marriage Act, shall be

- (i) deemed read a second time and referred to a Committee of the Whole;
- (ii) deemed considered in a Committee of the Whole and reported with the following amendment: "That Bill C-32, in clause 4, be amended by replacing line 10 on page 3 with the following:

'consent, on presentation of an order from the court or a";

- (iii) deemed concurred in at the report stage, as amended, and deemed read a third time and passed.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill read the second time, referred to a committee of the whole, concurred in at report stage, as amended, read the third time and passed)

PRIVATE MEMBERS' BUSINESS

[English]

CITIZENSHIP ACT

(Bill C-425. On the Order: Private Members' Bills:)

June 18, 2013—Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces)—Mr. Devinder Shory

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

That, notwithstanding any Standing or Special Order or usual practice of the House:

Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), shall be deemed reported back from the Standing Committee on Citizenship and Immigration without amendment.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill reported back from committee without amendment)

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

That, notwithstanding any Standing or Special Order or usual practice of the House: in order to bring full transparency and accountability to House of Commons spending, the Standing Committee on Procedure and House Affairs be instructed to:

- (i) conduct open and public hearings with a view to replace the Board of Internal Economy with an independent oversight body;
- (ii) invite the Auditor General, the Clerk and the Chief Financial Officer of the House of Commons to participate fully in these hearings;
- (iii) study the practices of provincial and territorial legislatures, as well as other jurisdictions and Westminster-style Parliaments in order to compare and contrast their administrative oversight;
- (iv) propose modifications to the Parliament of Canada Act, the Financial Administration Act, the Auditor General Act and any other acts as deemed necessary;
- (v) propose any necessary modifications to the administrative policies and practices of the House of Commons;
- (vi) examine the subject-matter of the motions, standing in the name of the Member for Papineau, placed on the Order Paper on June 10, 2013;
- (vii) report its findings to the House no later than December 2, 2013, in order to have any proposed changes to expense disclosure and reporting in place for the beginning of the next fiscal year;

when the Standing Committee on Procedure and House Affairs meets pursuant to the order of reference set out in this Order, one Member who is not a member of a recognized party shall be allowed to participate in the hearings as a temporary, non-voting member of that Committee.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

BUSINESS OF THE HOUSE

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

That, notwithstanding any Standing or Special Order or usual practice of the House:

(i) on Tuesday, June 18, 2013, the House shall adjourn at 12 midnight or after each of Bills C-54, S-14, S-15, C-32 and S-17 have been read the third time, whichever comes first; and

(ii) upon the adjournment of the House on Tuesday, June 18, 2013, the House shall stand adjourned until Monday, September 16, 2013, provided that, for the purposes of any Standing Order, the House shall be deemed to stand adjourned pursuant to Standing Order 28.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, my only addition to this is a series of thanks. I join my friend across the way, the government House leader, in thanking the staff for the incredible work they do to support our work here as members of Parliament. This has been an extremely long last session, with long hours, and to my friends across the way and to our side, sometimes hours filled with somewhat acrimonious debate.

I would like to particularly point out and give thanks to the government side, my friends in the Liberal Party and the independents for their acceptance of this motion. The moves toward accountability and transparency contained in my friend's motion today are precedent-setting and important for the House, as are the

Routine Proceedings

modifications to Bill C-32, modifications that we looked for. I thank my friend from Esquimalt—Juan de Fuca as well as the great work of all the folks on the citizenship and immigration committee, who I know pulled many long and arduous hours together.

Mostly, as I believe these are the final moments of this session, I rise to wish all hon. colleagues on all sides of the House a very enjoyable time with their families and friends. It has been a long session, a difficult session and sometimes even a productive session.

To you, Mr. Speaker, I wish you an enjoyable time with your family back in the Prairies, and all the best to you and yours.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise to add my appreciation and that of the Liberals to the comments expressed by the government House leader and the opposition House leader. We say thanks to those who make it possible for this institution to work as effectively and efficiently as it does.

There are times when we question each other and why we are here, but the bottom line is that we all know that we are here to represent the people who made it possible for us to be here on Parliament Hill. We are here to represent Canadians and to do it to the best of our abilities. I think we do that on a daily basis. It is good to be here and to be involved in this consensus tonight. I want to express appreciation to all who made it possible and extend a sincere thanks to all who make it possible for Parliament to run as effectively as it does.

The Speaker: I want to thank all hon. members for their contributions to this session. I wish everyone a very productive summer at home in their constituencies keeping in touch with the voters who send us here to do work on their behalf.

Pursuant to the order adopted earlier today, the House shall stand adjourned until Monday, September 16, 2013, at 11 a.m., pursuant to Standing Order 28.

(The House adjourned at 8:04 p.m.)

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(Motion agreed to, bill read the third time and passed)	18579

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(Motion agreed to, bill read the third time and passed)	18579

Conventions Implementation Act, 2013

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(Motion agreed to, bill concurred in at report stage, read the third time and passed)	18579

Expansion and Conservation of Canada's National Parks Act

(Bill S-15. On the Order: Government Orders:)	18579
Mr. Van Loan	18579

Motion	18580
(Motion agreed to, bill concurred in at report stage, read the third time and passed)	18580

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Mr. Van Loan	18580
Motion	18580
(Motion agreed to, bill read the second time, referred to a committee of the whole, concurred in at report stage, as amended, read the third time and passed)	18580

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