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(HANSARD)

Thursday, October 18, 2018

Speaker: The Honourable Geoff Regan

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HOUSE OF COMMONS

Thursday, October 18, 2018

The House met at 10 a.m.

Prayer

ROUTINE PROCEEDINGS

● (1005)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

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CRIMINAL CODE

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.) moved for leave to introduce Bill C-84, an act to amend the Criminal Code (bestiality and animal fighting).

(Motions deemed adopted, bill read the first time and printed)

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INTERPARLIAMENTARY DELEGATIONS

Hon. Robert Nault (Kenora, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, two reports of the Canadian Section of ParlAmericas. The first is on its bilateral visit to Santiago, Chile from March 11 to 14, 2018 and to Montevideo, Uruguay from March 14 to 16, 2018. The second is on its participation in the fifth Open Government Partnership global summit, held in Tbilisi, Georgia from July 17 to 19, 2018.

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CRIMINAL CODE

Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.) moved that S-215, an act to amend the Criminal Code (sentencing for violent offences against aboriginal women), be read the first time.

He said: Mr. Speaker, I am proud to present a bill on behalf of Senator Lillian Dyck from the other chamber, which would recognize that indigenous women are often the subject of great violence in our society.

Today in Ottawa, thousands of men are gathering at the Shaw Centre to raise awareness about violence against indigenous women and children, and we are fasting all day long. I wear the moosehide in recognition of that.

I am very proud to introduce this bill so indigenous women across Canada will receive additional protection under the law.

(Motion agreed to and bill read the first time)

* * *

PETITIONS

FIREARMS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I am pleased to present a petition signed by Canadians from several ridings, including Hamilton East—Stoney Creek and Hamilton West—Ancaster—Dundas. They call on the House of Commons to respect the rights of law-abiding firearms owners and reject the Prime Minister's plan to waste taxpayers' money studying a ban on firearms that are already banned.

CROOKED LAKE LEASEHOLDERS

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, I am presenting a petition on behalf of cottage owners and homeowners whose cottages and homes are located at Crooked Lake, Saskatchewan on land leased from the Government of Canada. They wish to draw attention to the 650% to 700% lease increase being imposed on Crooked Lake leaseholders for the years 2015 to 2019.

Being that this increase has been imposed without the jointly agreed-to negotiations between the Government of Canada and/or its appointed authority and the leaseholders and or their representatives, and with the threat of lease cancellation being imposed, the petitioners call upon the minister and the Government of Canada to negotiate a fair lease agreement with all Crooked Lake cottage owners and homeowners who lease land from the Government of Canada.

HEALTH

Hon. MaryAnn Mihychuk (Kildonan—St. Paul, Lib.): Mr. Speaker, I have two petitions to present today. The first is from residents of Kildonan—St. Paul and other Canadians who are concerned that the only two emergency wards serving the residents of North Winnipeg, West St. Paul and East St. Paul are going to be closed imminently by the provincial government.

The aim of the Canada Health Act is to ensure that all eligible residents of Canada have reasonable access to insured health care services. The petitioners are therefore calling on the federal government to urge the provincial government to reverse its decision to close the emergency rooms in North Winnipeg and save lives.

● (1010)

CANADIAN HERITAGE

Hon. MaryAnn Mihychuk (Kildonan—St. Paul, Lib.): Mr. Speaker, my second petition relates to artifacts. The citizens and residents of Kildonan—St. Paul and other Canadians want to draw the attention of the House of Commons to the fact that the previous Harper government instituted a policy whereby artifacts would be centralized in central Canada, in Gatineau.

This policy is an affront to the Métis people of Manitoba, other historic communities, and those concerned about artifacts in Canada. Therefore, the petitioners are calling on Canada to reverse this bad decision, cancel the plans to centralize the historic artifacts and resources held by Parks Canada in one facility, and commit to maintaining regional facilities for artifact storage and curation, especially in Manitoba.

PARKS CANADA

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is an honour to rise this morning with a petition from the forward-looking residents of Galiano Island, who acknowledge that Canada has made a commitment to protect at least 17% of land areas and 10% of marine areas by the year 2020. They point out that there is a once-in-a-lifetime opportunity for Parks Canada to buy the north shore of Cable Bay on Galiano Island.

If it is able to buy this area, it will protect it forever as part of the Gulf Islands National Park Reserve. The petitioners call on the Minister of Environment and Climate Change to acquire Cable Bay North on Galiano Island and add it to the existing Gulf Islands National Park Reserve.

FIREARMS

Hon. Diane Finley (Haldimand—Norfolk, CPC): Mr. Speaker, I am pleased to present two petitions signed by over 1,000 constituents from my riding of Haldimand—Norfolk. These constituents are deeply concerned with the Liberal government's Bill C-71. They are concerned that all this bill does is recreate the ineffective gun registry and punish law-abiding gun owners.

Instead, they ask that the government invest more money into our front-line police forces to help them tackle the true source of firearms violence.

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QUESTIONS ON THE ORDER PAPER

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all questions be allowed to stand at this time.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

CORRECTIONS AND CONDITIONAL RELEASE ACT

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.) moved that Bill C-83, an act to amend the Corrections and Conditional Release Act and another act, be read the second time and referred to a committee.

He said: Mr. Speaker, given the nature of the legislation we are about to discuss today pertaining to the correctional system, I want to take this moment to recognize that the family, friends and colleagues of a correctional officer, the late Lesa Zoerb, will be gathering tomorrow for her funeral service in Maple Creek, Saskatchewan. Lesa lost her life in a vehicle crash while on duty last week. She was born in Regina. She had two children. She had worked as a federal correctional officer for 20 years.

I know everyone in this House will want to join with me in extending our deepest condolences to all those who are mourning the loss of Lesa, especially her loving family.

May she rest in peace.

I will now move on to the legislation at hand. What we are doing today is opening the second reading debate on Bill C-83, which amends the Corrections and Conditional Release Act.

The act is all about greater safety, security and effectiveness within Canada's correctional system. It follows two superior court decisions that have imposed certain deadlines on Parliament, which will be coming up toward the end of this year.

[*Translation*]

Our government's top priority is protecting Canadians from natural disasters, threats to national security, and, of course, crime. We are doing a number of things to protect Canadian communities from criminal activity.

[*English*]

To protect Canadian communities from criminal activity, we are supporting law enforcement and ensuring that the brave women and men who serve our communities have the resources they need to do their jobs. We are funding programs that help keep young Canadians out of gangs and provide them with more positive opportunities and choices. We are addressing some of the social determinants of crime, like poverty, housing and education. We are combatting gun smuggling at the border and the flow of illegal cash into organized crime. We are also advancing new legislation to tackle some of the most serious threats to the safety of our communities, like gun violence and impaired driving.

Another significant thing we can do to enhance public safety is to make our correctional system as effective as possible at dealing with people who have committed crimes, so that when their sentences are over they are prepared to go straight and not commit new crimes.

Certainly, there are some offenders who have received life sentences from the courts and who may never be granted any form of conditional release by the Parole Board. However, the vast majority will eventually return to our communities, which is why the main responsibility of our correctional system is to do as much as possible to ensure that when offenders are released, they are ready to leave their criminal past behind them and to lead safe, productive, law-abiding lives.

We all want fewer offenders, fewer victims and safer communities. Achieving that is obviously no easy task. It involves an expert, accurate assessment of each offender's issues, needs and criminogenic risk, both at intake and on an ongoing basis. It involves meeting those needs and reducing those risks through appropriate interventions, programming, education, skills training and gradual supervised release, as opposed to simply sending an offender cold turkey straight from maximum security back into society.

It also involves any required treatment for addiction or mental health. The Correctional Service of Canada estimates that about 70% of all inmates exhibit symptoms of some form of mental illness. In administrative segregation, more than one-third of men and virtually all women have moderate to high mental health issues.

● (1015)

The legislation before us today would significantly strengthen the ability of our correctional system to achieve the objectives of the system and to keep Canadians safe. Safety is job number one.

To begin with, the bill introduces an innovative new way of dealing with offenders who for one reason or another cannot be housed within the general population of a correctional institution. At the moment, those offenders are placed in administrative segregation. Segregated inmates are allowed two hours out of their cell per day and interactions with other people are tightly limited. While the correctional service tries to avoid interruptions and interventions in programming, practical considerations make that very difficult to do.

Intense debate about administrative segregation has been ongoing for many years. Despite the fact that the practice harkens back to the treatment of Nelson Mandela on Robben Island and has been branded by some as a form of torture, particularly by comments at the United Nations, there are those who have defended administrative segregation as a valuable security management tool.

On the other side of the debate, the use of segregation has been vigorously criticized by the correctional investigator, by the coroner's inquest into the death of Ashley Smith a number of years ago, by many NGOs and most recently by a number of Canadian courts.

Within the last year, courts in both Ontario and British Columbia have ruled in different ways and for different reasons that administrative segregation as currently practised is not constitutional. Those rulings have been appealed, one by the government and one by the other party, but at the moment they are scheduled to take effect in just a few months, toward the end of this year and the beginning of next year, and we as a Parliament need to be prepared for that eventuality. That is part of the reason for the timing of Bill C-83 today.

There can be no doubt that within a correctional institution it is essential to have an effective way of separating certain people from others be it for their own safety or for the safety of staff and volunteers or for the safety of other inmates.

The question that we have been examining is how to do that effectively while maintaining as much as possible the offender's access to the programming, the mental health care and the other interventions that are available to the general population, especially given that the people who end up in segregation often have needs and risks that are particularly acute.

The solution that we are proposing in Bill C-83 is to completely eliminate the existing practice of administrative segregation and replace it with a new approach, and that is the creation of structured intervention units, or SIUs.

These units will be separate from the general population so that the safety imperative will be met. But they will be designed and they will be staffed and resourced to ensure that the people who are placed there will receive the interventions, the programming and the treatment that is required.

Inmates in SIUs will be out of their cells for at least four hours daily, with a minimum of two hours of meaningful interaction with staff, volunteers, elders, visitors or other compatible inmates.

Additional mental health professionals will be hired and assigned specifically to the SIUs. The legislation will make it clear that inmates are not to be separated from the general population any longer than necessary.

This new approach will help to ensure the safety of correctional institutions and the public by strengthening the capacity of the Correctional Service of Canada to promote rehabilitation in a secure environment.

● (1020)

Bill C-83 also includes several other related measures to further that same objective. For example, it would implement a key recommendation from the coroner's inquest into the death of Ashley Smith to establish a system of patient advocates for inmates with mental needs. Patient advocates would work with offenders and correctional staff to help ensure that people in federal custody receive appropriate medical care.

The legislation would also enshrine in law the principle that medical professionals working in the corrections system must be free to exercise their professional judgment autonomously on the basis of their own medical expertise. These measures would, ultimately, enhance public safety because offenders whose medical and mental health issues are under control are more likely to achieve safe and successful rehabilitation and less likely to reoffend after they have served their sentences.

The bill would also formalize the obligation on the part of the Correctional Service of Canada to take into account systemic and background factors affecting indigenous people when making offender management decisions. The consideration of these factors is, in fact, an obligation that was established by the Supreme Court of Canada in the 1999 Gladue decision. For 15 years, Correctional Service Canada has had policy directives in place implementing that obligation, but now it would be enshrined in law.

As we all know, indigenous people are dramatically over-represented in our corrections system, and that is a harsh reality that we all have to work hard to change. While the socio-economic factors that cause this overrepresentation must generally be addressed by other departments and agencies before incarceration occurs, it is the responsibility of the corrections system to provide indigenous offenders with both appropriate consequences for criminal activity, as well as effective and culturally appropriate rehabilitative interventions. The changes made by this bill would help ensure that is the case.

This legislation would also expand the access of victims to information related to parole hearings. Currently, a victim who does not attend a parole hearing is entitled to receive an audio recording of the hearing, but for some reason, if victims do attend, they lose their right to receive a recording, and that just does not make much sense. Attending parole hearings can be a very difficult experience for victims of crime and their families, and we have seen that demonstrated in recent days. They cannot possibly be expected to retain every word of what is said, nor should they have to. If, after the hearing is over, it is all a bit of a blur and they would like to listen to the proceedings again in a more comfortable setting, they should be able to do that, and this bill would give them that right.

This bill would also allow for the use of body scanner technology to help keep contraband substances out of federal correctional institutions. These kinds of devices are already in use in many provincial correctional facilities. They make it easier for officers to detect when someone is trying to smuggle in drugs or other illicit materials and they are less invasive than other methods of security, like strip searches, for example. Keeping contraband out of correctional facilities would help make institutions as safe and secure as possible. The safety of employees, volunteers, visitors and inmates is an absolute prerequisite for all the other work that Correctional Service Canada does.

In other words, the legislation that is before us today in Bill C-83 recognizes two things. The first is that institutional security is an absolute imperative that the Correctional Service of Canada must always meet.

● (1025)

Second, the safety of Canadian communities depends on the rehabilitative work that happens within secure correctional institutions. The new structured intervention units being created by Bill C-83 will help keep institutions safe by ensuring that inmates can be separated from the general population when that is necessary and they will help keep Canadian communities safe by ensuring the continuity of rehabilitative programming and the accessibility of mental health care for the inmates in these units.

Let us be clear. Providing quality, rehabilitative programming and mental health care is not about being nice to criminals. Rather, by having a correctional system that is as effective as possible at preventing people who have broken the law from breaking it again, we are increasing the safety of our communities. That is our priority and that is why we are introducing this legislation, taking full account of the most recent decisions of Canadian courts. I look forward very much to the constructive input of all colleagues in the House, both during today's debate and throughout the legislative process on Bill C-83.

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Madam Speaker, I thank the Minister of Public Safety and Emergency Preparedness for his speech.

Mr. Minister, your government is talking about changing—

The Assistant Deputy Speaker (Mrs. Carol Hughes): I would ask the member for Charlesbourg—Haute-Saint-Charles to address the Chair, not the minister.

Mr. Pierre Paul-Hus: Madam Speaker, I apologize; it is early.

The government is changing the rules governing solitary confinement in prisons. Before those criminals go to prison, they are in the streets. In Canada, street gangs and organized crime are a huge problem. The Minister of Public Safety and Emergency Preparedness promised to make funds available to crack down on those people.

On June 4, the Minister of Border Security and Organized Crime Reduction wrote in a letter that the money had not yet been made available.

I would like the Minister of Public Safety and Emergency Preparedness to tell me why the money he promised would be used to go after criminals and send them to jail has not yet been made available.

[*English*]

Hon. Ralph Goodale: Madam Speaker, I am not quite sure if I got the essence of the honourable gentleman's question. I think he was making the point that in order to achieve effective public safety one needs to have not only changes and improvements in the laws, rules and regulations, one also needs to have the financial resources and the dollar commitments to implement the principles that are enshrined in the legislation. Certainly, I agree with him. One has to make sure the laws are as good as they can be and then they must be backed up with financial resources and that is what we are doing in the context of Bill C-83.

We are making the commitment that not only will the rules be changed to eliminate the practice of administrative segregation and to replace it with a new approach of structured intervention units, but that will be coupled with significant investments in staff, financial resources and other resources that are required, including mental health professionals, to make sure that Correctional Services of Canada can deliver on the principles that are embodied in this legislation.

● (1030)

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Madam Speaker, the unfortunate thing here is that it is almost Orwellian to say that the government is getting rid of administrative segregation because essentially it is the same practice under a different name. Of course, there are some bells and whistles that have been added to how it is taking place.

The reality is this. In the decisions of the Ontario Superior Court and the B.C. Supreme Court, despite being somewhat different decisions, there were a few common themes. One of those themes was the lack of oversight, the lack of independent reporting and oversight and any kind of mechanism in the event of abuse taking place and the use of this practice in corrections.

If we go back to Justice Arbour's recommendations in the commission of inquiry on certain events at the women's prison in Kingston where she talked about even having judicial oversight, we have the corrections investigator, Dr. Ivan Zinger who said that there is no mechanism in place for recourse and the Canadian Association of Elizabeth Fry Society saying the same thing and Senator Kim Pate, who was once at that same association.

I want to ask the minister this. What is this legislation actually going to do to ensure that there is proper oversight and proper recourse in the event of abuse? Right now it is in the hands of the warden or the commissioner, and that is just not good enough.

Hon. Ralph Goodale: Madam Speaker, I would make two or three observations in response to that. Point number one is that what we are proposing to put in place is fundamentally different from administrative segregation. It is not the same approach. The courts have said that if there is going to be administration segregation, it is unconstitutional unless there is better oversight provided, unless the conditions of confinement are improved and unless a number of other structural changes are made. We have taken those messages to heart. Rather than trying to repair administrative segregation, we have said that we would eliminate it entirely and replace it with a new approach. The same safeguards that were necessary in relation to administrative segregation would become quite different in nature, because our new system would be fundamentally different.

Second, as the hon. gentleman has observed, oversight and a number of reviews are provided for in the legislation. There would be a review by the warden after five days. There would be another review after 30 days and then a review by the commissioner herself on an ongoing basis. There are review mechanisms built into the legislation.

My third point is that as we go along with this debate in the House or in committee, if there are stronger ideas to be put forward for improving the review process, I would be most happy to hear what those ideas are.

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): Madam Speaker, the hon. minister has given us a very good perspective that there are challenges with safety and security in our prison system. That is obviously highly disconcerting and is why he has brought this legislation forward.

Could the minister give us the performance metrics? How is he measuring safety and security in the prison system today, and how in this legislation would he measure it going forward to ensure that the legislation would actually deliver the outcomes and results he is intending?

● (1035)

Hon. Ralph Goodale: Madam Speaker, I know that the commissioner of corrections will be anxious to have that discussion with members of Parliament when this legislation comes before the parliamentary committee to get into the precise details. Ultimately, there are two fundamental parameters we would look for.

In terms of safety within the institutions, we would be looking for a steady reduction over time in the number of reported incidents of violence or disruption within those institutions. We would be looking very closely to see those statistics coming down over time, with the number of physical and dangerous situations reduced.

The second thing would be the recidivism rate, because the whole point here would be to have an effective system that would not only keep everyone safe and secure but would also accomplish more effective rehabilitation so that at the end of day, we would have fewer people reoffending, we would have fewer victims and we would have safer communities. A reduction in the recidivism rate is also something we would be looking forward to.

[*Translation*]

Mr. Matthew Dubé: Madam Speaker, the minister knows very well that indigenous people are overrepresented in solitary confinement. These individuals currently make up 46% of the population in solitary confinement. We know that many women with mental health issues have been placed in solitary confinement. In about 90 cases—I do not recall the exact figure—inmates were kept in solitary confinement for over 90 days. According to the United Nations, more than 15 days in solitary confinement would be considered a form of torture.

The legislation before us, which comes in response to the B.C. Supreme Court decision—which the government appealed, I might add—does not include any provisions to address this problem. Giving the commissioner or a warden the authority to do a review after five or 30 days is not good enough.

Getting back to the question I asked earlier, would the minister be open to an amendment to ensure that we have an independent or even judicial review, if needed, to prevent abuse?

[*English*]

Hon. Ralph Goodale: Mr. Speaker, the hon. gentleman's criticism with respect to administrative segregation is obviously part of the very reason we are eliminating administrative segregation and moving to a different approach, with a different system.

The issues he has raised, those raised by the correctional investigator, those raised by the coroner's inquest with respect to Ashley Smith, and those raised by the courts are clearly valid criticisms. We are addressing those criticisms by changing the system altogether. As I said in response to an earlier question, if there are stronger suggestions to be made in the course of this debate on review and oversight mechanisms, I would be anxious to hear what those are and would take them into consideration.

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Madam Speaker, I rise in the House today to speak to Bill C-83, an act to amend the Corrections and Conditional Release Act and another act. In our opinion, the Liberals' bill reeks of improvisation. Allow me to explain.

This bill seeks to eliminate the use of administrative segregation in correctional facilities and replace it with structured intervention units; to use prescribed body scanners for inmates, which is a good idea; to establish parameters for access to health care; and to formalize exceptions for indigenous offenders, women offenders and offenders with diagnosed mental health conditions.

Obviously, the bill in question contains some reasonable measures that are worth examining. We should all consider how we can change and improve the overall prison program.

In a recent ruling, the Ontario Superior Court called into question the legality of indefinite solitary confinement, but the Liberals are appealing that decision. This is what I mean about improvisation. On one hand, the Liberals are appealing the court's decision, but on the other they are introducing a bill that introduces major changes. It is difficult to follow the Liberals' logic.

As far as administrative segregation is concerned, let me share a concrete example. Last week, I was invited to Donnacona Institution, a maximum-security federal penitentiary in the Quebec City region. Representatives for correctional authorities made presentations and the union shared its concerns. Then, during the tour of the penitentiary, I was brought to the administrative segregation area so that I could see what it is. They even brought out an inmate who was in administrative segregation, a murderer who has been incarcerated for 41 years and has spent only three months out of segregation. He committed other major crimes as well.

He came to see me and said that he wanted to stay in what is referred to as the “hole”, in other words, administrative segregation. That person does not want to be with the other inmates. He has been incarcerated for 41 years and says that administrative segregation suits him best. The correctional officers asked me what they are supposed to do with him since he wants to stay there. If he is forced to return to the general population that will cause problems. It is hard to know what to do or to assess the usefulness of administrative segregation.

Getting back to the bill, this legislation also applies to transfers and allows the commissioner to assign a security classification to each penitentiary and all areas within penitentiaries. I do not understand that. In a maximum-security penitentiary, such as Donnacona, nothing gets in or out without the strictest controls. I know from experience because I had to go through several steps when I went to visit. Maximum security means maximum security, period.

As I understand it, under this bill, a maximum-security classification could be assigned to any area of a medium- or minimum-security penitentiary. If that is not the case, someone will correct me. If we are talking about basic safety, that simply does not make sense. A maximum-security classification cannot just be assigned to an individual cell at a minimum-security facility. That would be absolutely ridiculous, since the facility's entire perimeter and security system would not be designed to guarantee maximum security. Someone needs to explain that, because I do not understand.

I firmly believe that Canada has one of the best correctional systems in the world, both for prisoners and for guards. Everyone can agree that criminals need to serve their sentences, as required by law. However, a prison must not become a five-star Holiday Inn, because that will give prisoners no motivation to renounce the criminal lifestyle. When someone goes to jail, they should feel like they are in jail. They should want to leave and never come back once their sentence is up.

If prisoners decide they do not like life on the outside and do bad things so they can go back to jail—which is something that is already happening, because they get free room and board, are cared for and have all their needs met—then there is a problem. This is not the way to help people get back on the straight and narrow.

I was eager to see the bill. After a preliminary reading, I see some good points. It is not all bad. Just because we are in opposition, that does not mean we can only see the negative side. By no means. For example, using body scanners is a great idea. In fact, it is one of the things I wanted to recommend to the minister.

● (1040)

The problem is the spirit of the law. These are the worst criminals in Canada. They are murderers, rapists, you name it, and they are in maximum security prisons. They are the worst people in Canada. The intent of the law is to take these people and create a structured intervention unit for them. They will spend less time in cells, and they will be put together to give each other hugs and to talk. There is a very liberal attitude underlying all of this, which I understand is about believing that everyone is good, everyone is kind.

However, as I was saying, when I was at Donnacona I saw some videos about what happens in the corridors and with inmates. Those people are hardened criminals. They will attack one another on the slightest pretext. I was even shown a video of an inmate who was knifed in the head by another inmate. There is incredible violence. The most dangerous inmates, the ones who do not want to co-operate, are put into isolation cells so they can be controlled.

Then there are the victims. The inmate who was attacked in the video I saw knew that something was going on. He knew that his life was in danger. These people ask to be put in segregation. They do not ask to be put in segregation so they can get touchy-feely with the most dangerous inmates. This is not how it works. This person wants to be isolated, in a quiet cell, which, I should add, is nothing like what you see in the movies. People imagine the hole like a dungeon at Alcatraz, where the guards slam the door and the room is completely black. These cells are the same size as the ones in normal sections. They are exactly the same, just more private. Inmates are segregated either to be put under control or to give them the peace they need to be safe. That is what segregation is about.

I am not suggesting that nobody ever abuses the system. I am not suggesting that, over the years, people such as prison wardens have not abused the system. That may have happened, but again, why lay down a general rule to deal with exceptions? There have been exceptions. If certain individuals have taken inappropriately draconian measures, then they need to be told they did not do their job properly, and they need to be fired. Why change the whole prison system? Why change a way of doing things that works in that setting? The existing laws are fine if they are applied properly. They meet the needs of correctional officers and inmates.

Prisoners have diverse needs, and many of them ask to go to the hole. The man I was talking about, who has been in prison for 41 years, wants something unusual. He wants his own blankets and he wants to stay there. The warden is trying to figure out what to do about him. It is complicated. However, we have serious concerns about the idea of taking people who are in segregation and making them hang out together for four hours. That is not really the right place for it.

This is part of the Liberals' current approach to security. Canadians are very skeptical of our Prime Minister's security plan. Take, for example, our border crossings; or the government's handling of Canadians who decided it was more fun to go play with terrorists, kill people, come back and pick up their lives as though nothing had happened; or even our soldiers. For the past three years, the Liberal government's record has shown us that it has something akin to contempt for the people who work to keep Canada safe and secure. The government's management of our Canadian forces is appalling. I served for 22 years and I have friends who are still in the system. I can say that they are very disheartened by the current government.

Police officers are doing what they can. They are being put in impossible situations, just as they are with the legalization of marijuana. Police officers are saying they will make it work, because they are professionals and they have no choice. In the real world, if you speak to them privately, they will tell you that it is not working and they do not have what they need. We saw how great it was yesterday with everyone lining up to buy their pot. I have to wonder who all these people are who have time to wait in the rain for three hours on a Wednesday to buy drugs. Police officers are saying they will be the ones left to deal with that. The government says the police will sort it out, they are up to the task. That is disrespectful to our security agencies.

The same goes for prisons. The prison environment is a unique environment. It is a closed environment. The officers who work there are at risk every day because they have to deal with the worst thugs and the worst criminals in Canada. The Liberals like to think that everyone is nice and everything is peachy, but that is the worst way to think when dealing with these prisoners.

● (1045)

They are the greatest manipulators. They do anything they can to manipulate others to get what they want. They want to control their environment. This is difficult for our officers, who work 24/7 to keep these prisoners under control and keep the guards and the rest of the prisoners safe.

Next, I want to talk about syringes. We have a problem because the government just decided that it would use taxpayer money to give syringes to all inmates who ask for them, so that they can inject drugs. How is it that people are able to inject drugs in prison? Is the correctional setting not supposed to keep them away from all that? Drugs are smuggled in by visitors. They hide drugs in all kinds of places, but I will leave that up to your imagination. All kinds of things are brought into prison, usually through visitors and corrupt officers. It is no secret that this happens.

I am pleased because, under the bill, all prisoners will be required to undergo body scan searches. However, mandatory scans will also be required for all visitors. This measure was included in the bill in response to a request from the Donnacona Institution, and I am pleased to see that it is going to happen. Ontario and British Columbia are already conducting such searches. Body scan searches will make it possible to control at least 95% of the substances that individuals bring into prisons because they will show whether there is anything hidden in an individual's body. That will allow us to prevent drugs from entering prisons. If body scan searches keep drugs out of prisons, then we can immediately suspend the needle distribution program.

Prisoners will keep the needles. The most serious criminals with best ideas for doing the greatest harm will have needles in their possession. That does not make any sense. We are giving prisoners weapons. These people have a lot of imagination; we have no idea just how much. I saw a chart at the Donnacona Institution of everything that the guards had confiscated. Some inmates spend two months rubbing a nail clippers on part of their bed to create a knife. They are patient. They are there for a long time. They will take the needles from the syringes to make weapons. They will be able to make blades with the spoons provided to cook drugs.

I believe that the government knows all of this. If the government understands, why is it doing this? Why is it not thinking things through and using common sense to say that it will do things the right way by installing scanning equipment and preventing drugs from entering so needles are no longer needed? We should forget about this absolutely ridiculous program which endangers the safety of our correctional officers.

We cannot support Bill C-83 in its present form. Basically, there are some things that work, such as installing scanning equipment. However, we believe that creating structured intervention units is just smoke and mirrors. This shows that the government does not understand the prison system.

Last week, my colleague from Portneuf—Jacques-Cartier and I toured a prison. The unions gave presentations to all elected members of the House. Even our Liberal and NDP colleagues heard from the unions about their concerns and were asked to stop thinking that a federal penitentiary is a fantasy world. I am referring to the prison near Quebec City, but the same applies to every federal penitentiary in Canada.

Take the McClintic case, for example. This murderer's transfer from a maximum-security prison to an indigenous healing lodge got a lot of people talking two weeks ago. This is someone who ought to be serving her sentence in a maximum-security prison. In maximum-security prisons, each offender has their own cell. They eat, they sleep, they take classes if they so choose, and then they go back to their cells. They are protected because they are living in a maximum-security environment. However, for some incomprehensible reason, it was decided to send this person to a place with virtually no security.

From what I gather from Bill C-83, room 83 at the healing lodge, to use a random number, will be considered a maximum-security room. If I read between the lines, that is basically what the Liberals want to do. The end result will be a place surrounded by beautiful pine trees where room 83 is a maximum-security room.

● (1050)

Ms. McClintic will be in room 83, the maximum-security room.

Do they think we are idiots? Either they must be idiots or they think we are, to believe that would work. I hope that I am wrong and that what I am saying is false.

If what I am saying turns out to be the truth, then this government is really dangerous to Canadians' safety. It does not care what a maximum-security prison sentence means or what keeping Canadians safe means.

Then there are the victims. Let us put ourselves in the shoes of victims who are seeing the murderer who killed their father, mother, brother or sister end up in such conditions.

What must they be thinking? They must be wondering what country we live in. What kind of country lets its worst citizens spend their sentence in such conditions by claiming room 83 is a maximum-security room? This is a serious problem.

I could go on about this for two hours, but I think that Canadians know that this government is not serious and that it puts Canadians' safety at risk. If this keeps up, things are bound to get worse. Otherwise, then the government should prove it by taking rational measures that are consistent with the Charter of Rights and Freedoms. Prisoners have rights, of course, but it is all in the way things are done. This approach is not in line with what we as Conservatives consider to be effective management of a penitentiary.

On that note, I move, seconded by the hon. member for Cariboo—Prince George:

> That the motion be amended by deleting all the words after the word "That" and substituting the following: "the House decline to give second reading to Bill C-83, An Act to amend the Corrections and Conditional Release Act and another Act, since the Bill prioritizes the rights of Canada's most violent and dangerous criminals over safety and victims' rights by eliminating the use of solitary confinement, a common measure many Western countries take to protect guards from dangerous and volatile prisoners, and since the principle of the Bill fails to end the practice of allowing child killers, like Terri-Lynn McClintic, to be transferred to healing lodges instead of being kept behind bars."

● (1055)

The Assistant Deputy Speaker (Mrs. Carol Hughes): The motion is in order.

The hon. member for Winnipeg Centre for questions and comments.

[*English*]

Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.): Madam Speaker, under the Conservative regime, they started mixing prisoners who should not have been mixed together. That created a very dangerous situation. My brother is a corrections officer, and the Conservatives in that situation made it extremely unsafe in the prison system, and now our government has to spend a lot of time trying to clean up the mess the Conservatives left us after a decade of darkness. It was absolutely horrific. The Conservatives talk about the rights of victims and drape themselves with the victims, but at the end of the day, they created extremely dangerous situations.

I would contend that the situation in the prison at Prince Albert, for instance, was created directly by the regressive policies the Conservatives put in place. In fact, these were so destructive of our corrections system that they created extremely dangerous situations, which led to riots and violence in the system.

We need to look for ways to make the system safer and to make it work for the people working in the correctional facilities and for the prisoners who find themselves there so they can be rehabilitated, because most of them will eventually end up back in society. We need to find ways of making the system work for Canadians, and not follow regressive policies that do not work.

[*Translation*]

Mr. Pierre Paul-Hus: Madam Speaker, there is so much going on in that question.

I saw this last week. Within prison walls, there are problems with race, problems with language. I was surprised, because the problems were not necessarily connected to mixing white and black inmates. For example, in the Quebec City prison, the problem is between anglophones and francophones. The officers manage these situations by having separated wings in the prisons. Different street gangs cannot be mixed, of course.

I do not understand what the Liberal member was trying to suggest. There may have been some policies that changed things at the time, but the fact remains that there are problems now, and they already have the solution of separating groups. Will these groups all be mixed together if there are new structured intervention units?

From my understanding of the bill, it seems that that will be the case.

● (1100)

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Madam Speaker, I take issue with the use of the word "volatile". Taking mental health problems seriously and not using this type of language is what ensures public safety. We are not talking about a one-size-fits-all solution, to paraphrase what my colleague is trying to do.

The reality is that the Ontario Superior Court of Justice found that more than 48 hours in administrative segregation caused serious, irreversible mental health problems. The United Nations found that more than two weeks in solitary confinement is considered a form of torture. Between 2011 and 2014, 19 suicides were committed in administrative segregation.

The question I have for my colleague is this: how is public safety ensured by exacerbating existing mental health problems in certain inmates? How is public safety ensured by having a system that has a clearly disproportionate representation of vulnerable individuals who will simply be released and reoffend, when we could truly help these people who have mental health problems and ensure public safety?

Mr. Pierre Paul-Hus: Madam Speaker, I thank my colleague for his question. If I am not mistaken, when our government was in power, measures were put in place to help inmates with mental health problems. We recognize that mental health is an issue and we do not want to hide that, on the contrary. We have already taken measures and now we are prepared to help people so that they do not fall any deeper into depression than they already are.

The fact is that we believe Bill C-83 goes way too far in how its perspective of the reality on the ground, the reality of prisoner management. It goes to an extreme that does not work. The government could have proposed a more balanced approach, a different perspective, but this bill is way too extreme. It will not work.

I agree with my colleague that it may be problematic to keep people in solitary confinement for long periods of time without cause, but this bill does not resolve that issue.

[*English*]

Mr. Todd Doherty (Cariboo—Prince George, CPC): Madam Speaker, during my work on my private member's bill, Bill C-211, which includes correctional officers, I spoke at length with correctional officers regarding the fact that they were the front line. They see, hear and experience oftentimes the worst of our society.

In a recent statement by the president of the Union of Canadian Correctional Officers, he mentioned that over 100 assaults on officers over the last 12 months had taken place at the Regional Psychiatric Centre. Does our hon. colleague feel that the removal of disciplinary tools, such as what Bill C-83 proposes, enhances the security of correctional officers or does it make them more vulnerable to assault?

[*Translation*]

Mr. Pierre Paul-Hus: Madam Speaker, my colleague from Cariboo—Prince George raises an excellent question.

That is exactly what I was told last week in Donnacona. A number of correctional officers are on leave right now because of post-traumatic stress caused by assaults committed within the prison. Unbelievable things happen in our prisons. I was shown several videos of different types of assault. Correctional officers have to intervene in those situations. They are in real danger. They intervene to keep an inmate from killing someone, but then another inmate may come up behind them.

It is a very difficult place to work. The government wants to treat the worst of the worst like delicate little flowers, while our correctional officers are putting their lives at risk every day. These officers are having a hard time understanding what the government is doing, and with good reason.

● (1105)

Mr. Stéphane Lauzon (Parliamentary Secretary to the Minister of Veterans Affairs and Associate Minister of National Defence, Lib.): Madam Speaker, I listened closely to my opposition colleague's speech. Like his fellow Conservatives, he is once again using the politics of fear. He is also being overly dramatic by sharing examples solely for the purpose of scaring people. The opposition's examples and analogies are essentially misinformation with their talk of luxury condos and treating prisoners like delicate flowers and so on.

Does my colleague agree that it is much better to support people with professional rehabilitation services than to put them in long-term solitary confinement, which makes them even more vulnerable?

Mr. Pierre Paul-Hus: Madam Speaker, I love it when the Liberals tell us we are scaring people or doing whatever, but I think we are the ones who see things as they really are.

As I just said, I have visited Donnacona. Union presidents come to see my colleagues and me to tell us what goes on in the real world. They do not talk about what goes on in some imaginary world; they talk about what goes on in real life. That is not scaring people, for crying out loud. We are talking about the worst criminals in the world here, and we cannot start saying we should handle the poor things the way we would handle a 15-year-old kid. It is not the same thing.

We do not want to scare people. We want to tell Canadians, and Quebeckers in particular, that we understand them and we are listening to them. Yes, we believe in rehabilitation. Yes, we know mental health issues are real. We know some people are in prison because of mental health issues, and of course we want to help them deal with those issues.

Take the Paul Bernardo case. I am glad he did not get out of prison yesterday. He is one example. What are we to do with him? He has spent 25 years in prison. Some will say that he has done his time. He is mentally ill, he is crazy. I hope he will stay there until the end of his days. Is my colleague now going to accuse me of stoking Canadians' fears? This is life, this is the real world.

Mr. Matthew Dubé: Madam Speaker, I would like to come back to the issue of correctional officer's safety. In 2011, costs at Correctional Service Canada rose by $250 million. Between 2012 and 2015, the Conservative government cut its budget by $300 million, not to mention the two shuttered penitentiaries.

Can my colleague tell me how that helps correctional officers do their job?

Mr. Pierre Paul-Hus: Madam Speaker, I thank the member for his question.

I was not there. The fact is that certain decisions are made at certain times. I can say that, despite what people think, Donnacona is about half full, I believe. One wing is completely empty and the other half is empty. There is plenty of room in there for more sickos. We need to deal with the Jordan decision so that people can be judged and put behind bars. If the CSC needs more money, we can make that happen. Nothing would make me happier.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Madam Speaker, today we are debating Bill C-83, which was introduced by the Minister of Public Safety and Emergency Preparedness in response to several court rulings and a debate over administrative segregation that has raged in Canada for years.

I want to thank organizations like the John Howard Society, the Canadian Association of Elizabeth Fry Societies and the British Columbia Civil Liberties Association, which are leading the charge against the overuse of administrative segregation. They won out in two slightly different court rulings.

Before I start, I want to give some background on those court rulings because they impact today's debate. The minister himself said that Bill C-83 is partly intended as a response to the concerns expressed by the court.

Let us start with the Supreme Court of British Columbia. In its recent decision, the court explicitly said that there are not enough tools for ensuring, for example, that a lawyer is present during administrative segregation hearings. It also mentioned the inhumane conditions imposed by overuse of administrative segregation and the fact that a predetermined time limit on the use of administrative segregation had been ignored.

That ties in with part of the ruling from the Ontario Superior Court of Justice, which states that more than 48 hours in administrative segregation caused serious, irreversible mental health problems. This also ties in with the UN's finding that more than two weeks in administrative segregation can be defined as a form of torture. These findings are so important.

The use of administrative segregation has been found to be abusive by the correctional investigator countless times and in countless reports that he has published over the past decade. We also see that an overrepresentation of certain vulnerable populations in administrative segregation shows that there is not only an abusive use, but an extremely problematic use that can exacerbate problems in some cases and hinder rehabilitation efforts of certain inmates in our correctional system.

For example, there is an overrepresentation of women with mental health problems. There is also an overrepresentation of indigenous peoples, since 42% of inmates in administrative segregation are indigenous peoples. It is mind-boggling to see just how over-represented indigenous peoples are in administrative segregation. Let us not forget that they are already overrepresented the general prison population.

● (1110)

[*English*]

The decision brought forward by the Supreme Court of British Columbia, following efforts by, among others, the BC Civil Liberties Association, made it clear that the Correctional Service of Canada was acting in a way that was deemed to be unconstitutional under section 7.

What did the government do following a very clear prescription from that court about what could be done in order to remedy the situation? It appealed that decision, and that was shameful. It was interesting that in June 2017, certainly before that decision was made, the government had legislation before the House, which is still on the Order Paper, Bill C-56.

Bill C-56 sought to remedy, in part, the issue before us today, the issue of solitary confinement, by imposing a 21-day limit that would then be followed by a review. Despite any decision that might be made, any findings of abuse or overuse of solitary confinement, there was no independent mechanism to act on any findings of abuse. All that was required to prolong the 21-day period was for the warden, the head of the institution, to provide reasons in writing. To be honest, that is a pretty low threshold for continuing with a practice that has already been deemed, as I have said on several instances, to be problematic.

We are not the only ones saying this. This is something that has been going on for a long time. As I said in my question to the minister, Justice Arbour long ago called for judicial oversight of the use of administrative segregation, or solitary confinement, if members prefer less Orwellian language for what this practice actually is. That followed a commission on certain events in the women's prison in Kingston. That recommendation has so far gone unanswered, not to mention the many recommendations that followed from the investigation into the circumstances surrounding the horrible situation with Ashley Smith.

This leads me to another troubling statistic. Between 2011 and 2014, 14 inmates who found themselves in solitary confinement committed suicide. This is a public safety issue. Let us be clear. Using a tool that exacerbates mental health situations in corrections and diminishes the ability of corrections to rehabilitate those offenders will inevitably cause a public safety concern with respect to recidivism and other things.

That is why, when we look at the tools being used, understanding that corrections officers need tools to ensure safety within the institutions they manage, we also have to understand the danger that can be created by exacerbating existing issues and the importance of prioritizing rehabilitation.

● (1115)

[*Translation*]

I would like to read the testimony of some experts in order to demonstrate to what extent the bill before us is problematic.

I will read the press release issued yesterday by Senator Kim Pate, who was the then CEO of the Canadian Association of Elizabeth Fry Societies.

[*English*]

Senator Pate said:

> With respect to segregation, Bill C-83, is not only merely a rebranding of the same damaging practice as “Structured Intervention Units”, the new bill...also virtually eliminates existing, already inadequate limitations on its use.

Moreover, she adds:

> Bill C-83 also maintains the status quo regarding a lack of effective external oversight of correctional decision making. Under the new legislation, all decision making regarding when and how long prisoners are to be segregated will be made by a CSC administrator without the review of any third party.

The last sentence in that paragraph goes to an earlier point I made:

> This change represents another step away from Justice Louise Arbour's recommendation for judicial oversight of corrections following the Commission of Inquiry into Certain Events at the Prison for Women in Kingston.

[*Translation*]

I agree with Senator Pate.

It is quite disturbing that, in media articles and in his comments, the Minister of Public Safety and Emergency Preparedness is trying to give the impression that the government is working to eliminate administrative segregation. That is just a sham.

Let us be clear. What the government is really trying to do is to make a few changes to the administrative segregation process in correctional institutions. In fact, all they are doing is calling it something else. It is disturbing, since the government is appealing a decision of the B.C. Supreme Court that clearly identifies the problems with administrative segregation.

In a media scrum after the bill was introduced earlier this week, the Minister of Public Safety and Emergency Preparedness implied that what they are calling it now is no longer administrative segregation. They appear to believe that by changing what they call it, they can avoid their obligations with respect to administrative segregation imposed by the Supreme Court and listed by the United Nations.

The senator is not the only one to say so, and I would also like to share with the House the opinion of a correctional investigator.

[*English*]

The correctional investigator, Dr. Ivan Zinger, shares the same assessment as Senator Pate, and that I have made, of the proposed legislation. Dr. Zinger told iPolitics:

> We may end up with a regime that touches more people and that is very restrictive.... This is a widening of the net of those restrictive environments. There's no procedural safeguard.

[*Translation*]

Two things in this passage are extremely important. Not only will administrative segregation continue under another name, but they are going to be casting a wider net. This will drag in more inmates, who may also belong to vulnerable groups that are already over-represented in administrative segregation.

There is no procedure in place for reviewing or appealing decisions to place inmates in administrative segregation. The lack of third-party review and an appeal mechanism is extremely disturbing.

When I asked the minister the question, he said that it was not important and that there were already mechanisms in place, including multiple reviews by the commissioner and a review by the institution's warden.

That is simply not enough. It has been clearly found and established in correctional investigators' reports, court decisions and United Nations resolutions that there has been abusive use of administrative segregation. According to the experts and in my own opinion, it is not enough to simply rely on wardens' and the commissioner's decisions. Of course, these individuals have a certain expertise. They are responsible for managing their institutions, and we respect that.

However, once it has been determined that there has been abuse, there must be a recourse mechanism for putting a stop to that abuse.

● (1120)

[*English*]

That is the problem with some of the measures concerning the new powers that would be given to recognized health care professionals. On the surface, and in a somewhat substantive way, this is a positive thing. However, there are two key issues with what health care professionals could do under Bill C-83.

The first is how we define the health issues on which those health care professionals could act. Experts are already saying that there is a concern that some health care issues that may be identified as not essential by a warden or an administrator in a corrections institute would go without the proper treatment and that the arbitrary way in which such a determination could be made is obviously cause for concern.

The other piece is that even if a determination was made by a registered health care professional, or someone that person had delegated, offenders, inmates, who found themselves in solitary confinement, or this new SIU in Bill C-83, and then for a variety of physical and mental health reasons should no longer be in such a situation, would have no recourse. Those findings would be presented to the administrator, and consequently, under certain articles of the bill, would go to the commissioner. However, the reality is that as long as there was no proper oversight, third party or judicial, as has been recommended by folks like Senator Kim Pate, Justice Louise Arbour and Dr. Ivan Zinger, our corrections investigator, the proper protections would not be in place.

[*Translation*]

I am very concerned.

I would like to return to my Conservative colleague's speech. Some Canadians listening today are probably asking a very simple question: why should we want to make life easier for certain inmates? How does that help ensure public safety?

Certain points are extremely important, and I mentioned some of them in my speech. To ensure public safety, we need disciplinary measures guaranteeing that correctional officers can properly manage their institutions.

We also need to make sure that the people with problems and, in some cases, serious mental health issues, will not get worse and that, on the contrary, they will receive adequate and appropriate treatment.

We want to prevent recidivism in the case of certain inmates who will be granted parole. We also want to ensure the protection of correctional officers inside the institutions. Providing proper treatment for individuals with serious mental health problems is extremely important.

The concerns in this area expressed by the union representing correctional officers are extremely important. The hon. member who spoke just before me alluded to this in her speech.

I would like to take the time to address some of their concerns. Resources are the main issue. In its statement on Bill C-83 today or yesterday, the union clearly identified this problem, which remains one of its top concerns.

[*English*]

That is a recurring theme with regard to what is required for corrections officers to be able to do their jobs. When we look at the approach taken by the previous government, in 2011-12 alone the legislation adopted by the Conservative government represented an increase in cost of around $250 million for Correctional Service Canada, which was followed by the need to cut nearly $300 million in operating costs from 2012 to 2015, followed by the closure of two penitentiaries, Leclerc Institution and the Kingston Penitentiary. That is a circle that cannot possibly be squared when it comes to ensuring public safety and ensuring that corrections officers have the ability to adequately do their jobs: ensuring safety and security within those institutions and ensuring that the correctional program that has been assigned to a specific offender can be followed through on.

● (1125)

[*Translation*]

Of course, the problem is extremely worrying to the entire population, but let us be clear. What we want above all from the correctional system is, on the one hand, the assurance of public safety; on the other hand, by applying the disciplinary and punitive measures that exist in the justice system and are essential to rehabilitation, we want to achieve the objectives of treating mental health issues, as well as ensuring public safety, when it comes to inmates who could reintegrate into society and their respective communities.

I would like to get back to Bill C-83. It is all a sham, as I said before, to oversell what is actually a minor change.

Right now, we are told that 22 hours is the threshold for placing someone in administrative segregation. The government is talking about a major change in the number of hours prisoners can spend outside their cells. In fact, relative to current legislation, this change amounts to two hours.

As the executive director of the John Howard Society said in an interview this week, most of the time, these hours are granted at 5:00 a.m. when it is 40 degrees below zero outside. Understandably, the inmate will refuse to come out. Under this bill, such refusal will have consequences.

[*English*]

To conclude, the smokescreen the government has put up to say that it is addressing the concerns of the court, of the United Nations and of the correctional investigator just is not enough. The reality is that we are proceeding with the current regime under a different name. That is not enough to ensure public safety and that corrections officers are attaining the objectives imposed on them by the law but also by constitutional obligations.

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Madam Speaker, I agree that public safety is the number one objective and that by improving rehabilitative programming within some of our correctional institutions, we will support public safety by having fewer people reoffend and therefore fewer victims. I believe that mental health care services are a key part of that rehabilitative program. What are the member's ideas on how we can make that program for mental health advocacy even stronger?

Mr. Matthew Dubé: Madam Speaker, I certainly share my colleague's thoughts and concerns on this issue insofar as addressing mental health concerns is paramount to public safety in particular. However, just before I get to the substance of her question, when we look at this bill and the solutions we propose, the issue here is that the current abusive use of solitary confinement has been proven to exacerbate some of the mental health situations we currently find. I will quote the press release by the Canadian Association of Elizabeth Fry Societies following the tabling of this bill, which said the following about mental health: "CSC's approach translates behaviours symptomatic of mental health into risks and security concerns."

Therefore, the solution is simple. It is to adhere to the prescriptions that were offered by the Supreme Court of B.C. and the United Nations, and to put in place strict parameters so that house solitary confinement can be used in our correctional services with a ceiling of 15 days, among other things, including keeping those with serious mental health issues out of solitary confinement and trying to address the disproportionate representation of vulnerable offenders in the correctional system.

● (1130)

[*Translation*]

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Madam Speaker, I understand what my colleague is saying when he talks about a sham and the protection of prisoners as a basic right. All that is entirely legitimate. However, we Conservatives have concerns, which we share with unionized prison guards. Historically, I think that the NDP has always promoted unionism and, more often than not, supported labour demands in our country.

I would like to know what my colleague thinks about the concerns and objections expressed publicly by prison guards, who say that the segregation of certain inmates helps them maintain discipline inside prisons, which is important. It is an exceptional measure, but a measure that is needed in order to remind inmates that there are serious consequences to some of their actions inside the prison walls when they are arrested and incarcerated.

What does my colleague think about the concerns expressed by the Union of Canadian Correctional Officers?

Mr. Matthew Dubé: Madam Speaker, my colleague is right. We are extremely proud in the New Democratic caucus to be the workers' party, founded in large part by unions. Their grievances and concerns will always be our first consideration. That is precisely why, in my speech, I cited the press release issued by the union representing correctional officers. Here is what it says in the first paragraph: "resources needed."

That is why the NDP protested when the Conservative government closed two prisons in 2012. That is why we protested the nearly $300-million budget cut the Conservative government imposed on Correctional Services between 2012 and 2015. That is why we also protested the fact that, by introducing this bill supposedly intended to enhance public safety, the government has now made it more expensive and more difficult for correctional officers to both ensure safety in institutions, and to properly manage the institutional life and progress of inmates so as to ensure the safety of the public.

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): Madam Speaker, I would like to thank my colleague for his speech, for his work on this bill and for reminding us that, when it comes to this kind of reform, public safety must be our main concern. We also need to talk about mental health. Sometimes there are priorities other than public safety, like the effective administration of prisons, but public safety concerns must be at the top of our list.

What concerns me is this government's track record with public safety. We have seen it with the cannabis and pardon issues. They changed the language but maintained a system that does not do what it is supposed to. As my colleague said, they are doing the same thing here. They are playing with words, but they are not really changing the system.

How can they make real changes when all they do is play word games?

● (1135)

Mr. Matthew Dubé: Madam Speaker, I would like to thank my colleague for his question. Indeed, public safety is always the top priority.

In its decision, the Ontario Superior Court had this to say about administrative segregation:

[*English*]

"no serious question the practice is harmful".

[*Translation*]

Moreover, the harmful effects of the practice can manifest in as little as 48 hours. As I said in my speech, they are using a practice that is supposed to ensure public safety but that, in reality, hinders the rehabilitation of certain inmates by making their mental health problems worse. That is what concerns me.

Whether we like it or not, some inmates are released on parole, which is appropriate in a lawful society. However, we expect the problems that led to their incarceration to be treated inside the system before they return to society.

I called it a sham because, despite two court decisions and all the work of civil society, the minister is telling us not to worry and that he is taking care of the problem, while in fact all he is doing is calling the practice something else.

In our opinion, there are not enough substantial changes to believe that this is an appropriate response to the serious concerns about the practice in our correctional system.

[*English*]

Mr. Daniel Blaikie: Madam Speaker, if the courts have been very clear about the risks of this practice and have prescribed ways of regulating it to diminish those effects, why is that work not represented in this legislation?

Mr. Matthew Dubé: Madam Speaker, when two courts have ruled that the current use of solitary confinement is unconstitutional, including the Supreme Court of B.C. in its scathing decision that clearly lays out what the government needs to do, and that has been shamefully appealed afterward, one can ask what exactly the government is trying to do with Bill C-83. Unfortunately, by all appearances, it seems that it wants to bypass these court decisions and what experts, civil society and the UN have said with regard to the use of solitary confinement. That is reason enough to oppose Bill C-83.

Hon. John McKay (Scarborough—Guildwood, Lib.): Madam Speaker, I will be splitting my time with the member for Brampton Centre.

This initiative goes back quite a long way for me. I want to recognize the former member for Kitchener Centre, the hon. Karen Redman, who raised the issue of Ashley Smith's death and how it affected so many of us, in caucus and outside of caucus, particularly for people like me who are not from Kitchener.

I want to begin by reading the dry coroner's report, which states:

> Coroner's Inquest Touching the Death of Ashley Smith.
>
> Aged: 19
>
> Name of Deceased: Ashley Smith
>
> Date and Time of Death: October 19, 2007, 8:10 a.m.
>
> Place of Death: St. Mary's General Hospital in Kitchener
>
> Cause of Death: Ligature strangulation and positional asphyxia
>
> By What Means: homicide

That is the coroner's way of introducing what is in fact a substantive report that forms, in part, the basis for the initiative in Bill C-83.

The newspaper report is a little more graphic. It states:

> Smith, 19, originally from Moncton, N.B., was imprisoned at the Grand Valley Institution in Kitchener, Ont., when she died in 2007.
>
> She had tied a piece of cloth around her neck while guards stood outside her cell door and watched. They had been ordered by senior staff not to enter her cell as long as she was breathing.
>
> ...
>
> In the last year of Smith's life, [she] was shuffled 17 times between nine institutions in five provinces.

She was clearly a troubled young lady, but there was still a massive failure on the part of the institutions that were responsible for housing her, and ultimately for her death.

The minister of the day, the hon. member for Bellechasse—Les Etchemins—Lévis, said after receipt of the coroner's report: "My thoughts and prayers go out to Ms. Smith's family. I've asked my officials to review carefully the jury's recommendations". That was on December 19, 2013. At that time, he was the federal minister of public safety and emergency preparedness.

Here we are, more than 10 years after Ms. Smith's death, looking at a bill that incorporates of many of the recommendations contained in the coroner's report. Clearly, nothing was done from 2007 to 2015, when the previous government ceased to be the government. Three years later, we are now preparing this, in some respects driven by the forces of civil society, but also by the reality of two lawsuits, which at its core means the current system is not sustainable.

Among the recommendations of the coroner's report is that CSC ensure that nursing services are available on site for all inmates; that CSC expand the scope and terms of psychiatric contracts to enable them to perform duties in a meaningful way; that decisions about clinical management of inmates be made by doctors, not CSC staff; that inmates must have access to an independent patient advocate system; that indefinite solitary confinement for prisoners be abolished; and that meetings between prisoners and support staff should not happen through food slots. That was something that happened frequently with Ms. Smith.

● (1140)

We have a long way to go, and I do not pretend to assume that Bill C-83 responds to each and every recommendation. My colleague, the NDP critic for public safety, highlighted some of the real questions that would be properly posed to the minister before a committee. Hopefully, the responses of both the minister and the head of Correctional Service Canada will be helpful in assuaging him about the concerns that are legitimately raised, both in the coroner's report and in the lawsuits that have come up.

The Prime Minister was so concerned about the inadequacies of, for want of a better term, solitary confinement that he actually incorporated it into the mandates of the justice minister and the public safety minister.

The justice minister's mandate says, "recommendations from the inquest into the death of Ashley Smith regarding the restriction of the use of solitary confinement and the treatment of those with mental illness."

The mandate letter of the public safety minister, states, "address gaps in services to Indigenous Peoples and those with mental illness throughout the criminal justice system".

In 2013, we had a coroner's inquiry and recommendations coming out of the death of Ashley Smith in 2007. In 2013, the Conservative Party said that its thoughts and prayers went out to the family. The Liberal Party became the Liberal government in 2015. Incorporated into the mandate letters of two senior ministers were the requirement that they deal with these issues. Now we have Bill C-83 on those issues.

In addition, the corrections commissioner has further been mandated to help create a "safe, secure and humane" corrections environment and to address the physical and mental health of inmates, among other priorities. In fact, two weeks ago, the new head of CSC, Anne Kelly, spoke to her mandate. Indeed, members had every opportunity to question her about her mandate and also to see how this part of her mandate might well be fulfilled.

Most significant is that Bill C-83 would put an end to segregation. In Ontario and British Columbia, two constitutional challenges have found that the legislation governing the administrative segregation is contrary to the Charter of Rights and Freedoms. My friends in the Conservative Party might wish that to go away. They probably wish the charter would go away. Nevertheless, two of the most significant provinces in the country have said that the way things are being done is not sustainable and is contrary to the Constitution.

It is quite clear that what is motivating in part, beyond the mandates etc., is the reality of the NGO community and these class action lawsuits. The time to act clearly is now.

It is clear that large parts of the administrative segregation provisions of the Corrections and Conditional Release Act will no longer be in existence in two of Canada's most populous provinces. The Conservative Party's position seems to be to just let people sit in the current system anyway. That is neither a very morally nor legally sustainable position.

● (1145)

In my opinion, taking prisoners out of administrative segregation and putting them into a situation is a greater benefit to public safety.

Mr. Vance Badawey (Niagara Centre, Lib.): Madam Speaker, Bill C-83 would eliminate administrative segregation. Instead, people who have to be separated from the mainstream inmate population, generally for safety reasons, would be assigned to a secure intervention unit, SIU. What would be the difference between a new secure intervention unit and administrative segregation?

Hon. John McKay: Madam Speaker, there is clearly an effort to make the secure intervention unit an environment that allows very troubled prisoners to have more human interaction. There is a mandated time that they will be allowed to interact with other human beings. There is a mandated time that they have to interact with health care professionals. There is a mandated time in which there is a review of their past progress.

At the end of the day, almost everybody gets back on the street. We can wish that they come back onto the street whole, but that is just wishful fantasies. The prison system needs to be mandated to make people as able as possible to reintegrate into our society to maximize public safety.

● (1150)

Mr. Todd Doherty (Cariboo—Prince George, CPC): Madam Speaker, how will the desired outcomes of the bill be measured and can the Liberals tell Canadians today how much the implementation of the bill will cost?

Hon. John McKay: Madam Speaker, the measurement of the success of the bill will be over time, and that is absolutely necessary. We currently have a system that is not working, that is constitutionally deficient, that offends the Charter of Rights and Freedoms and that has a little too many Ashley Smiths in the system. The improvement will hopefully be measurable over time. I am sure the head of CSC will have some metrics to share with the committee.

With respect to funding, we are certainly in recovery mode from the previous government. The hundreds of millions of dollars that were cut out of the system are clearly having an impact, and that is extremely regrettable for public safety and for the rehabilitation and well-being of the prisoners.

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Madam Speaker, in the last two years, we have seen time and again that the Liberal government has a propensity to always walk along the line of a court judgment. The role of the House of Commons is to reiterate, sometimes through the preamble of a new bill, to the courts and the judge the intent of a bill of a rule that was put forward, accepted and voted on in the House. Jean Chrétien did that many times. He did it for advertising in the tobacco sector. Companies wanted the Supreme Court decision and Jean Chrétien tabled a bill with a preamble saying that the judges were wrong.

In this instance, why are the Liberals again and again following the judgment when they could have just reiterated the intent of our purpose in the House of Commons, to protect the citizens of Canada and to ensure that guards had the necessary tools to apply discipline?

Hon. John McKay: Madam Speaker, I really feel bad that the Liberal Party and the Liberal government adheres to the rule of law. What a concept. We do have those of us in here who make law and we have those down the street, learned judges in the law, who interpret the law. When the interpretation comes back that this offends the Charter of Rights of Freedoms, which it does according to the two cases that are currently before the justices, then this body needs to adjust.

We are all subject to the Charter of Rights and Freedoms. We might not like that, but we are.

Mr. Ramesh Sangha (Brampton Centre, Lib.): Madam Speaker, since 2015, the government has been very clear about its commitments to Canadians. Broad criminal justice system reform is central to those commitments.

The government followed through, first by introducing major legislation that would protect the vulnerable, meet the needs of victims and keep our communities safe. It also promised to address gaps in services to indigenous peoples and those with mental illness throughout the criminal justice system.

Further, the government vowed to implement recommendations from the inquest into the death of Ashley Smith, regarding the restriction of the use of solitary confinement and the treatment of those with mental illness. Today, the government is following through with it once again.

Bill C-83 represents a groundbreaking shift in Canada's approach to federal corrections. At its core is a focus on ensuring that federal correctional institutions provide a safe and secure environment, one that is conducive to inmate rehabilitation, staff safety and protection of the public.

With this bill, the government proposes to eliminate segregation. We will eliminate it in a manner that continues to ensure institutions are secure. It will help reduce the rate of violence in federal institutions and provide inmates in need with support. This is an effective, practical and proactive approach to managing inmate safety.

For the first time in history, there will be a requirement in law for consideration of broad systemic and background factors unique to indigenous inmates in corrections decision-making.

All of that said, at the heart of this legislation is the elimination of segregation and the introduction of structured intervention units to manage inmates at higher risk. It would create structured intervention units, or SIUs, as a practical new tool for institutions. They would be established at numerous institutions. These SIUs would provide a safer environment for inmates. Inmates in SIUs would have the opportunity to be out of cell for at least four hours per day, offering more opportunity for human interaction.

If we are all being honest here, we know that there are times in prison that some inmates cannot be in the general population. These new SIU proposals would address the safety risks of those inmates who could not be managed in the mainstream inmate population.

Those members on the right are going to say that we should throw them in the hole. In fact, the Conservatives put out a release that pretty much said that. Those members on the left are going to say that we should not separate them at all, that we should leave them in the general population. However, when problems such as gang hostilities are brewing, this is not an option either.

● (1155)

We need a solution that would ensure that offenders can be separated from the general population when needed but also to ensure that those who cannot be in the general population for their safety or the safety of others can still have meaningful contact and programming.

Under this legislation, all interventions would be tailored to the specific needs of offenders to address the behaviours that led to their movement to the SIU.

They would have daily visits from health care professionals.

After five days in the SIU, a decision would be made about whether or not to keep the inmate there. That decision would take into account the inmate's mental health care needs and if appropriate unique indigenous factors, including systematic and background factors.

Inmates assigned to an SIU would have their correctional plan updated to ensure they receive the most effective programs at the appropriate time during their assignment in the unit and to prepare them for reintegration into the mainstream inmate population.

They would have meaningful human contact with other compatible inmates and in some circumstances even visitors.

This is a major step forward but not the only one we have taken.

The new bill builds on important investments the government has made to date.

Budget 2018 invested $20.33 million over five years and $5.54 million per year after that to further support the mental health needs of federal inmates. Funds will be largely targeted towards providing enhanced mental health supports for women in federal correctional facilities across Canada. That is on top of budget 2017 funding of $57.8 million over five years, and $13.6 million per year after that to expand mental health care capacity for all inmates in federal correctional facilities.

All of that said, our work is not done. We can all agree that we need to do better in our correctional system.

We are transforming the way we manage inmates whose behaviour poses a security and safety risk that cannot be managed within the mainstream inmate population. More broadly, we need to acknowledge and address the cycles that contribute to crime and the unique needs and risks of vulnerable groups, including indigenous peoples.

We need to make sure we are not only holding guilty parties to account for what they have done, but that we are creating an environment that fosters rehabilitation for the safety of all.

This is the right choice at the right time. I call on all members to join me in supporting Bill C-83, so that our correctional institutions can better fulfill their important goals of safety and rehabilitation.

● (1200)

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, my colleague mentioned that a structured intervention unit would be a good thing, since it would give individuals in segregation the possibility of human contact.

I am going to talk about two cases, two individuals. The first is a dangerous killer who keeps threatening people. He has to be placed in segregation because he is dangerous to others and might kill another inmate. The second is an inmate who fears for his life because he is being threatened. He wants to be placed in segregation because someone wants to kill him. He is therefore placed in the new structured intervention unit.

The violently angry killer and the inmate who fears for his life are sent to the structured intervention unit, where they are asked to engage in human contact.

Does my colleague think this will work?

[*English*]

Mr. Ramesh Sangha: Mr. Speaker, we have the example of two people, one is a hardened criminal we want to throw in the hole, another was tried and is serving for a lesser infraction. We want them to be together, and SIUs are created to study these situations. They will monitor things very closely and see what the needs of both these persons are, how we can bring them into the mainstream when their terms are finished and they are coming out, and how we can help to get them ready to integrate into society.

● (1205)

[*Translation*]

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, I would like to thank my colleague for his speech.

As I have said before, my father was a warden in a minimum-security prison, and my mother was a prison guard.

I would like to know whether the hon. member across the aisle knows the difference between a maximum-security prison and a minimum-security prison. Inmates are incarcerated in one or the other for different crimes. Those in minimum-security institutions are serving less than two years, while those in maximum-security prisons are serving more than two years. The inmates in maximum-security prisons have committed serious offences, unlike those in minimum-security institutions.

Can my colleague tell me whether he knows the difference between a maximum-security prison and a minimum-security prison?

[*English*]

Mr. Ramesh Sangha: Mr. Speaker, during my presentation, I did mention clearly those who deserve to be treated in a nice way. We cannot say everyone will be treated in the same manner, for example, those who are there under extreme circumstances. They would be monitored differently, which is what we want. We want people to serve their jail terms and come out ready to go into the community.

The Assistant Deputy Speaker (Mr. Anthony Rota): We have time for a very brief question.

The hon. government House leader has 30 seconds, and then we will have 30 seconds for an answer.

Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, Ashley Smith died in custody in 2007. My colleagues opposite talk about different levels of prisons, and it is interesting how people go through that system. Nonetheless, this was a girl who died in her cell. There have been court challenges, and the courts have ruled. We tend to respect the rule of law.

Could our colleague please share with this House what SIUs are designed to do, and how people would continue to serve their sentences but could also be provided the programs and services necessary to ensure mental health?

Mr. Ramesh Sangha: Mr. Speaker, there is a case law around this situation. Ashley Smith's case has created a new guideline for us to act on, otherwise we would be left behind. Liberals do not want that, we want to move forward. We want to make corrections to the law and bring changes that would make it suitable for the inmates.

[*Translation*]

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, I will be sharing my time with the member for Portneuf—Jacques-Cartier.

As always, I will begin by saying hello to my constituents in Beauport—Limoilou, many of whom are watching today, as I am told every time I go door to door.

I also want to tell them that the issue we are discussing today is a very delicate subject. We are talking about the prison environment and about people's lives, namely, the lives of victims of crime and the lives of criminals in prison. This subject can be unsettling, and people often have very strong views on one side or the other. Some people want a really tough-on-crime approach, while others want a softer approach, for reasons that are equally legitimate on both sides.

I would like to ease into the debate and explain the Conservative caucus's take on Bill C-83, an act to amend the Corrections and Conditional Release Act and another act.

My colleague from Charlesbourg—Haute-Saint-Charles, our public safety critic, was the commanding officer of the Régiment de la Chaudière. I have a lot of faith in him. Today he moved a motion calling on the House to simply end the debate on Bill C-83. My colleague believes that the bill is so botched that we need to shut down debate. In other words, we want to stop this bill and keep it from moving forward or being voted on in this place.

What I find interesting is that the NDP members have said that the bill does not go far enough in terms of protecting people who are incarcerated, while we are saying that it goes too far because it compromises the safety of prison guards and Canadians in general. Given that the motion moved by my colleague from Charlesbourg—Haute-Saint-Charles will not be voted on right away, I will address some of the main aspects of this bill.

I want to address my constituents in Beauport—Limoilou. The bill would eliminate the use of administrative segregation in correctional facilities. Everyone is entitled to an opinion on administrative segregation. These opinions are often based on Hollywood movies. Administrative segregation is used when an inmate is imprisoned for life, or for 10 or 2 years. Inmates serving a life sentence already know that they are not getting out of prison and that they will probably die there, even though there is a provision allowing them to request a discharge after 25 years and leave prison, even in very serious cases of premeditated murder.

Nevertheless, life in prison is a very long period of time for someone who is incarcerated. How can the correctional facility and the guards compel or force this prisoner to comply with disciplinary guidelines? The prison guards are ordinary men and women, with normal lives, who go home at night, who have children, and all that. How are they meant to impose order every day in prison when there are inmates who will be there for the rest of their lives? These lifers could go so far as to kill another inmate since they will be in prison either way.

What I am saying is that correctional facilities need access to measures that are psychologically difficult for prisoners, like segregation, otherwise known as the hole. I do not think that is a good word, since they are no longer holes. They are real and proper cells, just used as a means of segregation.

● (1210)

The inmates eat well enough, and they have access to sanitation facilities. Prisons are not like Alcatraz in the 19th century. We are talking about orderly, coordinated disciplinary segregation that gives correctional officers some measure of control over hardened criminals who do not follow the rules unless they are afraid of ending up in segregation.

This bill would eliminate that. Considering the argument I just laid out, we think that is totally ridiculous. The bill would also replace those facilities with structured intervention units, but it does not tell us exactly what those units are or how they will work.

The bill also talks about using a body scanner, and that is one part of the bill we support, as do corrections professionals and unions. Visitors often find ways that I will not describe in detail to bring drugs and other objects, such as cell phones, to prisoners. That is not allowed. Using a body scanner could make life easier for corrections officers, visitors and prisoners because there would be no need to conduct uncomfortable searches.

The bill specifies that exceptions for indigenous offenders, women offenders and offenders diagnosed with mental health issues need to be formalized. It is about time.

Speaking for myself, there is something I find intriguing. The bill comes in response to recent superior court decisions that found that indefinite segregation was unacceptable under the Canadian Charter of Rights and Freedoms.

I want to respond to something my colleague from Scarborough—Guildwood said in answer to a question I asked 15 or 20 minutes ago. He told me that we make law, but the courts and judges interpret the law.

Nowhere in the Canadian Constitution does it say that lawmakers do not have the right to interpret the law. It is ironic to hear a lawmaker say something so absurd, because we interpret laws every day in the House of Commons. We interpret them in debate and in committee. We review laws, we rewrite laws, we pass laws and we repeal laws. The role of interpreting law belongs as much to the legislative branch as to the executive branch. The executive branch is even required to apply the Canadian Charter of Rights and Freedoms and to evaluate every bill through the lens of the charter.

Distinguished Professor Christopher Manfredi of McGill University, who is recognized by his peers around the world, said that the interpretation of each of the three branches is important because they each have their own interpretation of Canadian law and that we achieve better results for Canadians when there is vigorous competition between the powers.

In conclusion, I will say that we could have a philosophical debate about the existence of prisons. No one thinks that prisons are wonderful. At a human level, I believe prisons are probably the most horrible thing there is. However, the historical evolution of humanity shows that this is the only known way to ensure that the most dangerous members of our society will not have any further criminal impact on others. The objective is public safety. The Canadian government's main objective is Canadians' safety. That is why I told the member from Scarborough—Guildwood that he should have instead introduced another bill that emphasizes the government's role in protecting Canadians and that tells the court that it is absolutely wrong about administrative segregation in prison. It is unfortunate, but we must have prisons.

As I reiterated in my arguments, administrative segregation is the only real tool that ensures that prisoners serving a life sentence, for example, have a psychological constraint preventing them from harming other inmates in jail. How can we control a lifer without administrative segregation? It is good for the effectiveness of prisons and for the safety of guards.

We hope that the government will reverse course on this bill. I do not understand why the NDP does not want to support the Union of Canadian Correctional Officers, which believes that ending the practice of administrative segregation will jeopardize the safety of correctional officers.

I thank the citizens of Beauport—Limoilou for listening.

● (1215)

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I thank my colleague for his speech. I would like to remind the House that laws do not take precedence over the Charter of Rights and Freedoms. That is why Bill C-83 exists.

Members opposite seem to be saying that there will not be any solitary confinement at all and that there will be no way to deal with dangerous inmates. I would like to remind the House that there will be structured intervention units where inmates will have access to mental health care.

What do we do in cases like that of Ms. Smith, the young woman who died as a result of her time in solitary confinement? That is why we introduced this bill. What solution is my colleague proposing?

● (1220)

Mr. Alupa Clarke: Mr. Speaker, inmates who are disciplined by being sent to these units that the bill seeks to create—and that we hope will never see the light of day—will have access to a television and anything else they usually have in their cells.

What we are saying is that administrative segregation, as it now exists, is a psychological deterrent for inmates serving life sentences, for example, who would otherwise not hesitate to harm other inmates or guards. They do not care because they are already in prison for life. The only way to dissuade them from engaging in that type of behaviour is to threaten to send them to solitary confinement with no television or anything else. That psychological element is needed to maintain discipline in prisons.

It is unfortunate, and perhaps prisons should not exist, but that is the only way to protect Canadians, and the only way to maintain discipline is administrative segregation.

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, I thank my colleague from Beauport—Limoilou for his speech. His remarks are always music to my ears. I would like to ask him a question along the same lines as the one my colleague from Glengarry—Prescott—Russell just asked him about Ms. Smith.

Do the Liberals always introduce bills on behalf of a victim? Bad things happen, and we agree that it is unfortunate. However, are there perhaps sometimes other victims in our prisons who are not protected, victims such as correctional officers? My parents worked in the prison system, and they were often taken hostage when riots broke out.

On one hand, the Liberals are hastily introducing a bill as a result of an individual case, and on the other, they are ignoring other victims, the people who work in maximum-security prisons and protect our lives.

Mr. Alupa Clarke: Mr. Speaker, I completely agree. The Liberals like to base bills on individual cases. That is understandable in some ways because the fundamental objective of a liberal democracy is to protect the minority from the majority. However, the Canadian majority is beginning to get fed up with never having a voice in this government and never having its wishes and desires represented.

That is very dangerous for social harmony, because the majority also needs to have a say. One of the complaints that we as MPs hear most often in our ridings is that the government is always kowtowing to the Canadian judiciary.

To show my good faith, I will say that I will always be proud of Mr. Chrétien and Mr. Martin—perhaps a little less so of Mr. Martin. Mr. Chrétien carried on the tradition of other prime ministers. When he and his caucus did not agree with a Supreme Court ruling, they reintroduced the same bill in the House of Commons with a preamble.

That is called an “in your face” reply. I suggest that my colleagues go see all the eminent law professors at Osgoode Hall Law School in Toronto. They know all about that kind of thing, and they detest it. An “in your face” reply is when legislators tell the Supreme Court justices that they are wrong, that they do not understand the government's objective, and that they misinterpreted Canadian law.

Mr. Joël Godin (Portneuf—Jacques-Cartier, CPC): Mr. Speaker, I would like to thank my colleague from Beauport—Limoilou for that enlightening speech. He may enable the government to improve the bill it introduced today, Bill C-83, an act to amend the Corrections and Conditional Release Act and another act.

The bill would enact a number of measures, as listed in the summary: eliminate the use of administrative segregation in correctional institutions; replace those facilities with structured intervention units; use body scanners on inmates; establish guidelines for access to health care; and formalize exceptions for indigenous offenders, women offenders, and offenders with diagnosed mental illness.

In a few days, this Parliament will be three years old. The Liberals have done all kinds of damage in those three years, and we can add this bill to the list. They have not thought this through. The Liberals do not know what they are talking about.

Let us look at each point individually. The first amendment eliminates the use of administrative segregation and disciplinary segregation. On October 19, 2015, I had the privilege of being elected to represent the people of Portneuf—Jacques-Cartier, and I am so proud to do so. There is a correctional facility in my riding called Donnacona Institution. My colleague from Charlesbourg—Haute-Saint-Charles and I recently had the privilege of visiting that institution, as luck would have it. We do our due diligence, and we know what we are talking about, because we went there for ourselves to meet with the management and the various unions. We even met some inmates. We did not see a hole during our visit. The Liberals seem to want to eliminate something that does not exist and replace it with something else that will do the same thing, but with fewer restrictions.

I am a father. Parents are responsible for disciplining their children. We teach our children that actions have consequences. Of course, they are not the same as those imposed on inmates in maximum security. Rules are put in place. There are rules, and correctional officers have tools. Unfortunately, the Liberal government wants to take away one of those tools. It wants to limit the number of days of intervention and take away this tool in order to make inmates more comfortable, inmates who have done wrong or are looking for security. It is rather appalling.

What is the government's motivation for eliminating solitary confinement and creating structured intervention units or SIUs? I will try to get used to the acronym, but I hope this legislation will not have to be enforced. It is quite an invention. The Liberals improvised. They decided that what the Conservatives did was wrong, that they are too mean, that they segregate people who have done wrong, and that they are too harsh with inmates.

One person's rights end where another person's begin. On this side of the House, we support protecting victims. We want these inmates, who have acted inappropriately in a society like ours, to face consequences. They should not be encouraged. These people must face consequences. These consequences are tools for corrections officers.

The government wants to eliminate administrative segregation, create SIUs and limit the number of days. It wants to take away consequences for inmates by limiting the number of hours a day.

● (1225)

Are they going to give every inmate a cake on their birthday? Are they going to roll out the red carpet when inmates arrive at Donnacona? Let us be serious here.

I must acknowledge that the government did include something worthwhile in the bill. Life is a mystery. After meeting with corrections officers and management from institutions like Donnacona, the government introduced the idea of scanners. These scanners are found in airports and even here in Parliament. People go through various checks. In penitentiaries, inmates can be strip-searched. Officers have a little metal mirror they can use to do an external check.

Yesterday, October 17, was a sad day for Canada because the government legalized marijuana. As its very name states, organized crime is organized. These people unfortunately discovered that they could use body orifices to hide things. Corrections management and officers said one of their priorities was to stop inmates and visitors from bringing drugs, cell phones and tools into penitentiaries. Criminals have a lot more time than we do to think up ingenious solutions, because we have jobs. They may work, but they do not have the same objectives as we do. They look for ways to build tools and get access to the outside world.

One thing that was addressed during our meeting last week at Donnacona was the importance of providing scanners. It seems that the government across the way is going to allow them, but we are a long way from unpacking scanners at Donnacona and other maximum-security institutions in Canada. This should be a priority. It should be considered an essential tool.

Of course, they are going to ask why the Conservatives did not take care of it. At the time, there were other technologies. Today, there are scanners. Institutions should get the tools they need to impose restrictions. There are the infamous drones, there are scanners, and there are other important tools.

The bill I am reading today seems to include some things that are more permissive and inclusive that will make life more comfortable for our inmates, but we need to be protecting the victims. We need to be strict. We need to command respect and ensure that there are consequences for these people so that they get the message. We are not against reintegration programs, but we think they should be applied on a case-by-case basis. Now the programs are being used in a general, inclusive and permissive way. Life in Canada's penitentiaries is a party. We have to be responsible and ensure that the tools are put in place quickly. This government should make it a priority to have scanners installed.

I think this will vastly and quickly improve the situation in the penitentiaries. It is a priority tool. It is important. We cannot accept this bill, even though we see the beginnings of positive solutions in it.

● (1230)

Clearly we cannot support this bill because of this government's improvisation.

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I thank my colleague for his excellent speech, even though I do not agree with everything he said.

First, life in prison is not going to be a party. Far from it. The member knows this because he said he visited several prisons. When we enact legislation, we have to provide the resources required. The Conservatives claimed they were the champions of law and order and were tough on organized crime, but they never backed that up with the necessary resources. That is why police chiefs asked for more money to fight organized crime. Even the Minister of Public Safety, a former police chief, says that he did not have access to those resources.

Let us come back to the safety measures that we want to put in place, such as body scanners. Why is the member opposed to equipping our prisons with more technology to ensure the safety of prison guards and inmates by preventing them from using guns?

● (1235)

Mr. Joël Godin: Mr. Speaker, I want to thank my esteemed colleague from Glengarry—Prescott—Russell for his question about my speech. Unfortunately, he was not actually listening. What I said was that installing scanners should be a priority. However, with respect to the former police chief who is now the minister in charge of regulating marijuana and fighting organized crime, I have no faith in him.

When the Conservatives were in office, we cut corrections budgets and closed some prisons because we were responsible. There is room in every prison in Canada, but the Liberals will probably build three more over the next year at great expense. They do not care how much things cost, they just love spending money.

We, the Conservatives, treat Canadians' hard-earned money with respect. We are also diligent, because while it is important to respect inmates, it is also important to have disciplinary measures in place and ensure there are consequences.

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I want to thank my colleague from Portneuf—Jacques-Cartier for his fine speech explaining the Conservative stance on this bill.

In our opinion, the bill has some major flaws in terms of ensuring a safe environment for both prisoners and guards. This job and this environment are very tough and create a special kind of stress. In the case of maximum-security prison guards, we are asking them to guard individuals who are considered to be the most dangerous people in our society.

This government bill proposes what are referred to as structured intervention units, but in my opinion, and I am sure my colleague would agree, they will not provide real administrative segregation. Quite the opposite, since the guards will have to let the inmates out for at least four hours a day.

I would like to hear more from the member for Portneuf—Jacques-Cartier about how this environment will no longer be safe for our prison guards.

Mr. Joël Godin: Mr. Speaker, I would like to thank my colleague from Calgary Shepard, who always asks relevant questions.

Security is a very important factor in Canada's penitentiaries. Correctional officers need tools. The Liberal government disbanded the fire brigades to save a few pennies, even though that is a security issue. It was a tool used by correctional officers. The government does not have its priorities straight.

Segregation is also a tool. There are even some inmates who want to be sent to solitary confinement to protect themselves. However, under the bill, they must be there for as little time as possible and they need to be given an explanation as to why things are being done the way they are. It is like day care. Let us be clear. We are talking about criminals who committed acts that are unacceptable in our society. Correctional officers therefore need to be given effective tools.

[*English*]

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I am pleased to rise in the House today to add my voice in this debate around Bill C-83.

We are committed to ensuring that we not only have the tools to hold the guilty parties accountable for breaking the law but also to create an environment that fosters rehabilitation, so that we will have fewer repeat offenders, fewer victims and, ultimately, safer communities. This bill proposes to transform the way our federal correctional system works in this country to meet those critical goals.

A central element of this transformation is eliminating the use of segregation. Segregation would be replaced by the safety and intervention-focused structured intervention units, or SIUs for short. SIUs would operate in a much different way from what is currently the case with segregation. I will get to those crucial differences in just a few moments.

First, let me just say that in any large population there will be people who pose risk to those around them and to themselves. That reality holds true and perhaps is compounded in a population of offenders housed together under one roof. Correctional institutions are home to inmates whose behaviour can be dangerous to others or to themselves, and disruptive or highly difficult for those around them to endure.

It is a very challenging environment, both for inmates and for the professional, brave and hard-working correctional employees. Corrections officials and staff must have a tool they can use in cases where an inmate cannot be managed safely within the mainstream inmate population. For many years, segregation has been that tool.

However, the practice has come under fire in recent years. Watchdogs like the correctional investigator and the Auditor General of Canada have urged the government to restrict its use or eliminate it altogether. Two recent constitutional challenges in the provinces of Ontario and British Columbia have found the legislation governing administrative segregation to be unconstitutional.

As of December and January, administrative segregation will no longer be a tool available in those two provinces. That means that if an incident happens in a yard and inmates need to be separated while witness statements are taken, as correctional workers find out what happened, correctional officials will not be able to use administrative segregation. This means that if several members of a gang are threatening another inmate, there will be no administrative segregation unit to use. All of those involved will simply stay in the general population. This is a recipe for disaster.

Let us be very clear that when the Conservatives say we should just keep using “administrative segregation”, which what they called it in government, or “solitary confinement”, as they call it in opposition, they are telling correctional officials to do something they will not have the legal authority to do anymore. Those sections of the act will not exist in those two provinces.

What the Conservatives are really saying, then, is to just keep all of the inmates in the general population, regardless of the risk they pose to guards and health care workers and regardless of the risk from other inmates. It is not a real plan. It is reckless, and it is reckless thinking that we would expect to hear from people who have no real policies and no ability to make tough choices that governing this country requires.

Of course, those two court rulings came subsequent to the tragic case of Ashley Smith, who died in custody in 2007 at the age of 19. The coroner's inquest into Ashley's death focused on administrative segregation and the treatment of inmates with mental illness.

The Government of Canada has committed to implementing recommendations from that inquest. The mandate letters of three ministers also commit them to addressing gaps in service for indigenous peoples and for those with mental illness throughout the criminal justice system. Both of those groups are not only overrepresented in the overall federal corrections system, but also in the inmate population in segregation.

● (1240)

Some progress has been made by Correctional Service Canada over the past few years. Canada's correctional investigator said in March of last year that CSC "for the last few years has dedicated a lot of time and effort to address the gross overuse of administrative segregation." For example, CSC implemented policy changes that led to a sharp decline in the use of administrative segregation placements between 2015 and 2017. Those changes have ensured that inmates with serious mental illness who actively engage in self-injury and are at elevated or imminent risk of suicide are not admissible for segregation.

According to the correctional investigator's 2016-17 report, the average stay in segregation has also seen a significant drop, from 34 days in 2015 to 23 days in 2017. The correctional investigator calls these reductions "encouraging", but he cautions that there is more work to be done.

The time has come to better focus on interventions and on safety, and that is what this important piece of legislation would do.

Under Bill C-83, segregation would be eliminated outright from Canada's federal corrections system. In its place, the government is proposing to create structured intervention units. SIUs would be established in numerous institutions. They would offer a secure and structured environment to address the safety risks of inmates who cannot be managed or integrated into the mainstream inmate population.

The initial decision to move an inmate from the mainstream inmate population to an SIU would be made by a CSC staff member under the institutional head. This decision would be based on an evaluation of the inmate's needs, including health needs, and the safety risks for themselves, others and the institution. The staff member would have to be satisfied that there were no reasonable alternatives to placement in an SIU.

The inmate would receive a notice explaining the reasons for his or her movement, the right to retain and instruct counsel, and the right to make representations regarding movement back to the mainstream inmate population, or other alternatives.

Unlike segregation, SIUs would provide inmates with uninterrupted interventions and programs tailored to address their specific and unique needs and risks. Inmates would also have the opportunity to be outside of their cells for a longer period of time, at least four hours a day rather than the two hours a day currently practised. At least two of those four hours would allow inmates to interact with others.

In addition, inmates would receive daily visits from health care professionals. The plan would include additional staff to ensure that inmates could be moved safely throughout the new SIUs as they continued to receive programming and time with other compatible inmates within the SIU.

This is truly a revolutionary approach that would lead to better rehabilitation, which would mean less recidivism once inmates were released. Fewer inmates reoffending would mean less crime, and it would mean fewer victims in our communities.

Bill C-83 also addresses key recommendations from the coroner's inquest into the death of Ashley Smith. In addition to ending the practice of placing female inmates in conditions of long-term segregation, the bill would introduce patient advocates at designated penitentiaries to help inmates navigate their health care rights and responsibilities.

All of this would facilitate the reintegration of offenders into the mainstream inmate population as soon as possible. It would also support their treatment and rehabilitation in preparation for their eventual release into the community. That, in turn, would support safety in our communities, because the vast majority of inmates will eventually complete their sentences and will be freed from custody.

● (1245)

We must do everything we can to ensure that offenders are as well equipped as possible to be productive, law-abiding citizens by addressing the underlying behaviours that got them into trouble to begin with. This is what we need to focus on.

Public safety is not well served by seeing offenders released more hardened, more bitter or more resentful than when they came in. Nor is it ever a good thing for inmates with health or mental health issues to be undiagnosed or to go untreated while in federal custody. That is why the establishment of the SIUs under this legislation would be such a big and positive step forward on the safety front. I am confident that it would mean better correctional outcomes for inmates, more security for the staff, safer institutions and greater public safety in the long run.

Bill C-83 would also correct a long-standing problem that has developed over time for Correctional Service Canada. When the Corrections and Conditional Release Act was written in 1992, CSC had facilities that were entirely dedicated to a single security classification. However, over time, CSC's infrastructure became mixed, with institutions often having, for instance, a maximum- and a medium-security wing. Today virtually all the facilities are mixed facilities. In fact, all the women's institutions are, indeed, mixed. The act, however, was never changed to reflect that fact.

Bill C-83 would ensure that CSC had the clear and proper legal authorities to operate and move inmates from one wing of an institution to another wing in the same facility.

This legislation would also grant CSC the legal authority to use body scanners. As we all know, drugs and other prohibited contraband find their way into prisons, despite efforts to keep them out. Body scanners would provide an important tool for corrections guards that is less invasive than physical searches and more effective in detecting contraband.

The bill would also ensure that audio recordings of parole hearings would be made available to victims who attended a hearing. The existing Corrections and Conditional Release Act permits a registered victim who was not in attendance to receive an audio copy of the hearing, but it does not allow someone who was there in person to have one. During the government's consultations, we heard loud and clear that for many victims, a parole hearing is such an emotional moment that the time seems to fly by. Later, they have difficulty clearly remembering what transpired. Section 34 of Bill C-83 would ensure that victims who attended in person could receive an audio recording of the hearing afterward.

Another important aspect of the bill stems from the Gladue Supreme Court decision of 1999. This was the case that required the Correctional Service to consider systemic and background factors unique to indigenous offenders in all decision-making. Over the past 20 years, CSC has developed internal policies to give effect to the Supreme Court ruling, but Bill C-83 would go further by ensuring that the Gladue principles were fully enshrined in the CCRA.

I am proud to stand with a government that continues to take action to reform the criminal justice system, and I am proud to stand here today in support of this important bill.

As I mentioned at the top of my speech, this bill would ensure that CSC would have the tools to hold guilty parties accountable for what they have done while creating an environment that fosters rehabilitation. Effective rehabilitation means that we would have fewer repeat offenders, fewer victims and, ultimately, safer communities.

● (1250)

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, this bill is very inconsistent. I listened carefully to what the parliamentary secretary had to say.

The government is introducing the concept of structured intervention units by saying that they are a great invention and will work perfectly. However, there is one thing that I do not understand. Right now, administrative segregation cells, which are separate from the general cell block, are identical to ordinary cells. Inmates who are currently in administrative segregation spend 22 hours a day in their cell and are released for two hours. There is even a designated section for them in the yard outside.

What is the major physical difference between those cells and these much-talked-about structured intervention units besides the fact that inmates will be given four hours of freedom a day rather than two? Will the cells be bigger? We already have the equivalent of these units. I do not understand what is really going to change besides the fact that the inmates will have an extra two hours of freedom a day.

● (1255)

[*English*]

Mrs. Karen McCrimmon: Mr. Speaker, nothing is ever perfect, but having double the time out of the cells is an important step forward. As well, when prisoners have been in segregation, they have not had access to health care, to mental health care, to visitors, and to other programs that might have supported their rehabilitation. This SIU, even though it only doubles the amount of time prisoners could spend out of their cells, would actually mean that they could have intervention activities while they were in the SIU. That is why we think that is going to make a difference.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Speaker, one of the biggest concerns about Bill C-83 has been identified by many. The correctional investigator, the John Howard Society and the Canadian Association of Elizabeth Fry Societies have all identified one core piece that goes back to a recommendation made by Justice Arbour a number of years ago relating specifically to her recommendation that dealt with judicial oversight. Really, at this point, we are talking about any kind of oversight at all.

In the bill as it stands currently, notwithstanding any ability of the commissioner or the warden to continue to examine a person's presence in what essentially is still solitary confinement under a different name, even with the recommendation of health care professionals, the ultimate decision would still lie with them. There would still be a lack of third-party investigation. There would still be a lack of independent oversight and recourse in the event that the abuses we have seen take place in the past occurred again under this new system.

As I asked the minister, would the government reconsider and go forth in a direction that complies more strongly, or at all, with the B. C. Supreme Court decision and with recommendations that have been made by many experts throughout civil society?

Mrs. Karen McCrimmon: Mr. Speaker, there is a slight difference of opinion. When some of those rulings were put forward, they were addressing administrative segregation. Administrative segregation does not allow for rehabilitative activities to happen. It does not allow visitors. It does not allow a visit from a health care professional or a mental health care professional or access to other rehabilitative programs. This would really be a transformational change, because when these offenders were in a structured intervention unit, they would have access to this kind of programming that under administrative segregation they do not.

In the past, there was a suggestion to have a cap on the number of days, or whatever was appropriate. We are saying that the decision would be reviewed at least three times by three different people about an extended stay in a structured intervention unit. We feel that the review is there and that the changes from administrative segregation to a structured intervention unit actually would provide significant benefits toward an offender's rehabilitation.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, a pilot project was recently announced that indicated there would be a needle exchange program available in certain prisons across Canada. One of those prisons is in my area, in the Waterloo region. It is the Grand Valley Institution for Women.

We know the correctional officers at these facilities are very much opposed to the idea of a needle exchange program, and that they were basically not consulted on having the program implemented. Now that we have the body scan and a zero drug policy in prisons, will the Liberals finally discontinue their misguided needle exchange program?

Also, I would like the member to tell me if the Union of Canadian Correctional Officers was consulted on Bill C-83 as it relates to the safety of our correctional officers, who serve Canada so well in the work they do.

● (1300)

Mrs. Karen McCrimmon: Mr. Speaker, I agree with the member. The work correctional officers do is something that is probably underappreciated by a great number of Canadians. They work very hard, and their days are very demanding.

When we talk about issues like needle exchange we are trying to look at things based on harm reduction, on safety and on the evidence we have seen. This is an issue that will require more discussion in order for people to feel comfortable with the decisions being made.

However, when we are basing the decisions on science, on evidence and on the overall safety of institutions, we think it is the right way forward.

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, if offenders walk into our prison system with a bachelor of offences and walk out with a Ph.D. of offences, then our prison system has failed them.

We know that administrative segregation has caused deaths in our prison system. Of course, we are talking about the case of Ms. Ashley Smith. I would like the parliamentary secretary to explain the key differences between administrative segregation and the SIU system we are proposing.

Mrs. Karen McCrimmon: Mr. Speaker, the hon. member has identified the crux of the matter. This is transformational change away from administrative segregation, where offenders were in their cells for 22 hours a day, with no access to programming, to visitors or to mental health treatment.

We know that 70% of the inmates in our institutions today suffer from some kind of mental illness. We feel that if we do not address these mental health concerns before inmates are released back into society, their chances of successfully rehabilitating back into society will be much diminished.

That is why we made this transformational change toward a structured intervention unit, where people still have access to the rehabilitative training that will give them the best chance for a better future.

Mr. Harold Albrecht: Mr. Speaker, my question will be very short and the answer could be even shorter. Has the government consulted our correctional officers on the implementation of the bill as it relates to their safety?

Mrs. Karen McCrimmon: Mr. Speaker, all I can say to answer that is I have not been part of that process, but I can get back to the member with an answer to his question.

Mr. Kelly McCauley (Edmonton West, CPC): Mr. Speaker, I will be sharing my time today with my remarkable colleague from Cariboo—Prince George. I use the word “remarkable” because the word “incredible” has been overused for him recently.

I am proud to speak today to Bill C-83, which amends the Corrections and Conditional Release Act and another act. This is also known as another case of Liberals putting interests of criminals ahead of everyone else, with little thought put into it. It should not be confused with Liberal Bill C-71, or Bill C-75, or Bill C-28, or any other myriad number of bills in which they have put criminal rights ahead of those of regular citizens.

We all know the horrific story of the case of Ashley Smith and her unfortunate death. That never should have happened within our prison system, and the government should make moves to prevent situations like that from recurring. However, it should not impose a poorly thought-out, outright ban on segregation.

There are some good parts to the bill and I congratulate the government on it. I support the idea of body scans to prevent contraband and drugs coming into prisons, but it should be extended to everyone entering the prison, not just certain people. I also like that it gives more consideration to indigenous offenders.

But, and it is a big but, there are a few key points in the bill that would directly impact the safety and security of our corrections officers and those who need segregation for their own safety. This is another example of the government's obsession with making criminals' lives easier while making our front-line officers' jobs more dangerous.

I want to talk about the reality of the most common use of segregation. Inmates who commit crimes in prison do not always get the segregation. Very often, it is the victims who are segregated to protect them from those inmates. It is often used as a means of ensuring the safety of the targeted inmate from further assault, often because the target does not want to name the inmate who assaulted them. This means the assaults continue and the inmate who went into a segregation unit has to eventually reintegrate somewhere else in another unit or institution, or even in another region in the country.

It is relatively uncommon that segregation is ordered as a disciplinary sanction. In fact, most inmates view segregation time as a holiday rather than a consequence, especially since they must receive all their possessions, such as a television and their other belongings on their property card, within 24 hours of admission.

A report from CBC that came out last April quoted the Ontario Public Service Employees Union as saying that segregation isn't the deterrent it once was, because the maximum time inmates can spend in segregation has been halved and increased privileges for those in segregation mean that inmates are no longer as skittish about being sent there. It also confirmed that in fact there are not enough segregation units, at least in Ontario, because most are being used by inmates who have mental health issues.

That is the provincial system, but it correlates to the federal system as well. It leaves violent inmates out in the general population, where they can continue to commit assaults against other inmates and corrections officers themselves.

Another CBC report quotes an officer as saying, "Where [the more violent inmates] used to be in separate containers, now they're all in one bag, and we're just waiting for one to go off. And that sets the rest of them off and you end up with murders, stabbings, slashing, and officer injuries higher than ever."

Another officer is quoted as saying, "The inmates, they can get away with a lot more than they used to in the past, and that contributes to the growing violence and the crisis in corrections."

As I mentioned, with previous changes to segregation policies the maximum time in segregation has already been cut in half. Also, the increase in privileges available to those in segregation means it is not as strong a deterrent as it used to be. All removing segregation does, especially disciplinary segregation, is soften reprisals for bad behaviour. Inmates know there is one less tool for correctional officers to use to maintain order and ensure their own safety and that of other inmates.

A CBC report from September 2017 indicated that the stricter limits on segregation have led to a massive upswing in inmate assaults. Between 2012 and 2017, the number of violent repeat offences after leaving segregation increased 50%.

Statistics released recently for corrections in Ontario show close to 800 reported incidents in 2016. By halfway through 2017, the last time we had the numbers available, there were almost as many violent incidents in our prisons. The report quotes Jason Godin, president of the Union of Canadian Correctional Officers, who pointed out that segregation is a tool for a reason and that restrictive policies only transfer the problem of violence.

The creation and integration of structured intervention units makes violent and non-violent inmates equal, regardless of the quality of their conduct while they serve their time. They get access to four hours per day outside their cells from the structured units, and they also get two hours of "significant human contact". This is going to require significant increases in resources for the officers, but there is no money set aside for this.

● (1305)

Now, every time someone is moved into segregation, or out of segregation for their two hours out in the open, it requires two officers to accompany them. That is for the safety of the officers, to ensure they always have enough manpower to protect themselves. Where is this money going to come from?

If we look at the government's departmental plan signed by the Minister of Public Safety, allowing for inflation it is actually cutting 8.8% of the funding to Correctional Service Canada over the next four years. Where is this money coming from?

I am sure the minister did not even look at the plan before he signed off on it, and I am sure my colleagues across the way have not read the plan either. It actually calls for a reduction in officers in Correctional Service Canada over the next years, but it is going to increase the workload and the costs of these units with what money? We do not know.

The officers themselves are left with one less tool that allows them to deter assaults and violence from taking place in the cellblocks. Corrections officers already face a host of challenges. Even though it is their choice to work in these jobs, keep in mind that these men and women are still in a prison themselves. They are subjected to the same environment that the inmates are.

Statistics from a 2018 report prepared for the Union of Canadian Correctional Officers show that between 60% and 65% of correctional officers report their work has a negative impact on their life away from work. A substantial proportion of correctional officers, about 75%, report that the psychological demands of their job have increased in the last five years. Nearly 55% of long-serving officers report that their physical ability to properly do their work is worse or much worse in the last few years. The report summarizes:

> [T]here is a particularly poor fit between interest in work and the psychological and mental disposition of [the] officers...on the one hand, and the environment and working conditions set out and maintained by CSC, on the other. Such a poor fit cannot go on forever, nor be ignored, other than to the detriment of both the correctional officers...as well as public interest as embodied in CSC's mandate and social mission.

I want to look at an another area where the government has failed our corrections officers. They are one of the main victims of the Liberal Phoenix fiasco. Roughly 85% of corrections officers across the country have been affected by Phoenix. This is because many of them are shift workers with irregular schedules that require manual entry into the system, something the government could have prevented had it not botched the entire rollout.

In fact, the Treasury Board was specifically told this was a failure in the Phoenix system when it was doing the pre-testing, yet the government chose to ignore it, just like the President of the Treasury Board ignored the Gartner report when it advised not to proceed with Phoenix.

I find it very amusing that the President of the Treasury Board justifies his meddling in the Davie supply ship contract on behalf of Irving as part of his job, but apparently it was not part of his job to act on the Gartner report on Phoenix, which, by the way, he commissioned himself.

The UCCO president has already called for help for its members because, like many public servants, they are renegotiating their mortgages and taking out loans to ensure they can keep a roof over their heads because of the pay problems. Unfortunately, we do not see an end in sight for those suffering from the Phoenix pay problems.

I want to talk about the government's priorities. I mentioned before that its priorities seems to be on criminals, not on average Canadians. Page 210 of last year's budget proposes $21.4 million for the mental health needs of RCMP officers and the same amount for the mental health needs of federal inmates. There are a lot more RCMP officers than there are inmates. For the average RCMP officer, the people putting their lives on the line every day and fighting for us, we have from the government $1,100 per officer for mental health. For prisoners, it is $1,400. Where is the justice?

Of 1,400 words in the CSC's much-ballyhooed mandate letter, the first time a corrections services lead has had a mandate letter, there were 24 words on victims and 52 on the workers. Those 52 words on the workers included such gems as, "I encourage you to instill within CSC a culture of ongoing self-reflection."

There are the government's priorities in a nutshell: more money for criminals, less for the RCMP and for our valued officers in the prisons. Perhaps it is time for self-reflection on the issue.

● (1310)

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I have heard the Leader of the Opposition say that he would have negotiated a better deal, but that same member could not even negotiate with his own caucus member, which resulted in the People's Party of Canada, so welcome to that.

Getting back to the facts, is the member opposed to body scanners in prison? Is that what I am hearing? He is opposed to body scanners in prison and is going to vote against this bill to make more equipment available for our prison officers. Is that what I am hearing on the other side?

Mr. Kelly McCauley: Mr. Speaker, I serve with this member on committee. We generally get along. However, that is a silly question. Twice now he has sat in this House and listened to members on this side of the House say that they agree with the idea of body scanners. In fact, I sat here and congratulated the idea of body scanners, yet this gentlemen stands and asks why I am against body scanners. It is very clear he is not paying attention, just like the current government is not paying attention to the needs of our officers in the correctional services industry.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, on this side of the House I am glad there is someone who is standing up on the side of victims, because clearly the other side is more concerned about the criminals than they are about the victims.

Previously today, on two occasions, I asked members of the governing party whether or not they had consulted with the corrections officers with respect to the implementation of this bill. The first time I received no answer. The second time I received an answer from the parliamentary secretary, no less, who said she was not sure. That concerns me. If the parliamentary secretary is not aware as to whether or not negotiations, or consultations at least, went on with the corrections officers' union, that is a huge concern.

I have a quote from the president of the Union of Canadian Correctional Officers, who said, "At...[the Regional Psychiatric Centre] we...had...100 assaults on staff in 12 months." It is very troubling to me that our corrections officers are put in that kind of a situation where 100 assaults per year occur.

Does my colleague really believe that this idea of not allowing segregation will make our correctional officers more or less safe?

● (1315)

Mr. Kelly McCauley: Mr. Speaker, we have spoken to several correctional officers. Unfortunately, they do not want to come forward because they are afraid. That is one more reason why the current government should update the whistle-blower act, as we have asked. The correctional officers made it clear that the statistics show that segregation is a tool that can be used. It is very clear that it had been used incorrectly in a couple of cases, and those cases should be addressed. However, our focus has to be on the protection of our CSC officers. They are under siege. They are having mental health issues. Nothing in this bill addresses them, but addresses the health and well-being of the prisoners. The mandate from the government continues to tell the head of the CSC to focus on the health and welfare of the prisoners, but not the officers themselves who are there protecting average Canadians. This bill has a couple of good things, but goes nowhere close to addressing the real issues we are facing today.

Mr. Robert Sopuck (Dauphin—Swan River—Neepawa, CPC): Mr. Speaker, I commend my friend from Edmonton West for his speech. I can truthfully say that I listen to every word of all of his speeches as they are so well done and well researched. He cites facts and figures. He is a very credible member of Parliament.

I am going to take a bit of a different approach here. I would like to ask my friend from Edmonton West what it is about the Liberal DNA that always blames the victims and never assigns personal responsibilities to the criminals themselves. To the Liberals, people are criminals because it is society's fault, it is how they were brought up or it is who they are. They never assign personal responsibility. We Conservatives believe in personal responsibility and accountability for one's actions. Can my friend from Edmonton West explain this Liberal mindset?

Mr. Kelly McCauley: Mr. Speaker, I wish I could explain the Liberal mindset. Experts have tried and they cannot figure it out. However, I will comment on the Liberals' focus, the wrong focus.

I have the Correctional Service Canada department plan. It lists about 40 or 50 priorities. Not one single priority of the current government lists any safety issues for our corrections services officers. There is not one to protect them. However, there are 50 or so to improve the lives of inmates. That is wrong.

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Speaker, I would like to start off this intervention by setting the situation we are faced with today.

Imagine a time when we call murder a "bad practice." Imagine being at a point in time where we cannot use the word "illegal" for those who cross our borders illegally. It is now "irregular". Imagine our government of day actually paying convicted terrorists $10.5 million for pain and suffering. Imagine a time when our government reaches out to a terrorist who, at one point, bragged about playing soccer with the heads of those he fought against, an ISIS terrorist, who bragged at one time about playing soccer with the heads of those they captured and decapitated.

I offer this because this is where are at, at this point. We see, time and time again, the government, our colleagues across the way, continuing to go on, "merrily, merrily, life is but a dream". It goes down the way, all rainbows and sunshine. It is hug-a-thug.

Imagine a time when we are moving a convicted murderer, one who had been sentenced for society's most heinous crime of kidnapping and killing an eight-year-old, to a healing lodge part way through their sentence, not behind bars, but having a key to their own condo, if you will, free to come and go as they please within that area. Imagine a time when we always err on the side of the criminal rather than that of the victim.

Imagine a time when a convicted murderer can claim PTSD from the murder that he committed and receive treatment for PTSD before veterans and first responders.

That is where we are with Bill C-83. Before our colleagues across the way say, "The Conservatives are so against these body scans and different elements of this piece of legislation", we are for providing the tools for our front-line workers every step of the way so that they can be safe. We are for providing victims and their families the rights and the tools so that they can remain whole, so that they are not revictimized at every step of the way.

Bill C-83 is about abolishing segregation. Oftentimes in the movies and in prison slang, segregation is referred to as "the hole". Maybe that is how we got here. Maybe that is how this came to be. The Liberals, in the ways they dream things up, actually thought it was a hole we were putting people in. That is not true. It is a cell, no different than others.

As a matter of fact, somebody who spent a long period of time in segregation, one of our country's most notorious serial killers, Clifford Robert Olson still managed to take advantage of the situation. A reporter who visited him at one point remarked that he was healthy, that he even had a tan. Here is a guy who raped and murdered children in my province of British Columbia, and maybe even in other areas.

Segregation is not just for the safety of our front-line officers. It is also for the safety of those who are incarcerated. One of our colleagues mentioned that in interviewing somebody who has been incarcerated and spent a majority of their time in segregation that they preferred that, that they knew if they were out in general population that they probably would not last very long.

● (1320)

I actually would like to name some of the folks in our prison system who are housed in segregation and who the government is proposing to allow out of segregation, such as Paul Bernardo who has just been denied parole again. He is known to have lured young women, torturing, raping and murdering them with his then girlfriend, Karla Homolka. He actually murdered her own sister. Other inmates in segregation are Robert Pickton, who is a serial killer in my province of British Columbia, Renee Acoby, John Greene, Andrew Gulliver and Christopher Newhook.

Again, as I mentioned earlier, there is probably one of our most notorious serial killers, Clifford Robert Olson. I had an opportunity to speak with some of the arresting officers in his case and those persons who were charged with guarding him in his cell. He bragged incessantly and wanted to talk about those crimes. He was diabolical. He was sick.

Segregation provides a disciplinary administrative tool that both keeps those who are incarcerated protected, but also protects front-line workers. Is that not what we are here to do, protect society and those who have been charged with protecting society, keeping them safe both physically and mentally?

Through the course of my work in building Bill C-211 and then getting it passed in June of this year, I worked closely with correctional services. Very often, correctional guards and correctional officers are not seen as first responders, yet they perform those duties every day. They are seeing the worst of society at their very worst, while providing medical and life-saving treatment almost on a daily basis. They also have to guard those individuals and their safety is always at risk. Imagine being a guard in charge of a unit and there are 40 of society's worst criminals, yet that guard is alone.

The president of the union of Correctional Services of Canada recently said that in his centre in the course of the last 12 months there had been 100 violent incidents against his officers.

I have also learned that the government is approving a needle exchange program where the guards are to give the inmates needles and spoons to cook drugs and then go back to their cells, unbelievably. There is no onus on the prisoners; when they come up for parole, they are not required to report that they had been using in prison. Therefore, yes, we do agree that we should have full body scanners, not only for prisoners or their guests, but also for guards. I believe that would make everyone safe.

How unbelievable is it that we are now going to give needles and cooking spoons? I do not mean ladles for cooking soup, but cooking spoons for drugs, to use drugs, then allow them to go back to their cells and expect a guard to go into the cell to do some form of administrative management or security search, not knowing whether there is a needle there with some form of bodily fluid.

When the union heard about Bill C-83, it sent letters to the minister outlining its concerns. Union representatives were worried about segregation and emphasized to the minister the importance of this tool for correctional officers. They brought up their concern over the prison needle exchange and suggested rather than doing that, the minister focus on the resources to treat inmates with infectious diseases instead. They came at this in a reasonable way and offered solutions, yet they were not listened to. They were pooh-poohed. As a matter of fact, the minister thanked them for their time and then went forward in crafting this bill.

We are against the bill as a whole. We are not against certain elements of it. I would urge the government and the minister to reconsider Bill C-83.

● (1325)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I do not think the Conservatives are surprising anyone when they say they are against the legislation. They have this Stephen Harper mentality, that Conservative spin, as if they are tough on crime and they are the only defenders of victims. Progressive legislation of this nature would prevent future victims.

Some countries around the world recognize that certain things can be done To allow for a better system, and we see that, whether it is indigenous concerns through some of the changes being proposed, or body cavity checks through technology or screening or different courses that will be provided, even for those in segregation.

Most people would acknowledge that Bill C-83 is progressive legislation. We need to move forward on this. The Conservatives want to stay in the past. They believe that by standing on the hilltop yelling "We're for victims", they will get the votes. They should look at this legislation, as well as how the world is evolving, and recognize this.

When will the Conservatives look at what other jurisdictions are doing to move progressively on this file?

● (1330)

Mr. Todd Doherty: Mr. Speaker, let us talk about the past. Something came up over the course of this summer. Let us talk about turning our eyes toward the victim. When the Prime Minister was accused of a groping incident 18 years ago, he had a chance to apologize. I will take no lessons from the member across the way.

I asked time and again of that member and all of his colleagues whether they shared the same sentiment as the Prime Minister; that female victims of violence might sometimes experience that violence, that situation, differently than their male counterparts. I have asked that of them and not one of them have answered that. Not one of them stood up for those victims of violence.

The Prime Minister failed to apologize and our colleague across the way continues to stand up for him. That is shameful.

[*Translation*]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Speaker, I thank my colleague for his speech.

In the speech I delivered earlier today, I was able to illustrate our concerns over the changes that are being made and the fact that administrative segregation is an abusive practice that has been overused.

I would like to focus on one aspect of my colleague's speech because he raised a very important point. Far too often, correctional officers are forgotten, for example when we look at the repercussions of PTSD on public safety officers. The committee tabled a unanimous report, and I know that the hon. member also made an effort to change this through his bill. I thank him and commend him.

Those are the positive things, and here comes the negative. I asked a number of my Conservative colleagues how we are supposed to ensure safety at the institutions when the Conservatives closed two penitentiaries when they were in power. What is more, their bill increased costs by $250 million in one year, and they made cuts of nearly $300 million between 2012 and 2015.

How do they reconcile the reality of the guards' safety with the reality of the cuts?

[*English*]

Mr. Todd Doherty: Mr. Speaker, I have the utmost respect for our hon. colleague across the way. In fact, I worked closely with him during the work on my Bill C-211. He knows I am passionate about ensuring that our part-time workers, our first responders get the help they need whenever they need it and for however long they need it, whether it be correctional officers, police officers, firefighters, dispatch officers, our veterans or our military personnel, those front-line workers who experience human tragedy every day.

I was not part of the previous government, but I will offer this. My hon. colleague should be focusing his attention across the way rather than on what was done in the past. Let us see how we can move forward and get the bill amended to include front-line officers.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): Mr. Speaker, it is an honour to rise today to speak to this very important legislation.

I come from a part of the country that has six penitentiary facilities in the immediate areas. It used to be seven before the former Conservative government closed one of them.

People in my riding take great pride in the work that our correctional officers do. We regard the work they do in their role of rehabilitating and reintegrating inmates into society to be an extremely serious one. From the guards to the parole officers, from program staff to medical professionals, correctional employees work hard around the clock, in challenging environments, to keep our institutions safe and to support effective rehabilitation, which ultimately protects Canadian communities.

Correctional officers and workers represent a professional workforce of nearly 18,000 employees, all engaged in the success of the corrections system and the fulfillment of the mandate of Correctional Service of Canada. That is complemented by the nearly 6,000 volunteers in the institutions and in the community, not to mention the elders, chaplains and many other unsung heroes. When people who have broken the law return safely to society and to our communities, that is a testament to their work and it is essential to the safety of our communities. Our number one priority is the safety of Canadians.

This summer, I had the opportunity to go on a tour of the closed facility in the Kingston area, the former Kingston Penitentiary. We had an opportunity to hear from various former and retired correctional officers. Through that tour, I learned a great deal about their dedication to our justice system, but also the many dangers they faced in the safety aspects of their jobs. That is why I applaud the efforts of the government and I am supportive of correctional employees and the work they do in ensuring the federal correctional institutions provide a safe and secure environment for staff and inmates.

Within the secure environment, effective rehabilitative interventions reduce the risk of reoffending and help keep our communities safe. The goal is to have fewer repeat offenders, fewer victims and ultimately safer communities. That is why the mandate letters to the Minister of Justice and the Minister of Public Safety and Emergency Preparedness include addressing gaps in service, particularly to vulnerable populations, including indigenous peoples and those with mental illness, throughout our criminal justice system.

The government has also demonstrated a commitment to rehabilitation through the reopening of prison farms, which I can attest is happening in my riding. Prison farms provide prisoners meaningful work at farms at the end of their sentences. Farms teach inmates skills in various agricultural fields, such as heavy machinery operation, food handling and dairy operation. Even if inmates do not go on to a career in agriculture, practical skills and certifications earned through farms will apply for future jobs. In fact, data demonstrated that prison farms increased the likelihood of employability once inmates were released.

The government has shown a commitment to improving our correctional system by making rehabilitation possible again and by enhancing the safety of prison workers. This is a new, bold approach to federal corrections. It will protect the safety of staff and those in their custody by allowing offenders to be separated as required, while ensuring those offenders receive more effective rehabilitative programming as well as interventions and mental health support.

Under this bill, the practice of administrative segregation will become a thing of the past. The corrections system will have a new tool to manage inmates who pose a safety risk in the form of structured intervention units, or SIUs. Inmates in SIUs will have at least four hours a day outside their cells, instead of the two hours under the current segregation system. They will have a minimum of two hours of meaningful interaction with other people, including staff, volunteers, elders, chaplains and other compatible inmates. They will have access to structured interventions to address the underlying behaviour that led to their placement in the SIU. These will include programs in mental health care tailored to their needs.

● (1335)

Offenders may be placed in an SIU when there are reasonable grounds to believe they pose a risk to the safety of any persons, including themselves, or the security of the institution. An inmate's assignment to the SIU would be subject to a robust internal review process. By the fifth working day after movement to an SIU, the warden would determine if the inmate should remain there, taking into account factors such as the inmate's correctional plan and medical condition.

I forgot to mention at the beginning of my speech, Mr. Speaker, that I will be splitting my time with the member for Toronto—Danforth.

If an inmate remains in the SIU, subsequent reviews would happen after 30 days by the warden and every 30 days thereafter by the commissioner of corrections. Reviews could also be triggered by a medical professional at any time. In fact, strengthening health care is a big part of the legislation. In an SIU, inmates would be visited by a registered health professional at least once a day.

Bill C-83 also affirms that the Correctional Service has the obligation to support health care professionals and their autonomy and clinical independence. The bill provides for patient advocacy services to help ensure offenders receive the health care they need. Clearly, an offender in good physical and mental health is more likely to achieve successful rehabilitation.

The bill represents a giant leap forward for our corrections system. The proposals are proactive and sensible, with public and institutional safety at their core. We should all want to ensure that federal correctional institutions provide a safe and secure environment, one that is conducive to inmate rehabilitation, staff safety and the protection of the public.

Eliminating administrative segregation and creating SIUs represents a landmark shift in our approach to corrections. I look forward to continuing to work with the government, with colleagues in the chamber, and the many people who work within the corrections system to continue advancing the objective of enhancing safety and security through effective interventions and treatment.

As I have said, nearly 18,000 corrections workers and 6,000 volunteers across the country do a remarkable job in what are often very difficult circumstances and harsh environments. They deserve to carry out their work in a safe and more secure environment and they deserve to be better supported in their goal of better correctional outcomes.

On all fronts, Bill C-83 would answer those calls. I call on all members of the House to join me in supporting the bill.

● (1340)

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, we heard our colleague reference the importance of our correctional officers and the work they do, and I could not agree more.

Earlier today, on two occasions, I asked government members whether meaningful consultations had occurred with corrections officers. To this point, after a number of hours, we have no answer to that. I wonder if my colleague could answer this. Was meaningful consultation entered into with correctional officers? We need to ensure that they are on side and that their safety is not put in jeopardy because of the bill's implementation.

Mr. Mark Gerretsen: Mr. Speaker, there is always a certain degree of consultation that goes on in the preparation of a bill, but the bulk of the consultation comes through a bill going to a committee and a committee doing its work, talking to the stakeholders, reporting back to the House and then going through the same process in the Senate.

After hearing what has been coming from the other side of the House, it is quite clear that the Conservatives believe in a justice system that involves locking them up and throwing away the key. On this side of the House, we believe in rehabilitation and reintegration into society. We know that the majority of people who go into a prison will come out on the other end one day and return to society. We want to ensure they are ready to come back into our society and be productive members of our communities.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Speaker, I want to ask my colleague the same question I asked the minister. The answers remain incomplete, non-existent in fact. It is the notion of oversight and recourse.

If we look at the corrections investigator, the Canadian Association of Elizabeth Fry Societies, the John Howard Society, Senator Kim Pate, who has worked in this field for a very long time and knows far more than any of us about some of these important issues, all those intervenors agree on one thing. They agree that the bill and the current system lack any kind of ability to have any kind of recourse in the event that abuse takes place in solitary confinement. We know that is the case when we see the disproportionate representation of vulnerable Canadians or when we see the number of suicides committed while in solitary confinement.

My question for my friend is this. Does he truly believe that the warden and the commissioner having the final say on whether solitary confinement should continue is really any kind of proper oversight to ensure that mental health issues are being properly protected and that inmates are being properly rehabilitated? He spoke of those principles, and I agree with him, but I do not feel the bill would do anything to address that. Before we hear that component, we are not actually getting rid of solitary confinement. This SIU thing is just a smokescreen.

● (1345)

Understanding that it is still the same reality, should we not have a more robust review and recourse process in place?

Mr. Mark Gerretsen: Mr. Speaker, I will start by saying that I am very familiar with the Elizabeth Fry Society and the John Howard Society. I visited them when I was mayor of Kingston, in addition to visiting many other facilities. I saw the tremendous work they do helping inmates to reintegrate into our communities.

We are seeing a stark difference, which we quite often see in the House. The Conservatives are telling us that we are doing way too much, and the NDP are telling us that we are just not doing enough. At the end of the day, it is important that we put the right measures in place to give inmates the support they need to be rehabilitated and reintegrated into society, but at the same time, we need to make sure we are protecting, and have the right safeguards in place for, the people who are taking care of them.

It is a balancing act. I am looking forward to seeing how this comes back from committee, where some of the suggestions the member made can come forward and possible amendments be made. The deliberative process that we go through in the House is to fish out exactly the kind of questions he is talking about.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, could my colleague expand on why it is important that we bring forward legislation of this nature? There is indeed a high recidivism rate and, as much as possible, we want to allow for successful reintegration into society.

Mr. Mark Gerretsen: Mr. Speaker, it is important because Liberals believe in reintegration and successful rehabilitation of inmates.

We believe that the vast majority of people who go into a facility can be properly rehabilitated and reintegrated into society. However, the most important thing is to give the necessary tools to those who are rehabilitating our inmates so they can be successful at the rehabilitative process.

The Assistant Deputy Speaker (Mr. Anthony Rota): Resuming debate, the hon. member for Toronto—Danforth. I just want to point out that the hon. member will have time to give her discourse, but the questions will come when we resume after question period.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Mr. Speaker, I am proud to rise today in support of Bill C-83, an act to amend the Corrections and Conditional Release Act and another act. The bill represents a landmark shift in how we approach corrections in Canada. It would end the practice of segregation in all federal institutions. It would implement a new correctional intervention model that would ensure that offenders are held to account while creating an environment conducive to rehabilitation in the interests of everyone's safety.

This is the right thing to do and the safe thing to do. It would keep correctional staff and volunteers safe. It would keep inmates safe, and ultimately it will keep communities safe. An effective corrections system with appropriate and targeted interventions to deal with difficult, challenging or dangerous situations within a secure environment is in everyone's best interests.

The reality is that almost all offenders will return to the community. If we lock them up and throw away the key, we are not providing them with the tools they require to safely reintegrate back into society. That is why Bill C-83 would eliminate segregation and establish structured intervention units. These units would provide the necessary resources and expertise to address the safety risks of inmates in these challenging situations. They will be used to manage inmates who cannot be managed safely in the general population.

However, unlike segregation, inmates in SIUs will receive structured interventions and programming tailored to their specific needs to address behaviours that led to their SIU placement. They will have a minimum of four hours outside of their cell every day, double the current number of hours in the segregation system. They will have a minimum of two hours of meaningful human interaction every day, including through programs, interventions and services.

Currently in the segregation system, a full day can go by for an inmate with virtually no meaningful human interaction. Inmates in an SIU would also have daily visits from health care professionals, and because of the strong focus on intervention, inmates in an SIU would be able to continue their rehabilitative progress and work toward their correctional plan objectives. All of this would help to facilitate their safe return into the mainstream inmate population as soon as possible.

The result would be better correctional outcomes, a reduced rate of violent incidents and more safety and security for inmates, staff, volunteers, institutions and ultimately, the public. The bill is a significant step forward for the Canadian correctional system and builds on the good work already under way. The government has provided almost $80 million over five years through budget 2017 and 2018 to better address the mental health needs of inmates. That includes $20.4 million in the last budget specifically for incarcerated women. There was also about $120 million in budget 2017 to support restorative justice approaches through the indigenous justice program and to help indigenous offenders safely reintegrate and find jobs after they have served their sentences.

All of this is about making Canadian communities safer through effective rehabilitation in a secure correctional environment. This is the right policy direction, in line with recent calls for this kind of transformation.

Two constitutional challenges in Ontario and British Columbia found the legislation governing administrative segregation contrary to the Charter of Rights and Freedoms. There are also pending class actions and human rights complaints related to both the use of segregation and the inadequacy of mental health care. Of particular importance in this regard, the bill would also strengthen health care governance. The bill would provide that corrections has the obligation to support health care professionals in their autonomy and clinical independence. It would also create the legal framework for patient advocacy services to ensure that inmates receive appropriate medical care.

● (1350)

Importantly, the bill would enshrine in law the requirement for Correctional Service Canada to consider systemic and background factors in all decision-making related to indigenous offenders. Addressing gaps in service for indigenous people and people with mental illness in the criminal justice system is a mandate commitment for both the Minister of Public Safety and the Minister of Justice, and the government is following through.

I am a member of the Standing Committee on Public Safety and National Security, which finished a report last spring on indigenous people in the correctional system. During testimony for this report we heard from an individual by the name of Mr. Neal Freeland, who stated:

> If you're native...If you're native in this country you know someone in your family is in prison. If you're native, That's a fact. If you're native, That's the reality of growing up in this country.

His testimony was very powerful.

Our committee recommended that the Correctional Service of Canada develop risk assessment tools that are more sensitive to indigenous reality and review its security classification assessment process.

In the government's response to this report, it confirmed that this recommendation was supported by a June 2018 decision of the Supreme Court of Canada in Ewert v. Canada that Correctional Service Canada must ensure that its use of tools with respect to indigenous offenders do not perpetuate discrimination or contribute to a disparity in correctional outcomes between indigenous and non-indigenous offenders. The Correctional Service of Canada will continue its work, informed by this decision, to ensure that it applies the assessment tool in a culturally responsible way for indigenous offenders.

The budget contribution, along with the work by the Minister of Public Safety, who is responsible for the Correctional Service of Canada, and the Minister of Justice, is complemented by additional measures in the bill, including enshrining in law the requirement for CSC to consider systemic and background factors in all decision-making related to indigenous offenders.

On another note, at committee, I also worked on a report called the "Use of Ion Mobility Spectrometers by Correctional Service Canada". The committee agreed to undertake a study of "the alarming rate of false positive results from ion mobility spectrometers with a view to finding more effective ways of preventing drugs from entering prisons, while encouraging the effective rehabilitation of prisoners." In this regard, Anne Cattral from Mothers Offering Mutual Support told the committee:

> There is now a clear disconnect between CSC policy, which recognizes the importance of building and maintaining family ties and community support for prisoners, and the continued reliance on an unreliable tool that fails to keep drugs out of prisons but does a very good job of deterring families from visiting... The effects on children of being denied a visit to a parent are also deeply distressing; this happened to my own grandson.

The bill would authorize the use of body scanners on people entering correctional institutions. A body scanner is similar to what is used by security personnel at airports. Body scanners provide a less invasive alternative to strip or body cavity searches and eliminate the issues with false positives that I heard about.

The bill would also better support the role of victims in the criminal justice system by allowing them enhanced access to audio recordings of parole hearings. That would be a vast improvement over the old system.

As I stated, this is about safety. It is about focused intervention to better serve the needs of vulnerable inmates. We need to improve the safety of our inmates, our corrections staff, our institutions and our communities. This bill would transform Canada's correctional system to meet those goals.

I am proud to stand behind this bill, and I encourage all members to join me in supporting this historic proposed legislation.

● (1355)

The Assistant Deputy Speaker (Mr. Anthony Rota): The hon. member for Toronto—Danforth will have five minutes of questions coming to her when we resume.

STATEMENTS BY MEMBERS

[*Translation*]

LAVAL VOCATIONAL SCHOOLS

Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.): Mr. Speaker, over the summer I toured eight vocational schools in Laval.

The mission of these schools is to train our society's future professionals, from firefighters and aestheticians to horticulturalists and mechanics. Laval's vocational schools offer 53 specialized programs that lead directly to the job market. These programs, which are often not well known, are inexpensive and have a placement rate of nearly 100% in the majority of cases.

I urge anyone who is interested to fill out the career planning questionnaire at macarrieresedessine.com to open the door to their future profession.

* * *

THE GOVERNMENT OF QUEBEC

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, I would like to applaud the new government sworn in today at the National Assembly of Quebec.

I wish the new government the best of luck, and above all, I hope it will have a lot of perseverance. It will be going up against Canada's Parliament, which ignores Quebeckers' priorities.

Since the Liberals came to power in Ottawa, the National Assembly has had to pass 40 unanimous motions on key issues such as respect for Quebec laws on the management of its territory, consumer protection, Quebec's immigration decisions and the Davie scandal. Only the Bloc Québécois brought each demand from Quebec to Ottawa.

I would like to assure the National Assembly of Quebec that once we have a consensus in Quebec, the Bloc Québécois will stand up for it until Quebec is no longer subjugated by the Canadian government.

* * *

[*English*]

MOOSE HIDE CAMPAIGN

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Speaker, I stand today to talk about the Moose Hide Campaign. Raven Lacerte and her father Paul had taken one moosehide and turned it into an international movement of thousands of conversations, workshops and meetings, with the vision of ending violence against women and children, spurred on by the incredible loss and sorrow of the families of over 20 missing and murdered women and girls who have disappeared on the infamous Highway of Tears.

Wearing this moosehide signifies our commitment to honour, respect and protect the women and children in our lives and to work together to end violence against women and children. We must end violence against women and children.

I stand before the House today as a husband and a father with my moosehide square and pledge to do whatever I can to act and to carry this message not just today but every day, and I encourage all of my colleagues to do the same.

I stand with Raven, Paul and Sage.

* * *

● (1400)

AGRICULTURE

Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.): Mr. Speaker, as a vegetable grower and producer, I am passionate about access to local fruits and vegetables. I was honoured to host Chef Michael Smith last week for an event highlighting local produce through the half your plate initiative.

At this event, I was named produce champion by the Canadian Produce Marketing Association, but there are many other local food champions in my riding. The Natoaganeg Community Food Centre is located in Eel Ground First Nation and is a space where people can come together to grow, cook, share and advocate good local food. It does so while providing access to healthy, high quality and traditional meals through its weekly drop-in meals and its good food bank market.

[*Translation*]

The cafeteria at École Carrefour Beausoleil, which is in my riding, has purchased more than 30,000 pounds of local products.

According to the head cook, Mr. Mills, 99% of the ingredients used to make their lasagna come from New Brunswick, and it is the students' favourite meal.

I encourage all members of the House to find and champion their buy-local program.

MUNICIPALITIES IN SAINT-HYACINTHE—BAGOT

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, I am pleased to rise in the House to welcome the municipal elected representatives, city managers and staff from my riding who have come here to participate in a series of sessions to learn more about resources and programs for municipalities.

There are two RCMs in the riding of Saint-Hyacinthe—Bagot, namely Maskoutains and Acton. Between them, they have 25 municipalities, most of which are represented here today. I am very proud of that.

I would like to thank the mayors, reeves, councillors and city managers for spending two days here to learn about various federal programs and visit our wonderful Parliament.

I would like to thank all of the municipal elected representatives and organization leaders in Saint-Hyacinthe—Bagot for their dedication to our residents. Having held such positions myself, I know what it involves and what it takes. I am proud to speak on their behalf in the House.

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LAVAL SENIORS' CENTRE

Mr. Angelo Iacono (Alfred-Pellan, Lib.): Mr. Speaker, October is Women's History Month, and today, I would like to draw attention to the remarkable work of three women in my riding: Louise St-Aubin, Nicole Demers and Monique Sourdif. In 2002, these amazing women founded the Maison des grands-parents de Laval to help our seniors feel less isolated and alone. Sixteen years later, the seniors' centre is a fixture in our community where people can participate in activities such as cooking, reading and knitting. The organization's mission is to encourage seniors to help one another, provide a listening ear, and foster intergenerational connections.

I would like to thank these women for the great work they do for our seniors every day. I thank them for making Alfred-Pellan a wonderful, inclusive, caring community. I thank them for the change they have wrought.

* * *

[*English*]

INTEGRATED ENTREPRENEUR OF THE YEAR

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I am rising to recognize the achievement of a great young Calgarian, Matthew Dirk, who has been honoured with the integrated entrepreneur of the year award by the e-commerce giant eBay. How did he do it? With his trademark hard work and typical can-do Alberta attitude, and an extraordinary ability to find an opportunity in every problem. He took a traditional business-to-business industry and tapped into a growing consumer e-commerce market. He took a regular traditional business selling gold and silver and upped its sales by 400%. Today, SilverGoldBull is on track to make $8 million by the end of the year. Did I mention he is only 23 years old?

Entrepreneurs like Matt are Canada's pride and joy. We need more of them. We need the Matthews of Canada to succeed, because they are the lifeblood of our communities.

I invite all members to join me in congratulating Matthew on his impressive business award and for being an inspiration to other young entrepreneurs who are making a mark in our communities across Canada.

* * *

MOOSE HIDE CAMPAIGN

Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.): Mr. Speaker,

[*Member spoke in Cree*]

[*English*]

Today, thousands of men from across Canada are in Ottawa fasting, not having food or water, to raise awareness in support of the Moose Hide Campaign. We all wear a small square of moosehide. This movement of men, both indigenous and non-indigenous, is about taking a stand against violence against women and children. Top civil servants, military generals, members of the RCMP, parliamentarians, MPs and senators are all fasting and committed to doing what we can to make Canada a better place.

Today, in the House of Commons, I introduced Bill S-215, which is a Senate public bill written by Senator Lillian Dyck. This bill amends the Criminal Code to require a court, when imposing a sentence for certain violent offences, to consider the fact that the victim is an aboriginal woman to be an aggravating circumstance. There have been many recent cases that highlight the low level of respect that some in our society have toward indigenous women, including Cindy Gladue. They seem to just not get it. This bill will go a long way to protecting indigenous women from assault.

Tapwe akwa khitwam hi hi.

* * *

● (1405)

[*Translation*]

NATIONAL INFECTION CONTROL WEEK

Mr. Shaun Chen (Scarborough North, Lib.): Mr. Speaker, I rise today during National Infection Control Week to emphasize the importance of preventing infections in our communities.

Ayesha Riaz, a resident of my riding of Scarborough North, was only 24 years old when she tragically died earlier this year, just three days after giving birth to her beautiful son.

[*English*]

Her death, at the hands of septic shock resulting from a bacterial infection, left young Eesa without his mother, Ahmad Saleem without his loving partner, and our community without an intelligent woman who had a bright future ahead of her. It is not fair.

However, such tragedies can be prevented. That is why it is necessary to create awareness and knowledge of proper infection-control procedures in workplaces and especially in health care facilities. Whether it is promoting good handwashing or other preventative measures, National Infection Control Week deserves our utmost attention.

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ELECTIONS CANADA

Mr. Kerry Diotte (Edmonton Griesbach, CPC): Mr. Speaker, we are lucky to live in a country where we have fair and democratic elections. That is why Canadians are alarmed over a serious issue raised in a Toronto Sun exclusive report. The Sun reported that a female asylum seeker, who has only been in Canada 18 months, was urged by Elections Canada to register to vote. The Elections Canada letter told the woman to register by October 23, saying, "registering in advance will ensure you're on the voters list". This woman's asylum-seeking husband said it is not an isolated incident. He told the Sun some friends of his on work permits have also been urged to register to vote.

This is why we are so worried about the Liberal elections bill, Bill C-76. It brings back voter ID cards and vouching, which could jeopardize our electoral system. In the true north strong and free, Canadians demand fair elections.

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MEN'S NATIONAL SOCCER TEAM

Ms. Sonia Sidhu (Brampton South, Lib.): Mr. Speaker, earlier this week, Canada's men's national soccer team was announced. I am proud to say that of 23 players selected, six of them are from Brampton. That means Brampton is the best-represented city on the team, and makes a strong case for Brampton as the soccer capital of Canada. Of those six players, three started playing soccer at the Brampton Youth Soccer Club, an organization based in Brampton South.

On Tuesday, the team beat Dominica in the North American national league qualifier, with an impressive 5-0 score. Congratulations to Doneil Henry, David Hoilett, Atiba Hutchinson, Cyle Larin, Liam Millar and Jonathan Osorio of Brampton. They have made Brampton proud.

* * *

[*Translation*]

PERSONS DAY

Mrs. Eva Nassif (Vimy, Lib.): Mr. Speaker, I am pleased to rise today to applaud the Canadiennes, Montreal's Canadian Women's Hockey League team, for their terrific performance in the October 13 season opener at Place Bell in Laval, in my riding of Vimy.

The game ended in victory for the Canadiennes over the Calgary Inferno. I want to congratulate the players on both teams for their perseverance and teamwork and for the passion they bring to every game.

Since this is Women's History Month and today is Persons Day, I am especially proud to see women making their mark and encouraging young Canadian women to follow their passion and never give up.

Please join me in celebrating women's participation in every aspect of public life in Canada.

* * *

● (1410)

[*English*]

CARBON PRICING

Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC): Mr. Speaker, warmer temperatures this week are a welcomed reprieve for Peace Country farmers who have been struggling to harvest flattened crops left soaked by early snow and persistent rain. Official reports have confirmed that a significant percentage of the harvest is still on the ground, and much of it has been degraded by frost and moisture.

Agriculture is the backbone of rural communities, and an estimated $3 billion worth of grain is still on the ground. Unfortunately, the Liberal carbon tax is adding insult to injury. Wet conditions mean that the majority of the grain needs to be dried. This is a major expense for any farm, and carbon tax on natural gas makes it prohibitively expensive.

Canada's Conservatives will always support our farmers. We will always stand against the Liberals' harmful carbon tax that makes Canadian farmers less competitive and limits the prosperity of our hard-working farm families.

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PERSONS DAY

Mrs. Mona Fortier (Ottawa—Vanier, Lib.): Mr. Speaker, it is an honour to rise today to recognize October 18 as Persons Day in Canada. On this day in 1929, women became legally recognized as persons.

[*Translation*]

In 1927, five Canadian women began the fight to demand equal rights for women and to make their voices heard in the public domain.

[*English*]

Outraged by an initial Supreme Court decision that the word "person" did not include women, they took their case to the Judicial Committee of the Privy Council of Great Britain, where the decision was made that there was no good reason for the word "person" not to include women. This was a milestone for Canada in moving toward gender equality, which remains a priority for our government to this day.

Today, we honour the Famous Five and their legacy.

[*Translation*]

I invite women of all ages across Canada to stand up and get involved in politics.

[*English*]

PERSONS DAY

Ms. Irene Mathyssen (London—Fanshawe, NDP): Today, Persons Day marks the 89th anniversary of women's inclusion as persons under the law in Canada. The landmark decision paved the way for women to participate as fully as men in all aspects of professional and personal life. We stand in deep gratitude to the Famous Five for their perseverance and gumption as pioneers of women's equality in Canada: Emily Murphy, Nellie McClung, Irene Parlby, Louise McKinney and Henrietta Muir Edwards.

Today's sad reality is that women have yet to achieve full and equal partnership in the governance of this land, their careers and even control over their own bodies. We live in a world where Cindy Gladue's horrific murder and the subsequent mishandling of justice is our shameful reality.

Time is more than up. Women must participate fully and completely in every aspect of life in Canada, without being devalued, without fear and without limits. We are putting men of power on notice.

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PUBLIC SAFETY

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, the Liberal cabinet has no shortage of weaknesses. One of the most dangerous has been its failure to deal seriously with terrorism.

While the Liberals fought against recognizing persecuted Christian and Yazidi refugee communities, they willingly handed over $10 million to Omar Khadr, and Canadians shook their heads in disbelief. Now we have an even more disturbing issue, the return of Daesh terrorists to Canada.

While Daesh intensified its murderous campaign of butchery and slavery, these traitors like Jihadi Jack spouted not only hatred for our country, but often proudly bragged about their role in the killings and the conflict.

Now that the world has pounded ISIS back into the hole it crawled out of, these individuals want to come back to the countries they hate so much and the Liberal government is working to welcome them, to give them refuge, health care, poetry classes and reintegration, whatever that means.

Canadians are sick of this. What is wrong with the government? Why is it more important to pamper terrorists than to protect Canadians, Canadians who actually love this country?

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PERSONS DAY

Mr. Terry Duguid (Winnipeg South, Lib.): Mr. Speaker, today is Persons Day, an important milestone in the fight for women's participation in Canadian political life.

On this day, which takes place during Women's History Month, we remember and celebrate the Famous Five, five prominent Canadian women who won a hard-fought battle for gender equality: Emily Murphy, Henrietta Muir Edwards, Louise McKinney, Irene Parlby and Manitoba's own, Nellie McClung.

These women lived in a time when women in Canada were excluded from entering the Senate, simply because “persons” under the law did not include women. The Famous Five did not accept this decision and after years of efforts, in 1929 the judgment was overturned.

The Famous Five made an impact on Canadian society, and we are grateful for their contribution to gender equality. Today, let us celebrate Persons Day by recognizing women who are working to advance gender equality by using #makeanimpact.

ORAL QUESTIONS

● (1415)

[*English*]

JUSTICE

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, in order for Vice-Admiral Mark Norman to get a fair trial, his defence team has requested and has the right to evidence relevant to his case. The evidence includes recordings of cabinet meetings where the shipbuilding contract was discussed.

We know that cabinet meetings are recorded and we know that the Prime Minister has the full legal authority to release those recordings. Will he do so and if not, what is he hiding?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as the hon. member knows, as a long-standing member of the House, the government does not comment or speculate on matters that are related to ongoing criminal trials. That is the long-standing convention of the House.

It is important that the judicial system be free to conduct itself completely in an independent fashion. That is important for the prosecution. That is important for the defence.

We will not comment on ongoing processes.

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, we know from Ontario and the gas plant scandal that when Liberals get into trouble, the first thing they do is destroy the evidence. In fact, Ontario Liberals in former premier Kathleen Wynne's office have been convicted and are going to jail for destroying records that implicated their government.

Could the Prime Minister assure us that no one in his office or any other ministers' office has destroyed any records, recordings or other evidence related to the Mark Norman case?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, let me refer to a document called The House of Commons Compendium of Procedure, which is in fact prepared by the distinguished table officers immediately before us. That compendium says this, “Members are expected to refrain from discussing matters actively before the courts or under judicial consideration in order to guard those involved in a court action or judicial inquiry from any undue influence.” Those are the rules of the House of Commons.

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, we are not asking the minister anything about the case. We are asking about the activities within the Prime Minister's Office and ministers' offices.

It is very troubling that the minister refuses to answer whether the government has destroyed any records relevant to Vice-Admiral Mark Norman's case. Maybe he was not expecting my question, so I will ask him again.

This is not about the case. This is about evidence, recordings and data that the Prime Minister's Office and other ministers have access to. Could we be assured none of it has been destroyed?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, every member of the House can be assured that this government follows the law meticulously.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, the member should know that the Prime Minister is the first prime minister to have broken the law with respect to certain regulations.

This is serious. Vice-Admiral Mark Norman served Canada with unwavering commitment. Now he has been charged and is going to trial. All Canadians have a right to a fair defence. This requires access to all evidence. The Prime Minister has evidence pertaining to this case.

Does he want the vice-admiral to have a fair trial, yes or no?

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, we want every trial in Canada to be a fair trial and that is assured by the very system we have, where the prosecution is in the hands of the independent Public Prosecution Service of Canada, which is not directed by the government, and the defence is obviously in the hands of very capable defence counsel. They have the law before them. They have an independent court procedure before them.

Canadians can be assured that justice will be done and it will be seen to be done.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, years ago, a Canadian prime minister acted with the dignity befitting his position, and the minister knows him quite well. In 2004, the Right Hon. Paul Martin, a Liberal prime minister, released evidence connected to the sponsorship scandal. Why did he do this? He did it because it was in the best interests of Canada and Canadians.

Will the Prime Minister rise in the House to clearly state that he will act with the dignity befitting his position and release the evidence pertaining to the trial of a Canadian vice-admiral?

● (1420)

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, once again the opposition is inviting a commentary upon a judicial proceeding which is outstanding. That kind of commentary on the floor of the House of Commons is not permitted.

It is obviously within the purview of the official opposition to try to politicize this process if it wishes, but the fact of the matter is that the rules of the House of Commons, as expressed in the House of Commons Compendium of Procedure, urges all members to guard against that by not violating the *sub judice* principle.

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MARIJUANA

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, an estimated 500,000 Canadians have a criminal record for simple possession of cannabis, which is now a perfectly legal substance. The Prime Minister acknowledged yesterday that a disproportionate number of marginalized people lived with the stigma of a criminal record, and pledged that those records would "not follow them for the rest of their lives". However, they will. A pardon is like a band-aid covering a wound; it does not make it disappear.

When will the government finally understand that the best solution, the only solution, is expungement?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, we are obviously deeply concerned about the disproportionate impacts of Canada's old cannabis laws. That is why we have repealed them and we have replaced them with a new legal regime and strict regulations to better keep cannabis away from our kids and illegal profits away from organized crime.

We are also advancing a new and far more effective pardon system for simple possession, with no waiting period before eligibility and no fee for the expressed purpose of getting rid of the stigma.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, it does not do the job.

[*Translation*]

The Liberals are making things up as they go.

Yesterday, the government had nothing prepared, but it still called in the media for a series of press conferences to announce some possible future legislation. In Canada, 500,000 people, including a disproportionate number of racialized and indigenous people, have a criminal record for simple possession of 30 grams or less of cannabis.

What does the government have to say to the tens of thousands of Canadians who are wondering why it does not want to expunge their criminal records, which, in our opinion, is the easiest and only option?

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, we share the concern about disproportionate impacts. That is why we are advancing a no wait, no fee pardon system to remove the stigma of those impacts.

The expungement argument the hon. gentleman makes by contrast, expungement has been used exclusively and only to deal with those cases where the law itself was inherently discriminatory and a fundamental violation of human rights, as for example when the Criminal Code attacked people simply for being gay.

* * *

[*Translation*]

FOREIGN AFFAIRS

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, by all accounts, it seems that Saudi journalist Jamal Khashoggi was killed at the behest of Saudi Arabia at its consulate in Istanbul. The details being reported in Turkish newspapers are appallingly grisly.

We hope there will be a UN investigation into this in order to identify those who are really responsible for this atrocity.

When those responsible are identified, will the government be prepared to enforce the Magnitsky law?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I thank the hon. member for the question.

As we told our G7 partners on Tuesday, we are very concerned about the disappearance of Jamal Khashoggi. As we told our partners in the G7, of which Canada currently holds the presidency, all those responsible for this situation must be held to account. It is very important. We support the calls for a thorough and transparent investigation into these serious allegations.

[*English*]

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, the reported murder of Jamal Khashoggi is the latest in a series of horrible acts by Saudi Arabia. The war in Yemen is bringing famine to millions and is rife with war crimes. Attacks on journalism, democracy and basic human rights should trigger consequences, but the Minister of Foreign Affairs this morning said that honouring Canada's arms deal with Saudi Arabia was more important than honouring human rights.

Does the minister really think that is what Canadians want?

● (1425)

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, of course I do not think that is what Canadians want and that is why I said no such thing. Canada's position on human rights in general, very much including Saudi Arabia, is clear and firm. We took a clear and firm position in August, and I think that is something that Canadians can be proud of.

When it comes to the case of Jamal Khashoggi, we led a G7 foreign ministers' statement, which came out on Tuesday, saying that those responsible must be held to account.

JUSTICE

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, my question is for the Attorney General.

In her mandate letter, the Prime Minister asked her to "ensure that the rights of Canadians are protected". One of the core rights of Canadians is the right to make full answer and defence in a criminal proceeding through the disclosure of evidence to the accused. The Liberals are denying Admiral Mark Norman his due process rights, as articulated in the charter and affirmed by the Supreme Court of Canada.

Will the minister, as our top justice official, commit her government to living up to the charter and release all evidence?

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I have to say this prosecution is being handled by the Public Prosecution Service of Canada, which operates independently from my office. As this matter is currently before the court, it would be entirely inappropriate for me to comment further.

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, I am not asking the minister to comment on the details of the case. I am not asking the minister to comment on the contents of the document. It is shocking that our top justice official will not commit to just releasing the documents. All we are asking is for an affirmation from Canada's top justice official that she will ensure that Admiral Mark Norman's charter rights to be able to defend himself are respected by their releasing the documents, not what is in them.

Will she release the documents, or what is she hiding?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, let me quote: "Members are expected to refrain from discussing matters before the courts, or under judicial consideration, in order to protect those involved in a court action or judicial inquiry against any undue influence through the discussion of the case. This practice is referred to as the sub judice convention and it applies to debate, statements and Question Period." Those are the words of the hon. Peter Van Loan, May 11, 2015.

[*Translation*]

Mr. Richard Martel (Chicoutimi—Le Fjord, CPC): Mr. Speaker, Vice-Admiral Norman cannot defend himself since the Prime Minister refuses to give him access to evidence for his defence. This is amateur theatre hour.

In Canada, justice is not a one-way street. Every Canadian has rights under the Charter of Rights and Freedoms, and Mr. Norman has the right to a fair trial.

Can the Prime Minister guarantee that Vice-Admiral Norman will be able to defend himself and that he will release all the necessary evidence to the defence?

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the prosecution in this case is handled completely independently by the Public Prosecution Service. The defence is obviously in very capable hands of learned counsel who will, no doubt, pursue the appropriate laws and rules of court.

I would add this: "It is deemed improper for a Member, in posing a question, or a Minister in responding to a question, to comment on any matter that is sub judice." Those again are the words of the hon. Peter van Loan, May 11, 2015.

[*Translation*]

Mr. Richard Martel (Chicoutimi—Le Fjord, CPC): Mr. Speaker, it has become a habit for the Liberal government to govern not for all Canadians, but for Liberal cronies and certain interest groups.

If sunny ways, as they liked to say, mean a cabinet that obstructs the courts in order to hide the real sacrificial lamb in this story, then the House of Commons has to hold cabinet to account.

What is the government hiding?

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the rules of the House and the laws of Canada need to be applied with complete impartiality and to the appropriate conclusions that are determined not by politics, but by an independent judicial process.

The Public Prosecution Service is in charge of the prosecution. Eminent legal counsel is in charge of the defence. They undoubtedly will make sure that justice is done.

● (1430)

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, one of the fundamental tenets of democracy and a fair justice system is access to the truth. The Prime Minister and his cabinet are refusing to release evidence to Vice-Admiral Norman's defence team. As a result, the House must act and hold cabinet and the Prime Minister to account for this cover-up.

The Prime Minister claims he respects the court. If he does, why will he not release the evidence?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, there are judicial procedures quite independent of the House that deal with the matters that are referred to in that question.

The point is, in the rules of the House and in the conventions of the House, members are expected not to ask questions and ministers are expected not to give answers that comment directly or indirectly on an outstanding legal procedure, and we will honour that convention.

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, it is absolutely ridiculous because the Prime Minister publicly stated that Vice-Admiral Norman would likely be charged. How did he come to that conclusion? It is as if he knew something before the RCMP investigation was complete.

The Prime Minister is playing a very dangerous game with Vice-Admiral Norman's life and that is precisely why it is important for the vice-admiral's defence team to see the evidence the Prime Minister is covering up.

What is the Prime Minister hiding and who is he protecting?

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the prosecution of Vice-Admiral Mark Norman is being handled by the Public Prosecution Service of Canada, a body that acts independently of my role. As this matter is currently before the court, as the member opposite should know, it would be inappropriate for me to comment further.

* * *

[*Translation*]

INDIGENOUS AFFAIRS

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, sadly, I get the impression that the Liberals and the Conservatives are cut from the same cloth. Stephen Harper stood before the G20 and announced with a straight face that Canada had no history of colonialism. Now, the Minister of Canadian Heritage and Multiculturalism claims that there is no racism in Canada. Good grief.

Does he realize how many people he just insulted?

[*English*]

Allow me to give the minister an opportunity to admit he was wrong, to admit he made a mistake, that he screwed up, and say "I'm sorry".

Mr. Gary Anandasangaree (Parliamentary Secretary to the Minister of Canadian Heritage and Multiculturalism (Multiculturalism), Lib.): Mr. Speaker, Canadians understand that diversity is our strength. While we have much to celebrate, we know that there are still real challenges for many people in this country. Throughout our history, there have been people and communities, particularly indigenous peoples, who have experienced systemic racism, oppression and discrimination that has prevented them from fully participating in society. We know these experiences are a reality for many, and we can and must do better. This is why our government is engaging communities and experts to modernize our approach and to take action on this really important issue.

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ASBESTOS

Ms. Sheri Benson (Saskatoon West, NDP): Mr. Speaker, two years ago the government announced a ban on asbestos via four different ministers. They know who they are, yet today one of those four ministers is announcing watered down regulations that fly in the face of science, and the science is crystal clear. There is no safe level of exposure to asbestos. Asbestos is the greatest industrial killer of all time, so why has the government chosen to leave Canadian workers and their families exposed to it?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, I was delighted today to announce that by December 31, we will have that ban on asbestos. This has been a long time coming. It is extremely important. We are committed to the health of Canadians and tackling pollution of all kinds, from pollution that causes climate change to pollution that is causing cancers like asbestos.

I would like to quote the head of the Canadian Labour Congress, Hassan Yussuff: "We're extremely happy that it meets our expectations in terms of what we wanted to see in the regulations.... especially [for] families who have lost their loved ones over the last many decades in this country to asbestos."

* * *

JUSTICE

Mr. James Bezan (Selkirk—Interlake—Eastman, CPC): Mr. Speaker, yesterday, the Prime Minister refused to answer questions about Vice-Admiral Mark Norman's case 24 times. The Prime Minister refused to explain why he is obstructing justice and he refuses to hand over the evidence that Vice-Admiral Norman needs to defend himself.

On Tuesday, the President of the Treasury Board said that his only contact with Irving was to have been copied on a letter. Will the President of the Treasury Board tell the House how many times he has met with representatives from Irving?

● (1435)

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, once again, the opposition members in their political enthusiasm are obviously inviting the government and ministers of the government to comment on matters that are presently before the courts. They may try to camouflage that reality, but that is in fact the case, and we have the procedural documents produced by the table officers of the House, as well as former distinguished members of the House like Mr. Van Loan, saying that is improper and outside the rules of the House.

Mr. James Bezan (Selkirk—Interlake—Eastman, CPC): Mr. Speaker, we are just asking for the schedule of the President of the Treasury Board. Here is the inconvenient truth. I can tell the President of the Treasury Board that he has met with Irving 16 times since he became minister, and those are just the publicly disclosed meetings. It does not include emails, texts, or instant messaging. That is information that Vice-Admiral Norman needs to build his defence. Why will the Liberals not release this information? What are they trying to hide and who are they trying to protect?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the confusion inherent in that question demonstrates exactly why this House has a rule and a convention that says that matters of this nature are dealt with through proper independent legal procedures and not through the political process in the House.

That is why Minister Van Loan, at the time, was absolutely correct in saying "a Minister in responding to a question" shall not "comment on any matter that is sub judice."

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): Mr. Speaker, the independent judicial system requires evidence. It is the government that is responsible for producing that evidence.

The Prime Minister promised Canadians a transparent, accountable and open government, but that is not what the Liberals have delivered. Instead, the Liberals are using political games to hide the truth. In the case of Vice-Admiral Norman, the Liberals are refusing to release critical evidence central to his defence.

Can the Prime Minister honour his commitment to be open and transparent, honour our judicial system and the rule of law, and release the evidence?

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I can say that I have a very clear understanding of the importance of the independence of the judicial system.

As I have stated, this prosecution of Vice-Admiral Norman is being handled by the Public Prosecution Service of Canada, a body that is independent from my office, the Office of the Attorney General.

It would be entirely inappropriate to comment on this matter, because it is before the courts.

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): Mr. Speaker, we are not asking for any questioning of the independent system. What we are asking for is for the government, whose responsibility it is, to provide the documents to be able to have the evidence filed.

The prosecution of Vice-Admiral Norman has been politically motivated from the start. The Prime Minister is hiding evidence and refuses to release it, jeopardizing his right to a fair trial. The evidence will reveal the truth.

Who is the Prime Minister protecting? What is he hiding? If he has nothing to hide, why will he not release the evidence?

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I will say it again. This prosecution is being handled by the Public Prosecution Service of Canada, which is a body that is independent from the Office of the Attorney General.

As this matter is before the courts, we will not, it is not appropriate to, comment further.

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SMALL BUSINESS

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, the Liberals confused Canadians yesterday when they said they were "moving forward with lowering interchange fees for small businesses", because their so-called agreement with Visa and Mastercard is entirely voluntary, and still only reduces rates by 0.1%. Small businesses in Canada were expecting more and are calling the Liberal plan extremely underwhelming.

The NDP is calling for the government to cap merchant fees at 1% to help small businesses save up to $1 billion a year. Will the Liberals cap merchant fees at 1%, or will they continue to side with the big banks?

● (1440)

Hon. Mary Ng (Minister of Small Business and Export Promotion, Lib.): Mr. Speaker, small businesses are the backbone of our economy. That is why our government has worked with credit card companies so that they would lower the rates for small businesses.

We are very proud of the work we have been doing. This is going to save small businesses $7,500 a year. We will always work hard for small businesses, and we will keep doing that.

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[*Translation*]

EMPLOYMENT INSURANCE

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, a report commissioned by the Liberals calls for a complete overhaul of the EI system. What a surprise. The Liberals and Conservatives ransacked the EI program, leaving holes in the social safety net for people who are unemployed or sick.

Now that their own report has confirmed what we have been saying for years, when will the minister finally do a complete overhaul of the EI program?

[*English*]

Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.): Mr. Speaker, since taking office, our government has worked exclusively on making sure EI was more accessible, more fair and delivered to people in a timely way so that their benefits were received to support them as they moved between jobs.

We have been working on EI reform, as I said, to make sure that we have more generous benefits as well to make sure that seasonal gaps for people in seasonal industries are taken care of and to make sure that maternity leave and sick leave are also addressed.

EI reform continues to be one of our priorities. We continue to move forward on this. We received the report and will be reporting back on further developments as they are developed.

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INFRASTRUCTURE

Mr. Peter Fragiskatos (London North Centre, Lib.): Mr. Speaker, for too long, our country's trade with the United States through the Detroit-Windsor corridor has been limited by a lack of capacity. With only one bridge, which is privately owned, the flow of people and goods has not been as efficient as it could and should be. My constituents and all southern Ontarians know this first-hand.

Can the Minister of Infrastructure and Communities please update this House on the steps the government has taken to change this?

Hon. François-Philippe Champagne (Minister of Infrastructure and Communities, Lib.): Mr. Speaker, I want to thank the member for London North Centre for his great question and his good work on behalf of all southern Ontarians.

After many years of discussion and planning, our government is proud to have officially broken ground on the Gordie Howe International Bridge project. With 30% of all Canada-U.S. trade flowing across this corridor each and every single day, it is vital to have two crossings and to finally have highway-to-highway connectivity.

The Gordie Howe International Bridge will be a great achievement for Canada and something all members of this House should be very proud of.

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[*Translation*]

PUBLIC SAFETY

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, Canadians know that the Prime Minister cares about ISIS terrorists, but on this side of the House, we condemn their terrible acts and take the threat they pose seriously.

Like rats fleeing a sinking ship, these traitors are returning to Canada and trying to make us believe that they are victims.

Will the Prime Minister put an end to this circus and take meaningful action against these cowards to ensure that they face the full force of the law if they return to Canada?

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, those who have abandoned Canadian democracy to travel to a war zone and engage with vicious terrorists need to take the full responsibility for their criminal conduct. Our intelligence, security and police agencies will investigate terrorists by all possible means with the absolute goal to charge and prosecute to the fullest extent of the law. Thus far, under our government, we have charged four, convicted two. Two are outstanding. Under the previous government, there were no such charges.

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, like most Liberals, the minister has always accused the previous government of cutting the budget. However, they could take back $10 million from Omar Khadr and reinvest it so they could deal with the others over there.

The Prime Minister knows full well that leaving Canada to participate in terrorist activities is a Criminal Code offence. Some men and women want to return to Canada after fighting against our allies, and the Liberals are doing nothing to prevent them from returning.

I am asking this question today in the name of Quebeckers and Canadians who are fed up with the government's answers.

When will the Prime Minister do something to resolve the situation?

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as I said in my first answer, we will investigate through our police and security agencies by all possible means, with the absolute determination to lay charges and to prosecute in every case. In fact, in the cases that have been dealt with so far, there have been four charges laid by this government, two convictions obtained, and two others are in the process. By contrast, under the previous government, with respect to these terrorist returnees, not a single charge was laid by the Harper government.

● (1445)

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, the contrast is that terrorists have been emboldened by the government. Canadians are rightly concerned when they hear about ISIS terrorists returning to Canada and that they may live in their neighbourhoods. Any persons who join a terrorist organization to fight against Canada and its allies are criminals and threats to our safety.

When will the government get serious about keeping terrorists out of Canada and ensure that those returning will face the full extent of the law?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, for the third time, I will say to the House and say to all Canadians, those who have left the comfortable confines of Canadian democracy to travel overseas and associate themselves with a terrorist cause will be pursued by Canadian justice. We will investigate by every means possible, in concert with our allies in the Five Eyes and the G7, to lay charges and to prosecute. We have already done that in four cases. We will continue to do it in every possible case, whereas they did nothing.

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Durham seems to feel he can speak in the House without being called upon. In persisting in doing this there is the possibility of not being called upon for a while. I think he should refrain from doing that.

The hon. member for Lakeland.

Mrs. Shannon Stubbs (Lakeland, CPC): Mr. Speaker, the bottom line is that Canadians want to know that their government will protect them and put their safety first. However, the reality is the Liberals have given $10.5 million to a terrorist, and they proactively welcome and facilitate terrorists coming back to Canada. That is a fact.

Canadians actually want to know that terrorists will end up in jail, not walking on our streets and living in our communities. Can the Liberals assure Canadians that terrorists will end up behind bars if the Liberals bring them back to Canada?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, we have not offered to repatriate anyone. In fact, there is no deal with the Kurdish region at the present time, and there has not been. The fact of the matter is, we will pursue criminal prosecutions in every possible way we can. We have demonstrated that by actually doing it, where the previous government, while it talks a good game, failed to lay a single charge.

* * *

INTERNATIONAL TRADE

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, the government has agreed to discriminatory provisions under its new trade agreement, the USMCA. Private couriers delivering goods across the border receive a duty exemption that our Crown corporation, Canada Post, does not. This provision punishes rural areas, where Canada Post is the only game in town for delivering goods. Why did the government agree to this, and why are the Liberals undermining our Crown corporation and public services?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, the conclusion of the modernized NAFTA was a major accomplishment for Canada, a major accomplishment for Canadian businesses and for Canadian workers. One of the great achievements in this agreement was to keep de minimis levels low. That is something Canadian small businesses asked us to do. That is something we achieved, and we are glad we were able to do so.

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[*Translation*]

CANADIAN HERITAGE

Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP): Mr. Speaker, there is no excuse for this. When it comes to asking Web giants to pay their fair share, it seems that common sense and tax fairness go out the window.

The Minister of Finance expects an international consensus. I have news for him. We are the only idiots in the G7 who are not taxing Netflix. Worse still, France is going to make Netflix pay taxes, collect sales tax and guarantee 30% local content. Meanwhile, in Canada, everything is cool for Netflix and Google. There are no taxes, no sales tax, no quotas. Nothing.

The Minister of Canadian Heritage could take a lesson from the Robert Charlebois song: “Between two joints, you could do something.”

● (1450)

[*English*]

Mr. Andy Fillmore (Parliamentary Secretary to the Minister of Canadian Heritage and Multiculturalism, Lib.): Mr. Speaker, on the issue of taxation, the Prime Minister and the Minister of Finance have been very clear. However, we also know that the Broadcasting Act has not been reviewed since before the Internet came into our homes.

The Conservatives did nothing for 10 long years, so we have taken action. We have appointed a panel of experts to help us modernize this act, and our starting point is clear. All players that participate in the system must contribute to the system. There will be no free rides.

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[*Translation*]

LABOUR

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, the minister of labour seems to have no idea how much she upset entrepreneurs, elected officials in Quebec City and Canadians when she made a mockery of my question on the labour shortage and the crisis we are in.

Throughout Beauport—Limoilou, Quebec and Canada, SMEs, economists and other stakeholders are pointing out that the labour shortage is a serious crisis. No one thinks this is good news. No one is laughing; quite the contrary. It is time for action.

Does the Prime Minister plan to laugh about the labour shortage, or does he plan to do something about it?

[*English*]

Hon. Patty Hajdu (Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, it is wonderful to see the opposition members applaud our success as a government. We have ensured that we have the lowest rate of unemployment. Since the 1970s, we have added over 600,000 jobs. In fact, small and medium-sized businesses have added 600,000 jobs to our economy.

Now we have a new problem of people who are looking for employees. That is why we are working so hard to make sure that every Canadian has that first shot at success, whether it is small and medium-sized businesses in Quebec, or in Ontario, or in Alberta or any of the other provinces or territories, so they have an opportunity to develop the skills they need to take advantage of that work.

* * *

SMALL BUSINESS

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, small businesses are the cornerstone of the Canadian economy. However, a recent World Economic Forum competitiveness report found that Canadian businesses already faced a heavy regulatory burden and inefficient bureaucracy.

What the Liberals therefore did, besides increasing the regulatory burden, was they brought in onerous new small business tax rules, a carbon tax on everything and payroll tax hikes, and the Prime Minister calls them wealthy tax cheats. Why do the Liberals continue to attack our hard-working local small business owners?

Ms. Jennifer O'Connell (Parliamentary Secretary to the Minister of Finance (Youth Economic Opportunity), Lib.): Mr. Speaker, it is just the contrary. It is our government that is actually delivering for small businesses and entrepreneurs across the country. We have actually lowered the small business tax rate from 11% going 9%. We have not just talked about it, we are doing it. Because of that, over the last six quarters we have seen investment in business in Canada grow by 8%. That is because the actions we are taking are real. The Conservatives do not seem to understand that.

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, the Liberals love to take credit for things that they were forced to do. They know full well that was a flip-flop and they were only forced to return to that tax cut, which the Conservatives put in place and they tried to take away.

Small businesses continue to struggle because of the Liberal government. The Liberals cut an advisory committee that ensured that each new regulation on small businesses would be offset by the removal of another piece of regulation. The Liberals simply continue to pile on new regulatory burdens.

How can the Liberals say that they are easing burdens on small businesses when they are continuing to add more taxes and more red tape?

Ms. Jennifer O'Connell (Parliamentary Secretary to the Minister of Finance (Youth Economic Opportunity), Lib.): Mr. Speaker, again, the fact remains that we are taking real action to grow the economy. The Conservatives had 10 years and they had the worst growth since the Great Depression.

Meanwhile, we have some of the lowest unemployment rates in 40 years. It is no surprise that as we are cutting taxes for small businesses, for Canadians, for families and stopping to send cheques to millionaires, our economy is one of the best in the G7.

With a failed record like that, no wonder the Conservatives do not understand what success looks like.

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[*Translation*]

CANADA REVENUE AGENCY

Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.): Mr. Speaker, Canadians expect high-quality services delivered in a timely and efficient way. Our government is committed to modernizing the Canada Revenue Agency's services to better reflect Canadians' expectations.

Would the Minister of National Revenue update us on the measures she has taken to provide innovative digital services to taxpayers?

● (1455)

Hon. Diane Lebouthillier (Minister of National Revenue, Lib.): Mr. Speaker, I would like to thank my colleague from Brossard—Saint-Lambert for her excellent question.

Our government committed to ensuring that Canadians have access to secure and convenient online electronic tax filing services, and that is exactly what we are doing.

I am proud to announce that the Canada Revenue Agency and Tax-Filer Empowerment Canada have signed a joint digital services collaboration plan. The plan will enable us to improve our services, especially for people in remote regions, by providing innovative digital services that are easier to use.

[*English*]

VETERANS AFFAIRS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, we support our women and men in uniform in whatever they are sent to do. The Liberals told Canadians that they were sent to Mali on a peacekeeping mission, without debate, without a vote and where there was no peace to keep. The head of the UN has said that the situation in Mali has sharply deteriorated.

How can Canadians be assured that our soldiers have the equipment and the manpower to defend themselves when the Liberals play politics with procurement?

Hon. Seamus O'Regan (Minister of Veterans Affairs and Associate Minister of National Defence, Lib.): Mr. Speaker, the safety of our women and men in uniform is our government's top priority. We always try to mitigate as best as possible the level of risk our people face while on operations. We will always ensure our troops have the right training and the right equipment to carry out the missions we send them on.

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STATUS OF WOMEN

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, today all the ministers responsible for status of women meet in Yukon. Tuesday, I called again for Liberals to walk the talk, finally end violence against women and remove barriers to economic justice. Whether it is pay equity, child care or a national action plan, the Liberals have promised so much and delivered so little. Women fought in court to be called persons. They still fight in court for equality because the government will not legislate it.

The time is up. When will the Liberals lock in equality?

Mr. Terry Duguid (Parliamentary Secretary for Status of Women, Lib.): Mr. Speaker, we know that when we invest in women, we strengthen the economy for everyone. That is why we are making Status of Women Canada a full department; why we have invested $40 billion in a national housing strategy, 25% of which will go toward women and their families; dedicated $7.5 billion for child care; created a new parental sharing benefit; and are supporting women entrepreneurs and women in the trades. Investing in gender equality is not only the right thing to do, it is the smart thing to do.

* * *

INTERNATIONAL TRADE

Mr. Bill Casey (Cumberland—Colchester, Lib.): Mr. Speaker, a few years ago an American company decided to establish a large quarry in Nova Scotia. The quarry project was turned down by the federal and provincial governments because of environmental concerns. Then the American company sued the Canadian government for $500 million under the investor-state dispute settlement clause in the old NAFTA.

Would the Minister of Foreign Affairs tell us if the new USMCA will stop those frivolous lawsuits against Canadians?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I would be delighted to, but I want to start by thanking the member for Cumberland—Colchester for his wisdom and the outstanding advice he gave me personally during the negotiations, especially on chapter 19.

He asks an excellent question. ISDS is now removed from the new trade agreement between Canada and the United States. That will save Canada from frivolous lawsuits like the one the member mentioned.

* * *

CONSULAR AFFAIRS

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Speaker, on March 25 of this year, Mia and Liam Tarabichi went on what was supposed to be just a quick trip with their father to Seattle. Instead, he abducted them and fled to Beirut. He is now wanted on an international arrest warrant.

The children's mother, Shelley Beyak, has tried to contact the Prime Minister and has received no answer. The Prime Minister can intervene and help bring these children home to their mom, but he refuses. Why?

Ms. Pam Goldsmith-Jones (Parliamentary Secretary to the Minister of Foreign Affairs (Consular Affairs), Lib.): Mr. Speaker, we are very much aware of that situation. Our hearts go out to the mother and her children. We are providing consular services. Of course we are bound by the Privacy Act, so I am not permitted to say anything further.

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[*Translation*]

FOREIGN AFFAIRS

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, this government, which is all about promoting peace and love and singing *Kumbaya*, is quick to abandon its grand principles of universal peace and love when it comes to taking action against tyranny. There will not be any sanctions against Saudi Arabia for the murder of journalist Jamal Khashoggi, no sir. The government is looking the other way. I do not call that diplomacy. I call that complicity.

Is the Prime Minister aware that, by selling weapons to Saudi Arabia, he is complicit with this murderous regime?

● (1500)

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada has spoken out very clearly about human rights and everyone knows it. That definitely includes Saudi Arabia, as everyone saw this summer.

With regard to Jamal Khashoggi, we are working closely with our G7 allies. We all spoke on Tuesday and we are all saying that a thorough and transparent investigation is needed to bring those responsible to justice.

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, enough is enough. We need to draw the line between what is acceptable and unacceptable. The murder of journalist Jamal Khashoggi is the last, blood-soaked straw. By selling weapons to Saudi Arabia, Canada is supporting this murderous regime and selling its soul.

Will the government suspend its contracts with Saudi Arabia or will it remain complicit?

Hon. Chrystia Freeland (Minister of Foreign Affairs, Lib.): Mr. Speaker, I thank my colleague for his question.

I want to point out once again that the disappearance of Jamal Khashoggi is very troubling. Canada has made that very clear. That is the message that I sent to the Saudi Arabian foreign minister. I also initiated a discussion on the subject with my counterparts in Germany, the United Kingdom and the United States.

We join our partners in calling for a thorough investigation to identify those responsible.

* * *

[*English*]

THE ENVIRONMENT

Mr. Erin Weir (Regina—Lewvan, CCF): Mr. Speaker, in the past couple of days, Canadians have emitted a great deal of cannabis smoke. However, that is nothing compared to the emissions from energy-intensive cannabis production. U.S. cannabis production emits as much carbon as three million cars.

Has the government estimated the carbon footprint of Canadian cannabis production and what steps has the government taken to limit those emissions as it lights up this new industry?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, we know we need to take action on climate change. We know we need to reduce emissions. We are committed to doing that across all sectors. We have a price on pollution. We are phasing out coal. We are making historic investments in public transportation. We are investing in clean technology companies. We will continue taking the actions that Canadians expect to protect our environment and grow our economy.

Mr. Todd Doherty: Mr. Speaker, I rise on a point of order. Shelley Beyak's children were abducted by their father and taken to Beirut. On September 14, the Prime Minister received a petition of over 930 names of Canadians, adding their voices to that of Shelley Beyak, imploring the Prime Minister to personally intervene and bring these children home.

If you seek it, I hope you will find unanimous consent to table this document.

Some hon. members: No.

The Speaker: No, there is not unanimous consent.

I believe the hon. opposition House leader has the usual Thursday question.

[*Translation*]

BUSINESS OF THE HOUSE

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, I have a question for the government, and I hope the answer is better than the ones we got in question period.

Can the Leader of the Government in the House of Commons tell us what the government has planned for the rest of this week and next week?

Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, this afternoon, we will resume second reading debate of Bill C-83, on administrative segregation. This debate will continue tomorrow.

● (1505)

[*English*]

Next Monday, October 22, shall be an allotted day. Also, priority will be given to report stage and third reading debate of Bill C-76, the elections modernization act, as soon as it is reported back to the House.

Finally, I would like to remind everybody that next Thursday, pursuant to the order made earlier this week, the House will have Wednesday sitting hours to allow for the address in the House at 10:30 a.m. by the Prime Minister of the Netherlands.

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[*Translation*]

PRIVILEGE

STATEMENTS BY PRIME MINISTER REGARDING LEGALIZATION OF MARIJUANA

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, I want to raise a question of privilege.

In response to our question yesterday, the Prime Minister misled the House by providing incorrect information. The interim leader of the Bloc Québécois asked him why the rush to legalize cannabis by October 17, and the Prime Minister replied:

> The provinces, including Quebec, asked for eight to 12 weeks to legalize cannabis after the entry into force of the bill, and we gave them 17 weeks.

However, Quebec asked to push cannabis legislation back to July 1, 2019. The Quebec National Assembly adopted a unanimous motion to that effect on November 16, 2017. It reads:

> THAT the National Assembly ask the Federal Government to defer the cannabis legalization currently scheduled to come into force on 1 July 2018 until at least 1 July 2019.

The Prime Minister's statement was misleading.

In addition, after the National Assembly adopted this motion, it also unanimously agreed to send this motion to the Prime Minister and to all Liberal members of Parliament from Quebec.

The Prime Minister therefore had knowledge of the resolution adopted by the Quebec National Assembly. The Prime Minister therefore knew when he was making that statement that it was incorrect.

Given that the Prime Minister's statement was misleading and that the Prime Minister made a statement that he knew to be incorrect, it seems clear to us that the Prime Minister intended to mislead the House. Just this morning we received the selected decisions from May 7, 2012, of the Speaker who preceded you. On page 31, it states:

> It has become accepted practice in this House that the following elements have to be established when it is alleged that a Member is in contempt for deliberately misleading the House: one, it must be proven that the statement was misleading; two, it must be established that the Member making the statement knew at the time that the statement was incorrect; and three, that in making the statement, the Member intended to mislead the House.

Given that the Prime Minister's statement was misleading and incorrect—as we have demonstrated—and given that he knew, when he was making the statement, that it was misleading and incorrect—as we have demonstrated—what other intention could he have had apart from misleading the House by saying these falsehoods?

I repeat the Prime Minister's reply:

> The provinces, including Quebec, asked for eight to 12 weeks to legalize cannabis after the entry into force of the bill, and we gave them 17 weeks.

I would like to clarify that I raised my question of privilege at the earliest opportunity because the most recent information was obtained during yesterday's question period.

Finally, should you consider it to be a prima facie question of privilege, I intend to move the following motion: That the House acknowledge that the Prime Minister misled the House and ask him to correct the answer to the question posed October 17, 2018, by the member for La Pointe-de-l'Île, and to apologize to the House.

Thank you for your attention to this matter, Mr. Speaker.

● (1510)

The Speaker: I thank the hon. member for Montcalm for his intervention. I will take the matter into consideration and will come back to the House in due course.

GOVERNMENT ORDERS

[*Translation*]

CORRECTIONS AND CONDITIONAL RELEASE ACT

The House resumed consideration of the motion that Bill C-83, An Act to amend the Corrections and Conditional Release Act and another Act, be read the second time and referred to a committee, and of the amendment.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, first, I want to mention that I look forward to hearing the speech of my colleague from Red Deer—Mountain View, with whom I will be sharing my time. In the meantime, he is the one who will be listening to what I have to say about Bill C-83. Hon. members will notice that our opinions are quite similar. That goes without saying.

I am pleased to rise today to speak to Bill C-83, an act to amend the Corrections and Conditional Release Act and another act.

It will make a few rather major changes since it will, among other things: eliminate the use of administrative segregation and disciplinary segregation; authorize the Commissioner to designate a penitentiary or an area in a penitentiary as a structured intervention unit for the confinement of inmates who cannot be maintained in the mainstream inmate population for security or other reasons; provide less invasive alternatives to physical body cavity searches; affirm that the Correctional Service of Canada has the obligation to support the autonomy and clinical independence of registered health care professionals.

It will make other amendments that I unfortunately do not have time to talk about. It is impossible to address every aspect of the bill in just 10 minutes. However, I will focus on a few aspects, including the government's desire to eliminate the use of administrative and disciplinary segregation. The government made that decision as a result of two cases that are currently before the courts. Although the government is appealing the rulings in those cases, it decided to legislate an extreme solution. It is recommending eliminating the use of administrative and disciplinary segregation to address an issue I believe could have been addressed differently. Unfortunately, like most of this government's initiatives, even if this bill passes, it is destined to fail. Doing away with administrative and disciplinary segregation will create a lot more problems in Canada's correctional facilities than it will solve.

To back up my prediction about how the government's plan to eliminate administrative segregation will end in failure, I would like to talk about some of the other ways this government has failed since it took office in 2015.

The government tried to resolve a number of issues, and every time it made those situations worse.

On the economic front, it raised taxes. It scared off billions of dollars' worth of investments by making Canada less attractive to foreign investors. Those billions have been invested elsewhere. On the border security front, everyone here knows that Quebec in particular is still grappling with an unacceptable situation. Thousands of asylum seekers have entered and continue to enter Canada illegally, yet the government has failed to find a solution, do something, or take action.

On international trade, there have been no new trade agreements with other trading partners anywhere in the world. The government has also jeopardized existing agreements. Who can forget the Prime Minister's failure to show up for a trans-Pacific partnership signing ceremony, thereby making Canada the laughingstock of the countries who were there at the appointed time?

What about the recent free trade agreement between the United States, Mexico and Canada? Canada ended up with more tariffs than it had before. That is a first, and it is a dismal failure on the government's part.

On justice, the government refused to put Tori Stafford's murderer back behind bars. The government also allowed a cop killer who never served in the armed forces to keep receiving benefits from Veterans Affairs Canada. Every time we ask the government to do something about this, we get a vague, evasive response and nothing gets done.

● (1515)

No account of the Liberal government's failures would be complete without an account of its failure on the ethics front. This Prime Minister is the first Canadian leader ever found guilty of violating ethics laws. Four of his ministers have also been the subject of federal investigations over the last three years.

These failures have real consequences for Canadians. They have increased the cost of living, made Canadians less safe, and, by essentially slamming the door on foreign investment, as I said earlier, made it impossible for Canadians to do business and prosper. In addition, Canadians now have less confidence in the government, sadly.

I may have discovered why the Liberal government is having this problem. Digging through the archives and looking through books for some explanation of why a government would choose to fail on so many fronts, I found a book written a few years ago by Paul Watzlawick entitled *Ultra-Solutions, or, How to Fail Most Successfully*. I truly believe this book is on every Liberal's nightstand.

I will read a few comments from the postscript:

> How to fail most successfully? It's simple. For each problem, just find the ultra-solution. What's the ultra-solution? "Such a solution not only does away with the problem, but also with just about everything else, somewhat in the vein of the old medical joke—Operation successful, patient dead".

The problem with the Liberals is that they always find the ultra-solution. There was a cannabis problem, so they found the ultra-solution: they legalized it with total disregard for all the problems, all the dissenting opinions they heard from police forces, psychiatrists, and municipal and provincial officials. The ultra-solution was chosen to solve a very real problem in Canada. They decided that the ultra-solution was to legalize it across the board. We could apply this logic to every decision this government has made from the beginning.

Getting back to Bill C-83, yes, there are problems with segregation, as we have seen. There are problems with respect to the various groups or different communities, such as indigenous peoples, who are placed in segregation, for preventive purposes or for security. Rather than trying to come up with solutions to specific problems, the government chose the ultra-solution and decided to simply eliminate administrative segregation.

I have an article here dated September 28, 2017. It talks about Ivan Zinger, who was the correctional investigator of Canada and who conducted an investigation into segregation. To his great surprise, "[the] new strategy to limit prolonged segregation has had the unintended consequences of more violent attacks behind bars". That is what he himself acknowledged. This is what is happening because, indeed, since 2014, the penitentiaries have tried to send fewer people to segregation.

> According to the data compiled by Mr. Zinger, the number of inmates kept in segregation at any given point in the year has gone from 800 to fewer than 300 since 2014. However, over the same period, the number of assaults committed by inmates against other inmates spiked by 32%: there were 719 incidents last year versus 543 incidents in 2013-14. The number of incidents involving prison guards remained stable.

That is exactly what I am trying to explain and get across to the government By wanting to pass a bill seeking to eliminate the problem and everything that goes with it, the government is creating other problems that are sometimes worse than the ones they are trying to fix. That is why I cannot support Bill C-83.

● (1520)

Mr. Tom Kmiec (Calgary Shepard, CPC): Madam Speaker, I would like to thank my colleague from Mégantic—L'Érable for his comments.

Every federal department is supposed to submit a plan that includes cost estimates. The Correctional Service of Canada plan proposes to cut staff over the next four years. There is also a proposed 8.8% reduction, over the next four years, in the financial resources that help the Correctional Service do its work. However, the government's bill proposes to increase services received under the new inmate detention system.

Can my colleague talk about what will happen to our correctional system given these budget plans?

Mr. Luc Berthold: Madam Speaker, I thank my colleague for her very pertinent question.

As I mentioned in my speech, the bill, as cobbled together and proposed by the Liberal government, does not take these cuts into account. What is going to happen? They will fail once again.

They are likely endangering prison guards and the people who work in these institutions. Those people are there for the good of the inmates and the public. They keep dangerous criminals behind bars. Sometimes, we must protect criminals from themselves, to prevent them from attacking others. Unfortunately, these cuts and the Liberals' improvisation are likely to cause more and more serious incidents in our prisons.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Madam Speaker, I thank my colleague for his speech.

We are going to oppose this bill, but our reasons for doing so are not the same as those of my colleague, as he can well imagine. We find it rather strange that the Liberals, compelled by the courts, have started referring to administrative segregation as structured intervention units, and that they are reducing the maximum number of hours spent in segregation from 22 to 20, but they are still allowing inmates to be kept there for an indefinite period of time, as was the case before. In our opinion this bill is a waste of time. No real changes are being made. The government is not abiding by the court's decision.

What does my colleague think about the fact that 42% of inmates in administrative segregation are indigenous? Is that not a form of systemic discrimination?

Mr. Luc Berthold: Madam Speaker, that is exactly what I said in my speech. This bill is an "ultra-solution". The government thinks that it is going to solve all the problems through a small clause in a bill when there are very different solutions that could have been implemented in a very different way. Unfortunately, the Liberals completely ignored them. They chose a single solution to very different problems.

Yes, there are problems. Yes there are different populations that warrant different solutions. Unfortunately, in this bill, the government treats everyone the same and does not take into account the differences, the causes, and mental health conditions. We are just being told that the same formula now applies to everyone. In that regard, I agree with my NDP colleague, even though he does not seem to like it.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Madam Speaker, I think that the Conservative and New Democrat members' comments complement one another. They do not necessarily oppose the same things, but they do complement each other.

I want to thank my colleague from Mégantic—L'Érable for his great speech. I learned a lot, and I think Canadians did as well, about why it is important to plan well and have a vision when introducing a bill. It seems clear that this is not the case here, based on the points my colleague made in his speech.

Correctional Service Canada has told us that there is absolutely no budget for this bill. The government did not do any budget forecasts.

Since my colleague was once a mayor, I would like to ask him a question. Would he have ever introduced a by-law, law or new approach at city hall without knowing how much it would cost?

The Assistant Deputy Speaker (Mrs. Carol Hughes): The member for Mégantic—L'Érable has time for a brief answer.

Mr. Luc Berthold: Madam Speaker, I never would have done that.

● (1525)

[*English*]

Mr. Earl Dreeshen (Red Deer—Mountain View, CPC): Madam Speaker, it was a remarkable speech of my colleague from Mégantic—L'Érable, and certainly I hope that I can live up to the expectations he had.

I am honoured to speak to Bill C-83, an act to amend the Corrections and Conditional Release Act, because located in the centre of my riding is the Bowden Institution, which is presently a medium security prison built on an open campus model. It was opened in 1974, being built on the site of former RCAF Station Bowden, a World War II British Commonwealth air training plan facility. Although it is a medium-security prison, recently a considerable contingent of violent gang members have been transferred there.

During my 34 year career as a teacher in Innisfail, just a few miles north of the pen and during my wife's 10 year teaching career in Bowden, we both had many interactions with families who had relatives incarcerated at the penitentiary, as well as interactions with community members who worked as guards, psychologists, or teachers in the institution.

In my role as the member of Parliament, first for Red Deer from 2008 to 2015 and then for Red Deer—Mountain View, concerns about the activities that take place not just at Bowden but at correctional facilities across Canada often end up on my desk.

The morale of prison staff is so important because for them to function in a way that can be helpful to both the inmates and themselves, they need safe conditions and positive direction. I will start with one of the issues that has weighed so heavily on their minds, and that is the disastrous Phoenix pay system. No worker should be forced to sell their vehicle, move out of their homes, deal with marriage breakdowns from financial stress and declare personal bankruptcy simply because the government cannot get a properly calculated cheque to them. However, those are things that have happened and are continuing to happen.

No worker should have to deal with drug addicts inside a prison, especially when those drugs are fentanyl, which can be lethal if one just breathes it in. In July 2017, a corrections officer was hospitalized after finding fentanyl in a car in the parking lot. Drugs are hidden in flower beds, come over the walls in tennis balls, and are brought in by visitors, many under threat of violence to their loved ones if they do not comply.

In November 2017, half a million dollars of drugs, mainly methamphetamines and THC, was seized by staff. Imagine how people feel when the concept of needle exchanges and heating spoons also finds its way in and how that discussion occurs. It simply illustrates to the public just how dangerous and unmanageable the situation is.

Corrections staff are not only expected to deal with these dangerous issues, but they also have their hands tied even to the extent of being subject to monetary penalties if they take actions against an inmate, even if they are protecting themselves.

As far as Bill C-83 is concerned, the Union of Canadian Correctional Officers intends to spend a lot of time reviewing this legislation. Jason Godin, the national president, said:

> Bill C-83 will require serious consultation and resources to make it work.... As correctional officers, we want to make sure that we have the proper tools to ensure staff and inmates safety. In that sense, Bill C-83 must include structured intervention units, which would operate as a population management tool that they can ensure staff and inmate safety.

With regard to consultation, resources, and proper tools to make it work, I don't think many people believe that adequate resources management is, or ever has been, a Liberal priority after the way the government rolled out its marijuana program.

The union emphasized say that the new bill must not sacrifice disciplinary segregation as a tool to deter violent behaviour. It said:

> We need alternative sanctions to disciplinary segregation, ensuring that inmates displaying dangerous and violent behaviour have some consequences for their actions. Since CSC has limited its use of segregation with new policies, there has been an increased report of assaults on inmates and staff.

For example, Mr. Godin said:

> At RPC (Regional Psychiatric Centre) we have had over 100 assaults on staff in 12 months and that they need to get this under control.

● (1530)

It is my assessment that the introduction of SIUs may pose a risk to prison guards, inmates, particularly those for whom solitary confinement is used for their own safety. Additionally, the stripping of the ability to use segregation for discipline makes prisons more dangerous for the guards, since they will now face having to deal with the worst of the worst, the most volatile, being out and about from their cells for four hours per day.

Bill C-83 also goes further than what was raised in either of the Supreme Court decisions by banning administrative segregation and changing it to this SIU model. This is just another example of how misplaced Liberal thinking is when it comes to criminals, give them all the breaks and putting the screws to those charged with keeping control.

Conservatives will always stand strong by supporting workers' safety and victims' concerns over increasing the rights and privileges of criminals.

Another aspect of this bill, one that I am in agreement with, is the introduction of body scanners. For those who travel as much as we do as members of Parliament, it is just second nature. What are those scanners designed to do? It is to keep everyone safe, to restrict dangerous items, to prevent the possibility of mayhem. Where could that be more important than in a prison? The union also welcomes the introduction of body scanners to prevent contraband, saying that "Our union has advocated strongly for the implementation of body scanners. We are satisfied with the results."

I agree that body scanners are a good idea, but we will be proposing amendments to extend scanning to anyone who enters the institution, other than employees. Personally, I would go so far as to say that if everyone had to go through the scanners, and inmates knew this was the way it was going to be, then the resulting recognition that nothing could come in would go a long ways to ensuring safety for all.

One of the things that I have been acutely aware of as a resident of central Alberta is the issue of criminality. We have a penitentiary, but we also have criminals from all over this country. I have heard from other members that there are issues regarding the special circumstances of indigenous inmates and concerns about inmates from ethnic or religious minorities. These are all issues that need to be carefully addressed.

There are also issues with people who have drug addictions, who feed their habit through criminal behaviour, and those special cases where inmates with fetal alcohol spectrum disorder are engaging in criminal activity because they are manipulated by con artists, some within the institutions as well. These are circumstances where effective mental health protocols and interventions need to be used.

The formalization of exceptions for offenders with mental health conditions of special circumstances, when done properly, would truly be fair. As a matter of fact, our previous Conservative government championed the improvement of mental health treatment for patients, by ensuring faster mental health screening through the creation of mental health strategies, by extending mental psychological counselling and improving staff training.

This was not hard on criminals; it was compassionate and effective. Granted, much more work still needs to be done. However, just throwing up our hands like the Liberals are doing, hoping they can move criminals out of prisons faster by simply reclassifying them, does not make sense, and it surely does not protect the public.

Policies such as classifying a single prison cell in a minimum-security facility to become a maximum-security cell sounds more like an administrative solution than a strong security decision.

In conclusion, we want to see the risk to prison guards, the institutions' staff, and the general public completely eliminated. Isolating offenders who attack other inmates or are harmful to themselves and others should not always be second guessed. Making prisons drug free with the use of technology and strict enforcement should not be considered an impossible task. Ensuring that the right mental health treatment gets to the right inmates as quickly as possible should be the goal of everyone involved.

Hopefully those witnesses who are clamouring to make the Liberals see the light will get a fair hearing when this goes to committee, and amendments will be accepted to make this legislation effective.

● (1535)

[*Translation*]

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): Madam Speaker, I congratulate my former fellow member of the Standing Committee on Industry, Science and Technology on his wonderful speech.

[*English*]

The hon. member mentioned fetal alcohol syndrome. I have read and heard that upwards of 70% to 80% of people who are incarcerated have two common indicators: one that their mother drank while pregnant, and the other that they have not finished high school.

Has the member looked into those statistics to see how people with those two characteristics might be rehabilitated?

Mr. Earl Dreeshen: Madam Speaker, I would first say in response to both of those items that, as a former teacher, they are important. I know, for example, that in Bowden we have great staff working with individuals. It is a much more difficult situation to work with those who have FASD, but it does work. If they do not have a lot of extra distractions around them, it is a lot easier for them to manage under those circumstances.

However, one of the critical and key parts is that often other criminals will want things done inside the prison. Therefore, it is not just a case of what they did on the outside, because we find that many of them end up getting charged for other activities they have committed on the inside because someone told them they were good guys and asked them to do something for them, that everything would be great. However, the former are the ones who get caught and end up having to serve extra time. That activity is still going on. Therefore, if someone wants to move drugs from one person to another and he or she sends someone else to do that, obviously that person would be the one who would suffer the most.

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Madam Speaker, at the end of the day, this bill offers nothing more than a change in terminology. What used to be called administrative segregation will now be called structured intervention units. This is not much better. The government also wants to reduce the number of hours in segregation from 22 or 23 hours to 20 hours. This is a difference of two or three hours.

The Supreme Court of British Columbia and the Superior Court of Ontario have ruled that the existing segregation regime is unconstitutional, and, as I just mentioned, not much is changing about this regime, other than the terminology and the number of hours.

Does my colleague agree with the courts?

[*English*]

Mr. Earl Dreeshen: Madam Speaker, the definition with respect to an inmate's rights in the bill states that an inmate in a structured intervention unit has the same rights as other inmates, except if they cannot be exercised due to limitations specified for the SIU or security requirements.

First of all, the opportunities for inmates to spend a minimum of four hours a day outside their cells or to interact for a minimum of two hours a day with others through activities, including but not limited to some programs, and going through interventions and services that encourage them to make progress, all of these things sound like a great opportunities. Although the inmates are given a certain amount of leisure time, it seems as though the Liberals are trying to dictate how those four hours would be dealt with. There are even points in the bill where inmates have to make sure they have spoken with a certain person during the time of day that is listed. Whatever the situation is and the relationship this has to the Supreme Court's decision, I believe that the Liberals have gone too far. I know that the unions are extremely frustrated by this. In my speech I mentioned a lot of different situations where the unions are saying that they need this tool. Therefore, notwithstanding what the Supreme Court says, and I do not think we are going there but that is the situation many people are indicating, this is causing a lot of nervousness in the corrections system.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, I appreciate the opportunity to address this important piece of legislation. I think it is one of the pieces of legislation that really illustrates the differences between political entities inside this chamber. I want to provide some thoughts on the legislation and why I believe we are quite different in terms of political philosophy and the way we want to approach crime and ensure that we have safe streets in our communities.

I am going to approach this from the perspective of some personal experience. I was the chair of the youth justice committee in the north end of Winnipeg for many years. I was also the justice critic for the Province of Manitoba for a number of years, and I have had an opportunity to gain a certain amount of insight by talking to victims, offenders and the many stakeholders around our justice system. I suspect one could anticipate that I am somewhat opinionated on this issue.

Crime is one of the issues that our constituents are very much concerned about. It is an issue that I often talk about with constituents at the door. We can talk about health care to some and there is a high level of interest in education. However, the one issue that seems to be universal in terms of having a discussion, is the issue of safety in our communities. I take it very seriously.

We often hear from the Conservative benches about being "soft on crime". Let me be very clear. For me, it is about the victims and preventing victims from being victims in the first place. That is something that is very important to recognize.

Holding individuals accountable for breaking the law is of the utmost importance. There needs to be a consequence when someone violates the law. However, we should be looking at it from the perspective of how we ensure that there are fewer repeat offenders. If one were to follow the tough talk of the Conservatives, one would think it would be by incarcerating them in a facility and allowing them to remain in that facility and maybe, to a certain degree, being better educated in different types of crime.

The whole concept of rehabilitation seems to be lost on Conservative Party members, especially when they are in opposition or when they write press releases. We know that at times, a Conservative government can do some good things related to rehabilitation, such as when they set up healing lodges in the past, for example. That was something they established when it came to having someone move from a high-security prison to a medium-security prison. I am glad that the Conservatives applaud and recognize that.

At times they will do good things, but they will never really talk about them. What they want is to have the Conservative hard-nosed attitude that if someone breaks the law, throw them in jail and throw away the key.

Having the opportunity to tour facilities, whether it is the Headingley facility just outside Winnipeg, or Stony Mountain just outside Winnipeg near Stonewall, one gains a fairly good perspective in terms of what incarceration is all about and why it is important that there be a strong rehabilitation component in prisons.

● (1540)

We need to realize that the majority of people who are going to prison today will leave prison at some point. Contrary to the impression the Conservatives might like to give Canadians, it is not just murderers and rapists and pedophiles who go to prison. There are many other individuals who find themselves on the wrong side of the law, for numerous reasons, and ultimately end up in prison.

My colleague and friend made reference to fetal alcohol syndrome. It is a very serious disorder in different regions of the country, in some regions of the country more than others. There is a correlation factor that should be taken into consideration.

One of the surprises I had was the number of individuals who have addiction issues. One of the addiction issues I would make reference to is a gambling addiction. As a result of a gambling addiction, individuals often find themselves on the wrong side of the law, and if it is severe enough, they end up being in custody or in jail. We need to recognize that if we have sound programs provided, then after they leave incarceration, there is a better chance of their being productive and law-abiding citizens. If we take away those programs the Conservatives would like to see disappear, or at least have the imagery of them disappearing, I would suggest, and I believe that studies will show, that we would have more victims as a direct result. Therefore, rehabilitation is an important component of our justice system and our corrections facilities.

That is not to take away from consequences. As I indicated, I sat on a justice committee. Justice committees are quasi-judicial, such as youth justice committees, where members of a community come before the community and say that they would be prepared to be honorary probation officers and deal with young offenders. For years I chaired one and I always found it interesting, when we would get new members coming in, to see the type of thinking they had about some of the young offenders we would get. A typical case might be someone who was shoplifting, for example. We would see shoplifters coming in with their guardians and they would sit before two or three honorary probation officers for an interview. They would talk to the young person to get a sense of whether there was remorse and what sort of disposition would be in the best interests of the community for the crime that had been committed and in the best interests of the individual so that the individual young person would not recommit.

In the 1990s, we had a fairly proactive group of youth justice committees in the north end of Winnipeg. I suspect that for many of those young people who went before those youth justice committees, where members of the community were engaged, there was a stronger likelihood of success and those youth were not committing offences.

If we leave it to the professionals, the individuals in the facilities who have studied human behaviour, and even to victims organizations, and listen to what they are telling us, we will find that there is a great deal of room for us to look at ways we can improve our correctional facilities. That is really what this bill is about.

● (1545)

It is an interesting fact that around 2011, the average number of inmates in segregation was in excess of 700 on any given day. Contrast that to today. Today it is roughly 340 or just under 350 a day. That is a substantial decrease in a relatively small number of years. From 700 to around 340 or 350 is a significant decrease. I would suggest that this is in good part from the sense of professionalism our correctional officers have. They do a phenomenal job. I want to recognize the efforts of our correctional facility officers and applaud them for the day-in and day-out services they provide making our communities safe and our correctional facilities safe. They do a phenomenal job, second to no other, I would argue.

Those numbers are very encouraging. We are seeing fewer people put into segregation units.

What the bill would do is eliminate administrative segregation units and put in structured intervention units. There is a difference. The Conservatives say that we are doing too much and are being too nice. The New Democrats say that we are not doing anything and that we need to do more.

I am glad to say that the government and the minister have done a fantastic job working with stakeholders to bring forward structured intervention units, which would actually be effective. In fact, they would make a difference and meet the needs of some pending court decisions on challenges brought forward in regard to segregation. The bill has also taken into consideration what other jurisdictions around the world are doing.

The minister has done a fantastic job in ensuring that we have solid, sound legislation, but both the NDP and the Conservatives are both voting against it, for totally different reasons, rather than recognizing that we are, in fact, on the right path. They do not need to criticize only because they happen to be in opposition. If the government brings in good legislation, there is nothing wrong with recognizing it for what it is, good legislation, and supporting it. That is what we have been debating and why I have been somewhat discouraged by the remarks coming from both opposition parties.

What we would be doing with the elimination of segregation is allowing those individuals who are in segregation today the opportunity to be provided with programs. We would be recognizing the importance of mental health. It is ludicrous to believe that mental health is not one of the primary reasons we have individuals entering our correctional institutions in the first place. If we want to make our communities safer into the future, we need to deal with mental health issues.

For the first time, we have taken a very bold approach by saying that if individuals are in segregation, let us get rid of the concept of segregation in favour of structured intervention units and ensure that there are programs and services that include the issue of mental health.

● (1550)

If we are able to deal with issues of mental health and provide essential programming services when these individuals go back into the general population, that then means that when it comes time for their release, they will be in a better position to conform to our laws. They will be better citizens in the community. They will be more positive and they will contribute as such.

Is that not what we are supposed to be doing in this House? The Liberal members of this House recognize that. We recognize it, we believe it and that is why we are supporting this legislation. Not only do we talk about it, but we want our communities to be safer. We want fewer victims.

There are other amendments in the legislation that are very positive that I have not heard members talk about. For example, when offenders go before the Parole Board, the victims can attend to hear what is said. If they do not attend the Parole Board, then they can apply for an audio recording of it, so they can hear what took place.

With this legislation, they will be able to request audio recordings whether they attend or not. Let us imagine being the victim of a crime and having to listen to the offender. For some, that might be okay; for others, it might not. Those who attend have all sorts of things going through their minds. Should they not be allowed to ask for the audio recordings that exist, so they can take them home and listen in their own homes, or in an atmosphere that is more comfortable for them?

There are some things in this legislation that I believe everyone in this House would easily support. We hear about body scanners. That is no surprise. Members of Parliament tend to fly a lot and are very familiar with the body scanners at airports. With this legislation, correctional facilities will be afforded the opportunity to acquire body scanners so that cavity searches will not be required to the degree they currently are. I see that as a positive thing. It is less intrusive. We are not only talking about prisoners; these scanners are also used for individuals who visit prisoners.

I represent a north end Winnipeg riding and understand the importance of victims' rights. Legislation has been introduced by this government to protect victims' rights. We should not buy the Conservative spin that gives an impression that the Conservatives are the only ones concerned about victims, because that is just not true. Legislation is before us that all members should support because it will prevent victims in the future. I genuinely believe that. That is one of the reasons I would ask members to consider—

● (1555)

Mr. Robert Sopuck: Give us some proof.

Mr. Kevin Lamoureux: Madam Speaker, a member asked if we have data to back it up. We know that programming in our correctional facilities makes a positive difference. It prevents and minimizes repeat offences. If we can do that and prevent crimes from happening in the first place by having better and more sound laws, we will have fewer victims.

The Assistant Deputy Speaker (Mrs. Carol Hughes): I want to remind members that when someone has the floor and other members have the urge to ask questions or make comments during a speech, they should wait until it is time for questions and comments.

Questions and comments, the hon. member for Durham.

Hon. Erin O'Toole (Durham, CPC): Madam Speaker, I am a bit surprised that my colleague expressed at great length and volume that he never hears the Conservatives willing to talk about our justice system. That is ironic, because we actually asked about the rights of the accused several times today in question period, and our Attorney General would not talk about ensuring that the rights of the accused are respected.

The Criminal Code, section 718, has the principles of sentencing for our justice system. They are six: denunciation; deterrence; separation of offenders, that is protection of the public; rehabilitation; reparation; and promotion of responsibility. We agree that all of those are important: rehabilitation, particularly for non-violent offenders, and deterrence, denunciation, promotion of responsibility and protection of the public.

There should be separation of the offenders in grave cases of murder, rape and those sorts of cases. That is the distinction between us.

The member talked a lot about victims in his speech. When we look at those principles of sentencing, how can the member in good conscience say that an offender like Terri-Lynne McClintic, who should be denounced by the public, from whom the public should be protected, and who should be deterred, could be transferred to a healing lodge? How can the member defend that in accordance with the Criminal Code section 718?

● (1600)

Mr. Kevin Lamoureux: Madam Speaker, it is interesting that the member would make that his example. We need to recognize that it was the Progressive Conservative Party that created healing lodges. I applaud it for that. It was not the current Conservative reform party; it was the Progressive Conservative Party of the Brian Mulroney days that created the healing lodge. They then told the correctional facilities that if inmates were in a medium-security facility, they could use the healing lodges.

What happened was under Stephen Harper, the very individual the member is talking about was transferred to a medium-security facility, which then allowed that individual to go to a healing lodge. When the Conservatives were in government, the policy was to hush up, say nothing and allow the transfer. If that transfer had been prevented, the individual in question would never have been able to go to a healing lodge.

However, true to form, the Government of Canada, under the Liberal Party, supports Canada's professional civil service and those individuals we have entrusted to administer justice. That is unlike the Conservative Party, which demonstrated yesterday and again today that it does not respect the independence of our court system. We do, and that is the difference between the Conservatives and the Liberals.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Madam Speaker, there are a good number of concerns with the bill. The first is, whatever happened to Bill C-56? It was tabled. Now the Liberals have introduced another bill. Their original bill, tabled more than a year ago, would actually limit administrative segregation to 21 days, and then within 18 months would further limit it to 15 days. This bill imposes nothing definitive. It says an inmate's confinement in an SIU is to end “as soon as possible”.

Eighteen hundred Canadian inmates are being segregated, and almost 50% of them are suffering from mental health issues. I refer the hon. member to the case of Eddie Snowshoe, an indigenous man from Northwest Territories who committed suicide after being in segregation for 162 days in a 2.5-metre by 3.6-metre cell. Eddie Snowshoe was in a desperate situation. People had even forgotten he was in there.

What is this bill going to do to stop more tragic Eddie Snowshoe cases?

Mr. Kevin Lamoureux: Madam Speaker, the way the legislation is worded, we can see that Eddie Snowshoe would have received mental health services, along with other programming. This is the reality of the NDP's position. There is absolutely no doubt, philosophically, that this advances us forward. It might not go as far forward as the NDP would like to see it, but it brings us forward.

One would think the NDP would support that. I do not understand the positioning of the NDP on this. It makes no sense whatsoever. If we look at the example the member just gave, Eddie would actually have benefited by this.

In addition, the legislation would add the guiding principle to the law to affirm the need for CSC to consider systemic and background factors unique to indigenous offenders in all decision-making.

● (1605)

Mr. Doug Eyolfson (Charleswood—St. James—Assiniboia—Headingley, Lib.): Madam Speaker, is the member aware of any evidence or data that shows that the safety of the public is improved by administrative segregation in prisons?

Mr. Kevin Lamoureux: Madam Speaker, if we take a look at segregation as a whole, we have seen from other jurisdictions that we can improve the whole concept of rehabilitation in many different ways. Segregation would now be converted into something new, where there would be an allowance for rehabilitation programs and mental health services.

As I pointed out, most individuals who are incarcerated today are going to be living in our communities, hopefully as productive members of the public. The better programming we can provide, the greater the likelihood of the public being safer once they are released into communities, whether it is of a physical or a property nature.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Madam Speaker, the bill before us is the result of two decisions rendered by the B.C. Supreme Court and an Ontario court, which ruled that the existing measures are unconstitutional for two reasons.

First, there is no independent oversight agency to determine whether administrative segregation is justified. Second, there is no fixed maximum duration for administrative segregation. However, the bill that the government has presented us with today does not provide for independent oversight, nor for a fixed maximum duration for administrative segregation, so this bill does not change anything.

The only difference seems to semantic. Under the Conservatives, an inmate's confinement in administrative segregation was supposed to come to an end “at the earliest appropriate time”, whereas under the Liberals, it should end “as soon as possible”. Perhaps my colleague can clarify the difference for me.

What is the difference between “at the earliest appropriate time” and “as soon as possible”?

[*English*]

Mr. Kevin Lamoureux: Madam Speaker, if the member across the way does not understand the difference between the Conservatives and the Liberals on this issue, I would advise that he read my comments. I have been speaking on it for the last 20 minutes.

When we take a look at what this legislation would actually be doing, I do not understand how the NDP could possibly not support the legislation. I can understand why the Conservatives do not support it, but I do not understand why the NDP does not. Between now and the time it comes to vote, NDP members might want to caucus the issue. Hopefully they will realize it would be a mistake to be on the wrong side of it. They can bring forward their ideas and suggestions at the committee stage, and let us see if we can have some positive dialogue.

This government has consistently proven in the past that it is open to good ideas and ways to improve legislation. We have accepted amendments by opposition members in the past. We are always open to good ideas that have really been thought through and brought forward. I would encourage my colleague to reflect on his positioning on this legislation and ultimately get behind it.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Madam Speaker, I will be sharing my time with my excellent colleague from Nanaimo—Ladysmith, who will speak very eloquently on Bill C-83.

This is not how I meant to begin my speech, but since the parliamentary secretary has opened the door by saying he is open to suggestions, I have a very liberal idea to suggest. It is from a Liberal bill, Bill C-56, introduced by his own government, which would solve a lot more problems than Bill C-83 that is before us today.

This did not come from a small group of far-left extremists, but from his own government. Bill C-56 is full of good ideas, much better ideas than we see in Bill C-83, unfortunately. I suggest that he read his own bill, which is still in limbo somewhere in the House of Commons.

I, too, frequently met with correctional officers' unions back when I was still the NDP's labour critic. I share some of their concerns regarding their workload, as well as their health and safety at work. As I recall, they were particularly critical of the positions taken by the Conservative Party at the time, especially with regard to overcrowded prisons and the security problems associated with shared cells. I want them to know that we continue to support their demands for good working conditions.

I have also had the opportunity to visit a number of penitentiaries over the past two years at the invitation of a prisoners' rights advocacy group. Two years ago, I visited the Federal Training Centre in Laval, a medium-security penitentiary. More recently, I visited the Leclerc penitentiary, which is also in Laval, not far away. I also had the opportunity to meet inmates who moved from the Federal Training Centre in Laval to the Leclerc prison in the space of a year. They had made progress and were nearly eligible for parole.

Since we are talking about the prison system, it is important to demystify a few things and explain how it really works.

First, a medium-security prison is not an easy place to visit. Deprivation of liberty is an extremely serious thing. Ordinary citizens can hardly imagine being imprisoned in a cell. A lot of people think being in prison is easy, but the simple fact of spending months or years inside takes a toll. It truly is a punishment. In a moment, I will talk about the use of solitary confinement as a way to manage certain situations with prisoners. This kind of punishment can, in some cases, be considered cruel and abusive.

I have visited penitentiaries over the past two years and spoken with prisoners. They are extremely interested in politics, and I noticed that the environment is their top concern. They would ask me questions about the St. Lawrence, climate change, the future of beluga whales, and things like that. These people were going through a rehabilitation process and serving their time, and it was fascinating to see that they were keeping in touch with the rest of society. They asked all kinds of very relevant questions.

Recently, I also met with men from halfway houses run by the Association des services de réhabilitation sociale du Québec. These former inmates support men who have gone through the parole process and are participating in a program with services and therapies so they can rejoin civil society and our communities. These people do extraordinary work and do not accept just anyone. To be honest, 20% of the people in these halfway houses went back to prison because they were unable to stick to their program. They do not accept just anybody. Participants must be disciplined and follow the rules. They must explain their absences and always report their whereabouts.

Parolees who are in halfway house programs and return to the community have a 1% rate of recidivism. That is fascinating. That means that 99% of them will never end up in court or prison again, because the process worked.

● (1610)

I think that it is important for people to understand that when done properly and thoroughly, the process works. Often the most dangerous thing is when people serve their sentence in full. They have spent 25 years in prison. They have not taken part in any programs, been granted parole or received therapy. When they are released, it is true that they can represent a danger to society.

Those who are not dangerous are not the ones who have served their full sentence. It is the ones who are released early because they made an effort and are ready to resume their place in the workforce, among their family and friends.

I think the bill before us is Orwellian. In essence, two superior court rulings, from Ontario and British Columbia, ruled that the current legislation, which provides for administrative segregation in certain situations, was unconstitutional. There are two problems. First, there is no third-party independent observer to determine whether the use of administrative segregation was justified and whether prolonging it was also justified. That is the first problem.

Second, the average duration of administrative segregation is 24 days. That is a long time, and it takes a toll on inmates and their mental health.

Unfortunately, the bill we are debating today does nothing to address the concerns raised by the Ontario Superior Court of Justice or the Supreme Court of British Columbia. I think it is worth pointing out that one of those two courts stated clearly that prolonged segregation can be considered cruel punishment if it is used abusively. The Ontario Superior Court of Justice declared that administrative segregation lasting longer than two days can have negative and sometimes permanent effects on mental health.

People can suffer permanent mental health effects if they are in administrative segregation for more than two days. The current average is 24 days. According to the United Nations, administrative segregation lasting longer than 15 days may be considered torture. The average is 24 days. Does the Liberal government's bill cap the number of days? No. There is no limit.

The first clause of the bill is absolutely fascinating. It proudly states that administrative segregation will be eliminated. The government is going to listen to the Ontario court and the B.C. court and put an end to this practice.

In the second clause, we see that it is now called a structured intervention unit. That is exactly the same thing. They changed the term “administrative segregation” to “structured intervention unit”, which is still segregation, which still has the same effect on the inmate, which is still a form of punishment that can be abusive and cruel and can exacerbate mental health problems, and which, beyond 15 days, can be seen by the United Nations as a form of torture. Structured intervention units can be any area designated as such by the Correctional Service of Canada.

The structured intervention unit can be the entire penitentiary, an area in the penitentiary, or certain cells designated as such. I suspect that the administrative segregation cells will now be called structured intervention units. They are exactly the same areas. The Liberal government is absolutely not satisfying the courts' demands. There is also no independent body to verify whether any of this is being done in compliance with the standards and rules. There is no difference in the planned or possible duration of this segregation for these inmates.

The only difference is that we are going from a maximum of 22 or 23 hours a day to a maximum of 20 hours. That is all. That does not change the inmate's reality very much. Again, it should be noted that a consequence of this is that the release time could be 3 a.m., and the inmate might be asked to go outside when it is -25 degrees Celsius out. In fact, this often does not even exist.

● (1615)

I hope that the Liberal government will listen to reason this time.

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): Madam Speaker, I was pleased to hear that my colleague was asked questions about the environment when he visited the prisons. The inmates are interested in what is happening in society, and that is good news.

My colleague pointed out parts of the bill that he feels are inadequate. For example, he said that the bill should establish the number of days of administrative segregation. The bill is now at second reading. My colleague knows very well that if we vote for the bill, it will be referred to a committee, and he will have the opportunity to propose these changes.

Will my colleague vote in favour of the bill as it stands, knowing that he will have the opportunity to propose changes in committee? If not, why?

● (1620)

Mr. Alexandre Boulerice: Madam Speaker, I am pleased to have informed my colleague about the concerns of certain inmates, in particular about environmental causes.

At this stage, it is extremely difficult for the NDP to vote for this bill because it does not remotely respond to the demands of the Ontario or B.C. courts, nor does it reflect what the Liberals had proposed in Bill C-56.

I hope my colleague will be open to significant amendments that will fix the bill when it is studied in committee, because a majority government could refer it to a committee. In our opinion, the bill does not fix any problems at all. It is the same old, same old.

Today, 50% of those placed in administrative segregation have mental health issues. That is very worrisome. In Canada, between 2011 and 2014, 14 inmates committed suicide after being placed in administrative segregation. I believe it is time that we changed our practices with respect to this measure.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Madam Speaker, I thank my colleague for his speech. I understand that he does not completely agree with the bill. The Conservatives feel the same way but for different reasons.

My colleague keeps repeating that the structured intervention units proposed by the Liberals are just administrative segregation cells by another name. However, in their testimony, prison guards said that the Liberals' proposal could endanger the lives of guards and other inmates. My colleague keeps saying that neither solution is sufficient and that something else needs to be done.

What does he propose?

One one hand, we have the government, which is improvising solutions. On the other, we have a party that is saying that the government's solutions are no good but that is not proposing anything else.

Mr. Alexandre Boulerice: Madam Speaker, I think that our current prison system is generally safe. Yes, correctional officers have legitimate demands, but it is also important to remember that a great deal of their dissatisfaction is due to the previous Conservative government's actions.

The repeated, abusive and prolonged use of administrative segregation is not a solution for dealing with recalcitrant inmates. If 50% of them have mental health problems, it is more of a health issue than a judicial issue. I think that there are other ways to address this issue. Prolonged administrative segregation can trigger or aggravate certain psychiatric symptoms, such as hallucinations, panic attacks, paranoia, depression, impulsiveness, hypersensitivity to external stimuli, self-harm, insomnia, and problems with thinking, concentration and memory. Putting these inmates into such a situation increases the safety risks for correctional officers.

[*English*]

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Madam Speaker, tomorrow is the 11th anniversary of the death of Ashley Smith. This is a tragic story that was broadcast across the entire country. Having been moved from one stage of the criminal justice system and Canada's jail system, Ashley died alone in solitary confinement without the protections that Canada offered her. This happened 11 years ago and here we are still.

As of June 2017, 399 federal inmates were in administrative segregation, including 94 who have been in isolation for more than 90 consecutive days. Between April 2011 and March 2014, 14 inmates died by suicide in solitary confinement.

The 2014-15 report of the Office of the Correctional Investigator reported the overuse of solitary confinement as a tool for managing the inmate population. Twenty-seven per cent of the inmate population experienced at least one stay in solitary confinement.

This overly affects some incarcerated groups more than others, including women with mental health issues, aboriginal inmates and black inmates.

Aboriginal inmates continue to have the longest average stay in segregation compared to any other group and represent approximately 46% of inmates in segregation.

The average segregation period is 24 days according to Correctional Services Canada.

Why does this matter? How does it harm?

In the spring, the status of women committee of which I am vice-chair studied the over-incarceration rates of indigenous women in prison, their experience in the justice system and their experience in jail.

Here are a few quotes and stats from that report.

The 2006 report of Correctional Services Canada, which is called "Ten-Year Status Report on Women's Corrections" said:

> Segregation tends to have a significant impact on women offenders. Generally speaking, women are linked to each other through relationships and the isolation of segregation, combined with the crisis or stress the woman is experiencing, can take its toll.

We heard testimony on February 1 from Ms. Virginia Lomax, legal counsel for the Native Women's Association of Canada, who said:

> Segregation is a particularly cruel practice for women with histories of trauma and abuse, another area in which indigenous women are overrepresented. Their specific lived experiences of colonial patriarchy, intergenerational trauma, and state violence makes them particularly vulnerable to the harmful effects of isolation.
>
> ...Prohibiting the use of segregation for prisoners who are actively self-harming is an acknowledgement that the practice should not be used to manage mental health crises, but does nothing to address the fact that segregation itself is often the cause of escalating self-harm behaviours.
>
> For these reasons and many others, the Native Women's Association of Canada calls for a complete end to the practice of solitary confinement by any name and for any duration.

Dr. Ivan Zinger of the Office of the Correctional Investigator said in testimony at committee on February 2 of this year:

> The impact of segregation is also something that we've identified. The great majority of the women incarcerated in secure units have experienced segregation. There's also a gender-based classification system, which requires that some inmates who are seen as higher risk are handcuffed and sometimes shackled to go off the unit, which creates all sorts of problems for those women.

In response to a question I asked him about how Correctional Services Canada treats women prisoners in need of emergency health care in the Pacific region, he said:

> The practice of taking a woman with acute mental illness and putting her into an all-male institution, completely isolated, all alone in a unit, is shameful and a violation of human rights. I think there is no room for this in Canada.

It has to be said that these women were tried and are in jail for a reason that the justice system identified. We certainly heard a lot of testimony. They said that they were themselves usually victims of crime before they entered the criminal justice system.

We absolutely do need to protect victims and we need to see justice be done in cases of violent crime.

Many times we heard from witnesses that they want these people to end up on the other side of the criminal justice system better than they started and some of the practices described tell us otherwise.

This is an important debate about solitary confinement.

● (1625)

This is what the NDP recommended. In our final report to the government, tabled here in June, we quoted Ivan Zinger, the correctional investigator of Canada. He said:

> I sincerely believe that in a women's facility, you could de facto abolish the practice altogether, if you used those secure units with the same sort of rigour in making it a last resort and using those secure units to separate, and not isolate, the few cases that you need to deal with for a short period of time.

The United Nations special rapporteur on violence against women, who monitors Canada to see whether it is upholding its commitments to the United Nations, said:

> ... I would like to call for an absolute ban on solitary confinement, segregation, intensive psychiatric care, medical observation and all other related forms of isolation of incarcerated young women and women with mental health issues.

The NDP said, in its final report to the government:

> It is shocking that instead of moving forward with reform, the Liberal government appealed the BC Supreme Court ruling against solitary confinement, choosing to spend taxpayers' money fighting the BC Civil Liberties Association in court instead of implementing reforms to help indigenous women in prison.

What did we get? The government tabled on Monday, Bill C-83. It tweaks administrative segregation, or solitary confinement, and rebrands it with different wording. It retains much of the same language and the framework that is used for administrative segregation. It ignores the rulings from the B.C. Supreme Court and the Ontario Superior Court that ruled that administrative segregation was unconstitutional. It failed to give an option for independent oversight for decisions to further restrict liberties of inmates by transferring them into the renamed segregation units. Instead of spending 22 to 23 hours a day in segregation in the current system, the new scheme proposes up to 20 hours a day for an indefinite period of time. The Ontario Superior Court had already found that the harmful effects of sensory deprivation can manifest in as little as 48 hours.

Finally, in a critique, the Supreme Court ruled that the indefinite nature of isolation is again unconstitutional, although the federal government, as I said earlier, is currently trying to appeal that decision.

This morning, at the Women's Legal Education and Action Fund breakfast in honour of Persons Day, we heard a presentation from Senator Kim Pate, who flagged that, in addition, sections 21, 81 and 84 are all interfered with in Bill C-83. These were all mechanisms, enshrined in law, that allowed prisoners to be moved to different levels of care to carry out parts of their sentence, whether that was in the community or it was a healing lodge. There were three different tools. All of them had been underutilized, hardly used at all. Senator Pate, in her previous role with Elizabeth Fry and now as a senator, had been drawing attention to them. Both the public security committee of this Parliament and also the status of women committee had studied those three provisions and made recommendations on them and, strangely, they are now gutted in this bill. It is a funny coincidence.

The representative of the Elizabeth Fry Society said, “While we have advocated for decades for the abolition of administrative segregation, Bill C-83 leaves much to be desired.”

I say, with sadness, New Democrats wanted to see real reform. We have made specific proposals on what that would look like. The government has rebranded this unconstitutional practice instead of doing what the court ordered.

I will leave with a reminder. More than one in three women in federal prisons is indigenous; 91% have histories of abuse; and many also experience debilitating mental illnesses. We have to end the use of segregation and solitary confinement. We will oppose this bill.

● (1630)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, one of my colleagues asked the member's colleague a question about voting for the bill. He responded by saying something to the effect that the Liberals have a majority government and thereby, having a majority government, we will be able to get the bill going to committee.

If I try to better understand that comment, it is almost saying that as the New Democratic Party, the members are opposing the bill but they hope it goes to committee so they can change it. I would like to get clarification from the NDP on whether the New Democrats support those initiatives that are within the legislation, that stand today. Yes, I understand the New Democrats want amendments, but would they be prepared to support the current initiatives without the amendments, or would they see themselves voting against it even in third reading?

Ms. Sheila Malcolmson: Madam Speaker, both myself and other members of my caucus have gone into these committee meetings in good faith and have proposed in some cases hundreds of amendments only to have the Liberals vote them down one after the next without even debating them. I must say that it is a little hard to take my colleague's encouragement to vote in favour of a bill that does not even meet the orders of two supreme courts in this country. The government is probably going to invoke closure on this bill, like it does with everything else, and will probably jam it through just for it to be challenged in court again.

I will restate the recommendation that we gave the current government back in June. It should immediately stop the appeal that it launched against the 2018 ruling to end indefinite solitary confinement in prisons across Canada and recognize the practice is unconstitutional and constitutes cruel and unusual punishment that can lead to the suffering and death of some prisoners, including indigenous women in the federal prison system. This bill does not do that.

● (1635)

Mr. Tom Kmiec (Calgary Shepard, CPC): Madam Speaker, I would like to thank the member for her contribution to the debate I have been listening to throughout the day. I think she and I will agree that we disagree with the content of the bill for very different reasons. I will mention that in reading the British Columbia decision rendered by Justice Leask he looked at the cruel and unusual punishment provision and said, in paragraph 534, that it is actually not cruel and unusual. He declines to rule against it as a section 12 violation. He finds that it is not unconstitutional to have solitary confinement, only when it is indefinite and prolonged.

I think the contents of this legislation completely take apart the system that we have today. That is why many Conservatives will be voting against it.

I want to talk about the budgetary impact of this legislation. In the public safety minister's departmental plan there is a projected reduction of 8.8% in real terms, in actual financial resources, being given to Correctional Services, and a reduction of 150 FTEs over the next few years.

Does the member have any concern, or does she share my concern, that Correctional Services Canada simply will not have either the financial resources or the manpower to actually implement the contents of this bill?

Ms. Sheila Malcolmson: Madam Speaker, my colleague raises an interesting point. As this bill was only tabled on Monday, that is not an analysis I have done.

It is certainly a good point to say that it is indefinite solitary confinement. There are times that segregation is necessary for the safety of other prisoners. However, we did have very clear direction from both courts, and very good advice from multiple witnesses, the investigation done by the correctional investigator Dr. Ivan Zinger and advocates across our country. The current government was given good advice, which it has failed to take.

The Assistant Deputy Speaker (Mrs. Carol Hughes): It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment are as follows: the hon. member for Regina—Lewvan, Infrastructure.

Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.): Madam Speaker,

[*Member spoke in Cree*]

[*English*]

The Government of Canada's number one priority is the safety of Canadians and our communities. It is important to ensure that federal correctional institutions provide a safe and secure environment for staff and inmates, which assists with the rehabilitation of offenders. We must reduce the risk of reoffending and we must keep our communities safe, whether it is in Winnipeg or elsewhere across the country.

The Government of Canada introduced legislation that proposes to strengthen the federal correctional system, changing its direction from one which was under the Conservatives' more of retribution to looking at latest evidence and best practices by implementing a new correctional interventions model and strengthening the health care governance, better supporting victims and addressing the specific situation of indigenous offenders.

Following a recent court decision on administrative segregation, Bill C-83 proposes to eliminate segregation and establish a structured intervention unit, SIU, that will allow offenders to be separated from the main stream inmate populations as required, while maintaining their access to rehabilitative programming, interventions and mental health care. We need to ensure they actually have rehabilitative programming and can receive appropriate interventions and health and mental health care. These are extremely important.

These proposed reforms support the government's continued commitment to implement recommendations from the coroners inquest into the death of Ashley Smith, regarding the use of segregation in the treatment of offenders with mental illness. It also builds on past efforts to address gaps in services to indigenous peoples throughout the criminal justice system.

I would like to quote my good friend, the Minister of Public Safety and Emergency Preparedness, the member from Saskatchewan. He said:

> We are committed to a correctional system that keeps Canadians safe and holds guilty parties accountable for breaking the law, while fostering practical rehabilitation so we can have fewer repeat offenders, fewer victims, and ultimately safer communities. This approach to federal corrections will protect the safety of our staff and those in their custody by separating offenders when required, and ensuring they get more effective interventions, rehabilitative programming and serious attention to mental issues.

The bill is extremely important because it introduces a number of new elements into our corrections system.

I had the opportunity of hearing the Commissioner of Corrections Canada, Anne Kelly, who testified last week. This will be an important means forward. She is very committed to having a corrections system that responds to the department's mandate, not just simply having a justice system that responds to mob justice, a corrections system that improves safety not only within society, but also within the corrections institutions for staff and inmates, and also ensures that we rehabilitate people so they can integrate and not reoffend when they leave the corrections system.

Some of the things being put into place are the structured intervention units. These would be established to provide the necessary resources and expertise to address the safety and security risks of inmates who cannot be managed safely within the mainstream inmate population. It does occur that there are certain people who will never be safe within our prisons. No matter what we do in this place, unfortunately some people commit crimes that are so heinous, those against children, those done by pedophiles, that it is very difficult to integrate them into the mainstream population. For their own safety and for the safety within the entire system, sometimes a different approach must be taken.

A structured intervention unit would have structured interventions and programming tailored to the specific situation of that inmate. Inmates would have an opportunity for a minimum of four hours a day outside their cells. They would have an opportunity for two hours a day of meaningful human contacts. They would receive continued programs to help them progress toward their correctional plan objectives.

Also being put in place are factors unique to indigenous offenders. The needs and interests of indigenous peoples would be better supported by the legal requirement for Correctional Service of Canada to ensure that systematic and background factors unique to indigenous offenders are considered in all correctional decision-making. For an awful long time indigenous peoples have not received the same amount of supports.

For instance, in Manitoba, in 2016 our government put forward $26 million for legal aid to help all peoples. Generally, a lot of indigenous peoples are very poor and need recourse to legal aid. Unfortunately, the provincial Conservative government decided to cut back the exact amount that was given to this. Instead of helping the people who were most vulnerable in the system, they were not helped. They were thrown to the side again.

● (1640)

This is often why we have systematic structural violence in the system, which ensures that indigenous peoples continue to be overly represented because they cannot obtain good legal advice. This is a good way of ensuring that even indigenous offenders within the prison system will obtain the services they require.

For instance, I have met many indigenous peoples who have been in the corrections system, but they did not know how to apply for early release or parole on time because they did not have access to those services. This is part of that.

Supporting victims is another aspect of the bill, which is very important. It would better support victims in the criminal justice system by allowing those who attend Parole Board of Canada hearings to access audio recordings of the hearings.

We are also going to be strengthening the health care governance. The proposed reforms will affirm Correctional Service Canada's obligation to support health care professionals in maintaining their professional autonomy and clinical independence. They do not need the Minister of Public Safety telling them how to do their jobs or what they should be doing. It has been said in the House in the past number of weeks that the opposition would like the Minister of Public Safety to intervene directly in cases. However, we must ensure that health care processionals have the opportunity of doing the assessments independent of the political obligations or politics that happen in this place.

The Correctional Service of Canada would also have the obligation to provide patient advocacy services to inmates to help them better understand their health care rights and responsibilities, as recommended by the coroner's inquest on the death of Ashley Smith. Included in that is further improving mental health supports for inmates to ensure offenders with mental health needs receive proper care.

Budget 2017 invested $57.8 million over five years, starting in 2017-18, and $13.6 million per year thereafter to expand mental health care capacity for all inmates in federal correctional facilities. Budget 2018 builds on these investments, proposing $20.4 million over five years, beginning in 2018-19, and $5.6 million per year going forward for Correctional Service of Canada to further support the mental health needs of federal inmates, particularly women.

We all know, and I am sure all believe, that those who end up in corrections facilities obviously are not within the norm of our society. They have committed crimes for whatever reason and some do require mental health supports.

Winnipeg, right now, is facing a deep and profound meth crisis, which has been ignored by the provincial government. Thankfully, the mayor is a bit more progressive and is attempting to tackle this problem head on. However, the provincial government for a long time has refused to even meet with city counterparts or even with the federal government on this issue. This has caused issues. People should not walk around any Canadian city fearing they might be attacked. Often, many of these issues are related to mental health and people self-medicating themselves with drugs, alcohol, gasoline and other types of drugs, which numb them to the pain of the life in which they exist in great poverty.

Our corrections system really needs to hold guilty parties to account for breaking the law. However, we also need to create an environment that fosters rehabilitation so there are fewer repeat offenders, fewer victims and, ultimately, safer communities. That is why it is important for this bill to pass. We need to strengthen the federal correctional system and align it with the evidence and best practices so inmates are rehabilitated and better prepared to eventually re-enter our communities safely.

One day, almost all prisoners will leave the prison system and live among Canadians. We need to ensure that they do not reoffend, that we are all safe and that they have received the appropriate care so when they are released, they do not reoffend and do not hurt others.

● (1645)

Therefore, the bill would eliminate segregation following recent court decisions and introduce more effective structured intervention units; increase better support for victims during parole hearings; increase staff and inmate safety with new body scanner technology; and update our approach to critical matters, like mental health supports and indigenous offenders' needs.

Correctional Service of Canada needs the authority to separate offenders from the general population for the sake of institutional safety. By replacing administrative segregation with structured intervention units, the proposed legislation ensures that offenders who are separated from the general population will retain access to rehabilitative programming, mental health care and other interventions. Ultimately, effective rehabilitation and safe integration is the best way to protect Canadian communities.

The practice of administrative segregation and its history is an interesting one and has been criticized for many years. The case of Ashley Smith, who died in 2007, a case that has been mentioned in most of the speeches today, comes to mind. It highlighted issues related to segregation and mental health care in a Canadian correctional system.

In 2013, a coroner's inquest into the death of Ashley Smith resulted in recommendations, including instituting a cap on the amount of time an inmate could spend in segregation.

In 2016, the government introduced Bill C-56, which would have created a presumptive cap of 15 days in administrative segregation and a system of independent external oversight, which I believe is very important. Since that bill was introduced, legal challenges in Ontario and British Columbia found administrative segregation to be contrary to the charter. We cannot keep inmates locked up by themselves, with only two hours of contact with other people, for the rest of their lives. Both these rulings have been appealed, one by the government and one by the other party. However, as things stand, they take effect in December 2018 and January 2019. This means that Corrections Service of Canada may no longer be allowed to use the current system of administrative segregation.

There are also pending class action lawsuits related to administrative segregation and the failure to provide adequate mental health care, as well as complaints before the Canadian Human Rights Tribunal.

In May 7, Ontario passed Bill 6, the Correctional Services Transformation Act, which implemented a hard cap on days spent in segregation and prohibited certain classes of inmates, like pregnant women or those with mental illnesses, from being segregated at all.

The number of inmates in segregation on any given day was over 700 in 2011. It is now 340.

While the correctional investigator has acknowledged that the reduction in the use of administrative segregation is an improvement, he has also raised concerns that this decline may be related to increased violence among inmates. However, SIUs are designed to ensure that inmates can be kept in a secure environment, while not being segregated from vital programming and meaningful human contact.

Bill C-83 would eliminate administrative segregation. Instead, people who have to be separated from the mainstream inmate population, generally for safety reasons, will be assigned to a secure intervention unit. In an SIU, people will get a minimum of four hours daily out of the cell, including at least two hours of meaningful human contact with staff, volunteers, visitors and other compatible inmates. There will also be a daily visit by a medical professional. By contrast, people currently in administrative segregation are only entitled to two hours daily out of the cell, with minimal human contact and access to programming.

Within five working days of movement to an SIU, the warden will review the case and decide if the inmate should remain there. Subsequent reviews will be conducted by the warden after another 30 days and by the Commissioner of Corrections Service Canada every 30 days thereafter for as long as the inmate is in the SIU. Therefore, it will be the top corrections officer in Canada, our commissioner, who will be reviewing all of these cases. Reviews can also be triggered on the recommendation of a medical professional, who, as I have mentioned, will be independent and have full independence to conduct what he or she terms is in the best interest of the patient, or if an inmate refuses to leave his or her cell for a given number of days.

Currently victims are only entitled to audio recordings of parole hearings if they did not attend. However, there have been concerns that, due to the emotional nature of the hearings, it can be hard for victims to retain all the details of the proceedings. Even victims who are present could benefit from access to a recording that they could review afterward, on their own time and in a more comfortable setting.

Therefore, Bill C-83 would give victims access to audio recordings whether they attend or not. It is very important to have to a good record of what actually occurred.

● (1650)

This legislation will add a guiding principle to the law to affirm the need for a CSC to consider systematic and background factors unique to indigenous offenders in all decision-making. This requirement flows from the Supreme Court's Gladue decision in 1999, and has been implemented through CSC's policy directive since 2003. Unfortunately, it has been difficult to follow, as the corrections services have often not followed it. Now it is actually being enshrined in law.

This bill would also implement key recommendations of the Ashley Smith inquest by creating the legal framework to have patient advocates in CSC institutions. Patient advocates will work with offenders and correctional staff to ensure that the offenders receive appropriate medical care. Bill C-83 also enshrines in law the decision-making autonomy of medical professionals operating within the CSC.

The next one is extremely important to ensuring safety within correctional facilities in Canada. Here I refer to body scanners, which will help keep drugs and other contraband out of prisons. The bill authorizes the use of body scanners, comparable to the technology used at airports, to search people entering correctional institutions. These devices are less invasive than strip searches or body cavity searches, and they do not raise the concerns of false positives reported by some people who have been examined using ion scanners.

Body scanners are already in use in many provincial correctional facilities, and now the federal system is catching up. This is going to improve safety. A number of groups are in favour of this, including the Union of Canadian Correctional Officers, which. While cautiously acknowledging Bill C-83's measures on administrative segregation, it welcomes the introduction of body scanners to prevent contraband. Jack Godin states:

> Our union has advocated strongly for the implementation of body scanners. We are satisfied with the results. But we still need more resources to manage high-risk, violent and self-harming offenders, such as what was tabled by the Union in 2005 to manage high-risk women offenders which has fallen on deaf ears.

They have some criticisms, but nonetheless are favourable overall towards the idea of body scanners.

To implement these secure intervention units, new investments will be required, mainly to hire new staff. The government has committed to making the necessary investments, with the exact dollar amounts to be announced very soon.

The government has also signalled its intention to invest heavily in mental health care within the corrections system. This will include mental health care in SIUs, as well as early diagnosis and treatment for inmates from the moment of intake, and upgrades in the CSC's regional treatment centres, which provide intensive mental health care for more serious cases. This funding will be on top of some $80 million for mental health care for the CSC in the last two budgets.

I only have about two minutes left, as my time is slowly winding down. I would like to read a few clauses from the bill so that people who are watching on CPAC, or anywhere else, can hear what is in the bill.

On structured intervention units, the bill states:

> Purpose
>
> 32 The purpose of a structured intervention unit is to
>
> (a) provide an appropriate living environment for an inmate who cannot be maintained in the mainstream inmate population for security or other reasons; and
>
> (b) provide the inmate with an opportunity for meaningful human contact and an opportunity to participate in programs and to have access to services that respond to the inmate's specific needs and the risks posed by the inmate.

In section 33, it states:

> An inmate's confinement in a structured intervention unit is to end as soon as possible.

As I have already mentioned, there are other elements are included in that. For instance, we talk about "four hours outside of the cell each day", but there is also time not included. Section 36 states:

> Time not included
>
> (3) If an inmate takes a shower outside their cell, the time spent doing so does not count as time spent outside the inmate's cell under paragraph (1)(a).

Also section 37.2 states:

> A registered health care professional employed or engaged by the Service may, for health reasons, recommend to the institutional head that the conditions of confinement of the inmate in a structured intervention unit be altered or that the inmate not remain in the unit.

That means it is up to the health care professional to decide when things have gotten out of hand.

In my last minutes, I would like to quickly address the whole idea of indigenous offenders. It is incredible because, first, the bill defines indigenous people in its very first clause:

> Indigenous, in respect of a person, includes a First Nation person, an Inuit or a Métis person; (*autochtone*)

It also includes putting in place a lot more advisory committees, committees to consult, and the idea of spiritual leaders and elders:

> Spiritual leaders and elders
>
> 83(1) For greater certainty, Indigenous spirituality and Indigenous spiritual leaders and elders have the same status as other religions and other religious leaders.

Let us give thanks to Gitchi Manitou. Let us give thanks to the Great Creator. I think this is the first time I have ever heard this mentioned, and I proud to see that this measure has taken hold within this bill.

● (1655)

With that, I believe my time has come to an end at 20 minutes. I appreciate the opportunity to speak here and look forward to some of the very interesting questions and comments.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I thank my colleague from Manitoba for his interventions, as he knows better than most of us the overrepresentation of indigenous peoples in our prison system, as well as their overrepresentation in solitary confinement. He also well knows the long-standing evidence of the damage and the harmful effects that can happen to someone in solitary confinement.

Just for the record, the Orwellian language being thrown around in this debate is a bit worrisome. Most Canadians who are at all familiar with the topic know what solitary confinement is. It is solitary. That is what it is. Calling it "structured integration units" pretends it is something else than what it is. I think that is abusive of the debate. I think it disabuses Canadians of the truth of what is happening here.

My question is very specific. The whole reason this bill has been tabled is that the previous practice of solitary confinement in our prisons was shown not by one but two of our higher courts to be unconstitutional. The Supreme Court of British Columbia said that it allowed for prolonged indefinite confinement, but did not allow for independent oversight of decisions to segregate and to prevent inmates from having a lawyer represent them at segregation hearings.

As well, an Ontario court found the same thing, namely, the lack of independent oversight when a decision was made to put a prisoner into solitary confinement, which we know from extensive research can have long-term and damaging effects on them. There are, of course, instances when there have to be separations.

With just an "Orwellian" change of terminology, the Liberals are setting this up to head right back to the courts, because they have not included the independent oversight that both of those superior courts insisted upon in striking down the previous regime, giving the government time to fix it. This bill does not fix it. Why not?

● (1700)

Mr. Robert-Falcon Ouellette: Mr. Speaker, that is a very interesting question. I have been working quite hard with the John Howard Society, which has an office just in front of my office on Ellice Avenue. I am very proud of the work. I often have the chance to go over and speak with them. They have had a halfway house in the past few years where I could go to speak with people who had just been recently released from prison and hear their own stories directly from them.

Solitary confinement is a terrible thing. In the military it was used quite often against prisoners in POW camps. It is a form of torturing people because, over time, it erodes your sense of humanity. It erodes your sense of connection. As human beings are social animals, we do need contact with others.

I think the difference with this bill is that we are trying to define, to a greater extent, what intervention will actually look like, and if we must have rehabilitative programs, what those would entail. In this case, we must have meaningful contact. The bill refers to "an opportunity for meaningful human contact and an opportunity to participate in programs and to have access to services that respond to the inmate's specific needs and the risks posed by the inmate." I think that is extremely important, because there are other clauses here that refer to a health care professional. Their ruling is important and if the inmate is suffering from mental health duress, then that must have a review, and it goes immediately, I believe, to the commissioner of Correctional Service Canada.

The Deputy Speaker: I will just let hon. members know that we are letting questions and comments go a little longer right now. We have roughly 10 minutes. I am not taking any part of that right now. We will tack that onto the end. However, usually when there are not a lot of people standing up, we let members take a little bit more liberty with their time. I just wanted to let members know that, so that if members are interested in weighing-in on this 10-minute period, they can stand up and we will be sure to recognize them.

The hon. member for Edmonton Strathcona.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, my colleague across the way has raised many concerns about the treatment of indigenous Canadians in our country. He has often supported reforms in that direction, and yet I am puzzled that the member has not mentioned another tragedy.

There was a lot of talk about the way Ms. Smith was treated and then committed suicide, but three years after Ms. Smith's death in prison, there was a suicide by an indigenous man, Eddie Snowshoe, from Northwest Territories. Mr. Snowshoe had been incarcerated in solitary confinement for 162 days. Mr. Snowshoe had attempted suicide many times in prison. What was the response? They gave him drugs that made him feel even worse and put him in solitary confinement. The same situation happened with him as it did with Ms. Smith. When he was transferred from Stony Mountain to Edmonton, no one bothered to tell them that he had already been in solitary confinement for 134 straight days, so they started the clock again. Just before Mr. Snowshoe committed suicide, he asked to speak to a psychiatrist. That request was never passed on. Also, he asked to be transferred into the main cells.

Could the member speak to why the bill, unlike the previous bill his government tabled a year ago, which specified 21 days maximum for solitary confinement and 15 days after a year and a half, gives no time limit and has completely discretionary language? How are we to be satisfied that there will be no more Eddie Snowshoes when so many indigenous people are incarcerated in our country?

● (1705)

Mr. Robert-Falcon Ouellette: Mr. Speaker, that is an important question. Mr. Snowshoe's case is absolutely disgusting. Spirituality is extremely important to me as a sun dancer and someone who believes in and practices spirituality. I had a pipe ceremony in my office yesterday, and the hon. Minister of Crown-Indigenous Relations and the member for Etobicoke came to my office. We spent a beautiful 20 minutes praying and thinking.

Excuse me, I am not a lawyer, but the bill does have has a paragraph specifying that indigenous spirituality must be allowed for all indigenous inmates. Under it, Mr. Snowshoe could request those services and have contact. Subclause 83(2), under spiritual leaders and elders, states:

> The Service shall take all reasonable steps to make available to Indigenous inmates the services of an Indigenous spiritual leader or elder after consultation with (a) the national Indigenous advisory committee established under section 82; and (b) the appropriate regional and local Indigenous advisory committees.

It is extremely important to allow contact with another human being, to allow a person who is in segregation, or in this case an intervention unit, to have contact with others. From what I read in the bill, the idea is to make sure that if they have to regroup people together who have similar issues, a certain amount of services can be provided. All that programming needs to be provided to that person. They cannot be isolated by themselves, but the programming for all of those things needs to occur day after day to get them on the right path.

The Deputy Speaker: We will take one last question.

The hon. member for Sturgeon River—Parkland.

Mr. Dane Lloyd: Mr. Speaker, I will be sharing my time with the member for—

The Deputy Speaker: I am sorry. I was perhaps a bit misleading there. We are still in questions and comments. We will get back to the hon. member for Sturgeon River—Parkland.

I think, under questions and comments, the hon. Parliamentary Secretary to the Minister of Democratic Institutions was on her feet.

Mrs. Bernadette Jordan (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, I sat for quite some time on the status of women committee, and we did a study on indigenous women and their access to the justice and criminal justice system. One of the things we heard over and over again was the intergenerational trauma and how women in corrections, particularly indigenous women, are strongly affected by what has happened to them and their families over a number of years.

Could my hon. colleague talk a little more about how important it is to have that mental health component in this piece of legislation?

Mr. Robert-Falcon Ouellette: Mr. Speaker, it is actually written right into the bill. This is not something that is a regulation that can be changed if another government comes to power. Under the Conservatives, in 2015, the government actually cut the budget by $295 million.

In fact, clause 30 of Bill C-83, under proposed section 89.1, states:

> The Service shall provide, in respect of inmates in penitentiaries designated by the Commissioner, access to patient advocacy services
>
> (a) to support inmates in relation to their health care matters; and
>
> (b) to enable inmates and their families to understand the rights and responsibilities of inmates related to health care.

We are actually supposed to be providing that. It would actually be written right in the law. This is an extremely important change, because as I have mentioned, it is not normal to be in prison. We have to ensure that people have the appropriate mental health supports so that they can not only get on with the healing for themselves but they do not reoffend in the future.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Mr. Speaker, it is a great opportunity to stand again. I will be sharing my time with my colleague from Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix.

I am rising to speak to Bill C-83, the flawed reforms to our correctional system the Liberals are trying to push through. This issue is very important to me because of the hundreds of correctional staff who call my riding home and who rightfully expect me to stand up for their safety and best interests.

The Union of Canadian Correctional Officers told me at meetings that the government did not bother to consult front-line correctional officers on these reforms. These people put their lives in harm's way every day to ensure that the most dangerous and violent offenders do not harm the innocent. These courageous men and women, at the end of the day, should be able to go home safely, and we must consider how these changes will affect their safety in the workplace.

Recently I had the opportunity to meet with the union representatives who interact with these criminals. These people have first-hand knowledge and experience of what is happening in the system. These are the people we should be looking to for solutions. They are very concerned about this legislation and many other policies the Liberal government is bringing forward with regard to correctional reform. These concerns involve the safety of correctional officers. They believe that the government is ignoring them and running over them with legislation that would grant extraordinary new privileges to prisoners at the expense of public safety and rehabilitation.

One of the main problems is the policy of administrative segregation. This policy is used to separate dangerous, violent offenders who are threats to the safety of fellow inmates and staff. Administrative segregation is a means to both protect and punish. It acts as a deterrent to committing violence against staff and inmates. Some cases brought to me by correctional staff have included inmates telling each other that it is not a big deal to assault a corrections officer, because they will only get five days. This is exactly the kind of thing we need to deter.

I wonder why the Liberals are reducing punishments for inmates who assault staff and make the workplace dangerous for those who serve in this risky environment.

Let us be clear. We are not talking about an oppressive system like that outlined by the United Nations. We are not even talking about how prisons operated in decades past. Canadians, when they think of administrative segregation, might conjure up images from movies such as *The Shawshank Redemption*, where corrupt wardens can place inmates in solitary confinement, in darkness, with no amenities or opportunities for meaningful human contact. That is simply not the case.

Although there have been mistakes in the past, several government members today have noted that the CSC has taken great strides in recent years to improve administrative segregation.

Administrative segregation is restrictive, but we are not talking about Club Med resorts. We are talking about prison. Inmates in administrative segregation have the right to exercise and leave their cells for an hour each day. These cells are lit, not dark. Prisoners have access to services to better themselves. If one listened to some groups, one would believe that these inmates were being thrown into a hole and forgotten about, and that is simply not the case.

It is clear from several high-profile cases that administrative segregation cannot be used as a replacement for effective psychological health services in the prison system. I know that Correctional Service Canada has taken many positive steps in recent years to integrate recommendations to ensure that past poor practices are reformed.

Many of those suffering from mental health challenges have been administratively segregated, and the consequences to their health and the overall outcomes for rehabilitation have not been positive. No one wants to see anyone fall through the cracks, and ensuring that services are available to those who need mental health services is absolutely critical, but this does not mean that we have to get rid of administrative segregation. It means that we need new tools to address these issues. Reforming administrative segregation needs to involve an assessment of risk and needs to seek the improvement of rehabilitation and mental health outcomes.

I am sure we could all agree that people who find themselves in the prison system are troubled individuals, but that does not mean that all criminals suffer from mental health issues. Abolishing administrative segregation as a practice would take an essential tool away from front-line personnel for protecting themselves and the inmates. In that sense, although these new secure intervention units may hold some promise, there is no reason they could not operate alongside an effective and responsibly used system of administrative segregation.

● (1710)

Those who do not suffer from mental health issues and who choose to assault other inmates or staff should not be rewarded with the secure intervention units. In fact, the union representing correctional officers is asking that these tools be maintained. The government is ignoring the wisdom of front-line personnel who put their safety on the line every day.

The Liberals' action to move full steam ahead in abolishing administrative segregation is a concerning move, but they are also introducing other means for threatening staff and other inmates by condoning drug use and needles in prisons.

Most Canadians would be shocked to hear that the Liberals are pushing forward with a policy to provide needles to prisoners so that they can self-administer harmful drugs. Not only is this counter-productive for the rehabilitation of prisoners, it is a threat to the security and safety of prison staff.

Violent incidents are not uncommon in a correctional environment, and handing out needles to prisoners can be akin to handing out weapons. Vulnerable inmates, guards and other staff will now live in a state of new fear that these potent tools could be used against them, possibly even lethally.

Most Canadians would also be shocked to learn that the Liberals even intend to provide cooking spoons. These are not my words. It is what the union of correctional officers is telling me. Prisoners will be able to cook and produce their own drugs so that they can self-inject. This policy is seriously ill-informed, because as I have been told, lighters have been banned from prisons, because they have been used to start fires in the past. How are they even supposed to cook the drugs with these cooking spoons if they are not even allowed to have lighters?

The Liberals are rolling back best practices that have been learned from experience by our front-line personnel and implemented. The government is rolling back these best practices and putting people at risk. This does not make sense.

Many look to Europe for an example for Canada to follow, but the government is selectively choosing which European policies to adopt while ignoring how the overall system works. Yes, needles are used in some European prisons, but there is no European country where needles are provided in all prisons. The eventual agenda of the Liberal government seems to be that all prisons, regardless of security classification, should have access to needles.

In Europe, administrative segregation is used in the case of an assault on a police officer. It changes from country to country. This is not seen as a viable option for the future for the government. Why is it not being maintained here?

I just wonder what policy objective the Liberals intend to achieve through prisoners receiving needles. Do the Liberals want to protect prisoners from infectious diseases? Correctional staff have informed me, and I have seen the statistics on this, that over the past 10 years, the rate of infectious diseases, such as HIV, have been reduced drastically. I think 50% was the model. I do not see how introducing new needles would decrease the likelihood that dirty needles will be used. This permissive approach to this abuse is likely to cause more of the same problem the Liberals are looking to get rid of.

When actions are brought before the courts, it seems that the policy of the Liberal government is always to cave in and run. Some courts have ruled that the widespread use of administrative segregation is a violation of prisoners' charter rights. It is clear that in the cases cited earlier, oversight was the issue and the indefinite period of time was the issue. That does not mean that administrative segregation in and of itself is a flawed concept.

We have charter rights, but when people go to jail, they give up some of those rights. They are not absolute. The right to liberty is an example. We have to draw a line. What about the safety of our correctional staff? Where is their right to safety in the workplace?

Correctional staff have every right to expect that the government will ensure that they have a safe working environment. This legislation, combined with allowing needles in prisons, would endanger the safety of correctional staff.

It is time for the Liberals to take a stand, uphold the will of the people and the will of those who serve on the front lines and stop taking away the tools they need to do their jobs.

● (1715)

Mrs. Celina Caesar-Chavannes (Whitby, Lib.): Mr. Speaker, it is very well known and recorded that I am very much a strong advocate for mental health. I know the member spoke quite a bit about the mental health issues of inmates and the safety of those who are in charge of them.

While I recognize the need for safeguards, I do take some offence with using the mental health case as a reason to misinform Canadians by saying that inmates will be rewarded, as my colleague mentioned. Inmates will be separated through a secure intervention unit. Inmates will be separated when necessary while providing not only mental health services, but rehabilitative service and other intervention services that are necessary. This is not just about mental health. This is about securely having someone away from the general population and providing them with the services that they need because there is the capacity to rehabilitate and reduce recidivism rates.

The warden has the opportunity to review at five days and then at 30 days, while the person is in the secure intervention unit. I am hoping that my colleague could speak to why he focused on the mental health aspect when he clearly understands that this is not the complete intention of the bill.

● (1720)

Mr. Dane Lloyd: Mr. Speaker, I have not solely been focusing on the mental health aspect because I have been focusing on the right of our correctional officers to have as safe a working environment as they can possibly have. These are the people who put their lives on the line every day when they work in these dangerous environments with people who have committed violent crimes and are likely to commit violent crimes.

I stand by the use of the term "reward". We are talking about a previous system where someone would be sent to administrative segregation and completely stripped of their right to extra privileges and now under this new SIU policy the government proposing, the individual will gain those privileges back. I do not see any other way to look at it other than it is adding privileges, it is rewarding prisoners under this new policy. That is the way that I see it and that is the way that people in the corrections system are seeing it.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I am not sure I heard this in my friend's speech because there is the way he sees it, the way my colleague from Whitby sees it, and there is the way the courts have seen the use and practice of solitary confinement in our prisons and the response from not one, but two superior court decisions, one in British Columbia and one in Ontario, against this practice is what the bill is responding to, allegedly.

We craft laws in this place. They then get put out into the public and if they are challenged, as this previous practice was challenged in court, after the most brutal experiences where people in solitary confinement ended up killing themselves, because the practice was abused.

There are two things that both of the courts identified. One was oversight and the second was a limitation on the number of days that solitary confinement could have. A previous Liberal bill actually had some elements of oversight and had some limits to solitary confinement. The bill does neither. How does my friend not expect this to end up right back in the courts after more damage is done to more people who are incarcerated and Parliament in some future day to be taken up with the very same example after so much more human tragedy?

Mr. Dane Lloyd: Mr. Speaker, what I worry about is not necessarily that this will end up back in court, but that we are going to see some deadly consequences from this legislation if correctional services officers are being put at increased risk because they have this essential tool taken away from them. I can agree with my colleague that there have been abuses in the past and that things need to be done about that, such as talking about appropriate limitations and appropriate oversight. These are things that I can certainly support in legislation. What I will not support is completely taking away an essential tool that is necessary not only to protect prison staff, but to protect vulnerable inmates from being preyed upon by the more powerful.

[*Translation*]

The Deputy Speaker: Before we resume debate, I must inform the hon. member for Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix that she has about six minutes remaining for her speech. She can finish her speech the next time the House resumes debate on this motion.

The hon. member now has the floor.

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, I rise in the House today to speak to Bill C-83, an act to amend the Corrections and Conditional Release Act and another act.

I do so because I have a duty to give a voice to the victims of crime and their loved ones here in the House because, ever since the Liberals came to power in 2015, the voice of the people has been growing weaker and weaker and their rights are being increasingly trampled.

The Canadian justice system is not perfect. A lot of work remains to be done to make it better, fair and equitable, and to ensure that it upholds the rights of victims of crime and their families. There is still a lot of work to do to make victims' rights equivalent to the rights of criminals.

Fortunately, the previous Conservative government took an honest look at the imbalances that persisted for many long years.

The excellent work done by former prime minister Stephen Harper for the advancement and respect of the rights of victims of crime resulted in the creation of the position of federal ombudsman for victims of crime, an end to prisoners serving only one-sixth of their sentence, the drafting of Bill C-452 to support victims of procuring, minimum penalties for certain sexual offences, a financial compensation program for parents whose children are missing or killed as a result of a criminal offence, a review of the faint hope clause bill and, finally, the victim surcharge bill.

Since 2015, the government across the aisle has not passed a single piece of legislation to support victims. Worse still, it has not introduced a single bill to improve the lives of victims of crime.

On top of that, even though the House unanimously voted in favour of Bill C-452 in June 2015, the government has backtracked and still refuses to sign the order in council to implement the act, which would protect young girls from sexual exploitation. It claims that the bill is too harsh on pimps.

The Liberals also want to eliminate the mandatory minimums in some acts. Further evidence that the Liberals would much rather support criminals than victims is that they took nearly a year to appoint a new federal ombudsman for victims of crime, but the new federal ombudsman for offenders was appointed in less than a month. Furthermore, they voted against my private member's bill, Bill C-343, which would have made the position of ombudsman for victims of crime the same level of authority as the corrections one.

Now, with Bill C-83, the government continues on its path, seeking to punish criminals as little as possible, even the most dangerous, aggressive criminals who pose serious risks to the safety of other offenders and corrections officers. The government wants to stop placing inmates in segregation, commonly known as the hole.

I must say that, these days, being sent to the hole is not the same thing as before. I come from a family that worked in the prison system for a long time, so I know what I am talking about. My father was a prison warden and my mother was a prison guard.

The Minister of Public Safety wants to replace the administrative segregation cells reserved for the most dangerous and problematic offenders with structured intervention units, which would separate these offenders from the rest of the prison population, when necessary, but continue to give them access to rehabilitation programs, interventions and mental health care.

● (1725)

We all agree that mental health issues must be treated. However, we also all agree that, when inmates are in solitary confinement, it is because they are endangering the lives of others. Because of that, I will have to vote against this bill. For me, victims of crime come well before criminals themselves.

The Deputy Speaker: The hon. member for Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix will have four and a half minutes to finish her speech when the House resumes debate on this motion.

It being 5:30 p.m., the House will now proceed to the consideration of private members' business, as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

● (1730)

[*English*]

TRANS MOUNTAIN PIPELINE PROJECT ACT

The House resumed from September 21 consideration of the motion that Bill S-245, An Act to declare the Trans Mountain Pipeline Project and related works to be for the general advantage of Canada, be read the second time and referred to a committee.

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Speaker, I am happy today to speak to Bill S-245, which asks this place to declare the Trans Mountain expansion project to be in the general interest of Canada. I assume this has been brought forward because of the bureaucratic process the project has been through for the past few years and the legal quagmire that it remains in today.

The Conservatives have been gleefully blaming the Liberals for this mess and the Liberals have been blaming the Conservatives. For once, I am happy to report that they are both right. The irony is that this was a problem created by the Conservatives in the previous government, and is a problem that the Liberal government now has failed to address.

In the rush to get a number of pipeline projects done, the Conservatives gutted the Fisheries Act, the Navigable Waters Protection Act and the environmental assessment process. These actions served to polarize the Canadian public around energy projects and policy. That polarization is certainly part of the reason that pipeline projects continue to be a source of division in Canadian society today. That division is part of the reason these projects continue to be delayed.

Under the Conservative watch, the National Energy Board undertook an impact assessment process regarding the Trans Mountain expansion project, then owned by Kinder Morgan, now owned by us. That process was deemed by many to be deeply flawed. Consultation with first nations was inadequate. Concerned citizens, experts and groups were denied opportunities to appear before the panel. There was no opportunity to question or to cross-examine the testimony of Kinder Morgan. Major parts of the environmental study were ignored, namely those involving the marine transport aspect of the project.

Because of these shortcomings, in the 2015 election, both the Liberal Party and the NDP ran on a clear platform that called for the Kinder Morgan assessment to be redone. The Prime Minister repeated that promise numerous times: a brand new process. However, when the Liberals came to power, they announced something very different.

A ministerial panel made a quick tour along the pipeline route in the summer of 2016, giving first nations and communities very short timelines to prepare. It did not even record the proceedings. The panellists did produce a report that posed six questions they felt the Liberal government had to answer before making their decision on the project, but those questions have never been adequately answered.

When the NDP pointed out that this process was completely inadequate and that the Liberals should live up to their promise of a new thorough process, we were criticized by those who said that a new process would delay the project, perhaps by as much as two years. That was three years ago, and we are back at square one.

We are back at square one because at the end of August, the Federal Court of Appeal quashed the federal permits for the Trans Mountain project based on two errors: the lack of consideration of marine transport issues and inadequate consultation with first nations. Ironically, those are interconnected because a lot of the concerns that first nations had in that inadequate consultation were around the fact that marine transport was left out of the whole process.

I want to start by talking about that consultation issue.

The Court of Appeal clearly stated in a unanimous decision that the consultation process was simply bureaucrats who were sent out to listen to the concerns of first nations and to relay those concerns to cabinet. As the court repeatedly states in the decision, they were simply note-takers. There was no attempt made to actually address any of those concerns. In fact, the consultation team and the government apparently mistakenly believed they could not add any more conditions on Kinder Morgan than the National Energy Board had done, so why bother consulting if they could not make any changes.

One example of that failure is the concern of the Coldwater First Nation, which wanted the pipeline to take an optional route to the west to avoid crossing its aquifer. It is a big concern, a very reasonable concern and a reasonable request. However, there is no evidence that acting on that concern was even considered.

I could go on and on about consultation, but I will simply say that the government knows what proper consultation is. It is not an impossible task. It has been done before. It just requires more effort and that sincere desire to address concern, rather than just writing them down.

In the natural resources committee, we have heard many examples of proper consultation, many from the mining industry and certainly from the oil and gas sector. One example is the Squamish process regarding the Woodfibre LNG project.

● (1735)

The other error the court of appeal pointed out was the failure to include concerns about marine transportation. One of the main concerns there is the status of the southern resident population of orcas, which is something we have heard a lot about in the news this past summer. I must say that I know a fair about this, because I was on the committee on the status of endangered wildlife in Canada a few years ago and was at the meeting where we actually assessed that population as endangered in Canada. The Liberals are saying that they are relying on their oceans protection plan to cover off those concerns. It is a plan that claims to include world-class oil response. We hear a lot of that "world-class" talk around here.

This summer, I attended the Pacific NorthWest Economic Region meetings in Washington state, and I talked to people from the United States about that plan. It seems that the states of Washington and Alaska are very concerned that the Canadian plans are not world-class at all, at least not in the sense of being the best of the best or near the best. They are only run-of-the-mill world standard apparently. Alaska and Washington state would like Canada to join with their system of tracking ships off the Pacific coast, a truly world-class system that would be a proactive way of minimizing the risk of collisions and spills. This is the kind of thing we might have heard about had the TMX project included marine transport in its proceedings.

I want to turn again to this issue of polarization. When people who are concerned about the environment or first nations reconciliation are labelled "foreign-funded radicals" by the former Conservative government, and I still hear those words in Conservative remarks today, it makes a wide public choose sides and makes it very difficult to have a reasonable discourse on an issue. There is a way forward, a way to reduce this polarization.

I have been involved in a number of meetings here in Ottawa organized by Positive Energy. I think a meeting is happening right now today, which I cannot be at, but its goal it to bring these disparate sides together for a proper discussion on energy issues in Canada.

At one of these meetings I sat with Nik Nanos, the pollster, who had done some polling across Canada on this issue. He had found that only 2% of Canadians had strong confidence in Canada's energy regulation system, also known as the National Energy Board. His polling also indicated that there was a path to rebuild this confidence, and that path was through proper consultation with first nations and proper consultation with communities.

This court decision is a reminder that we have to put the effort in at the start. There are no shortcuts to the approval and assessment process for energy projects.

Finally, I would like to mention the story that we need a pipeline to tidewater, because it will give us a fair price for our oil, and that the discount we are forced to pay now is because we are forced to sell to one customer, the United States.

I have talked to many oil industry people and read a lot of articles in industry magazines, and two things seem to be clear. The first thing is that the best price for the oil we have is to be had in the United States and not in Asia. The second is that the discount we have been suffering through off and on for the past few months is due only to pipeline flow constraints and not to whoever we are selling to. Therefore, it is not who we are selling it to but how easy it is to move.

I met with pipeline industry reps this morning in my office and asked them about Line 3, one of the new expansion proposals for selling our oil to the United States. They said that line will be in operation late next year and added that it will fix the discount problem. Therefore, if we think that Trans Mountain is in the national interest because it is the only solution to the discount problem, that does not seem to be true.

The NDP feels that it is time for a thorough and critical look at our energy strategy in Canada. It is time to invest boldly in the clean energy sector to provide good, long-lasting jobs in a sector that is the true future of the world energy market. We feel that purchasing old pipelines is not proper use of public funds. Let us invest in the future.

● (1740)

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Mr. Speaker, as a fellow British Columbia MP representing a riding that the proposed Kinder Morgan pipeline expansion will pass through, citizens and communities have a vested interest in this project.

In this place we often talk about the very large numbers, such as a $7.4 billion construction budget. Now that the government has bought it for maybe $9 billion or more, it estimates that for the first 20 years of construction and operation this will generate $46.7 billion, including federal and provincial taxes paid. It also estimates this project will create the equivalent of 15,000 person years of employment in construction and 37,000 indirect and induced jobs each year it operates.

However, what we do not often talk about are the smaller numbers, like the $922 million estimated for municipal tax payments over 20 years; the $8.6 million in community benefit agreements, the monies that pay for park upgrades or new trails and walkways in small communities. It helps to upgrade infrastructure.

For example, the small community of Merritt has had two once-in-a-century flood events these past two years. Many of the people in Merritt look forward to some of the upgrades that could alleviate flooding once this project goes forward. They have told me that they are very supportive of this project, not just for that but for all the other reasons I have given. It makes small rural communities and many local first nations communities more livable and more prosperous.

Last week, there was an incredibly moving speech in the B.C. legislative assembly by former Haisla chief councillor Ellis Ross, who is now an MLA. His speech was a very powerful one on how resource projects could lift first nations communities out of poverty.

On that note, I would like to pause for a moment. While the Prime Minister and B.C. NDP Premier John Horgan were busy hugging each other for the photo ops for an LNG announcement, let us all take a moment to recognize the two people who played such a significant role in the announcement. They had the vision and determination to see that B.C. LNG project succeed. I speak of no other than former B.C. premier Christy Clark and former Haisla chief councillor Ellis Ross. They both endured a huge amount of mocking and personal ridicule from different sides. Thankfully, they had the resolve and conviction to see that project continue to move forward.

However, we are not here to debate B.C. LNG. We are here to debate Senate Bill S-245. Therefore, let us take a moment to see how we got here.

In 2015, when the Liberal government was elected, it inherited the following: a northern gateway project that had been approved by the former Conservative government; a Trans Mountain pipeline that was still before the National Energy Board; and an energy east pipeline that was in the works. What happened?

We all know what happened to the northern gateway project. The Prime Minister made the political decision to kill that project. It was not a science-based decision, because that same National Energy Board process also approved the very same B.C. LNG project for which the Prime Minister now so desperately tries to take credit.

After that, we know the Prime Minister then moved the goal posts so energy east threw up the white flag. When the Prime Minister did that, he had only one project left, the Trans Mountain pipeline expansion project.

However, we are not done yet. Of course we know the Prime Minister has also set out with his northern tanker ban. That is also not a science-based decision. How do we know that? Because the Western Canada Marine Response Corporation can provide the same spill response in northern coastal waters exactly as it does in southern coastal waters. Likewise, the Pacific Pilotage Authority Canada, a Crown corporation, can also provide the same world-respected marine pilots to navigate these vessels as it does in southern B.C. coastal waters. Yes, companies like Seaspan, which provides multiple tugboats to assist with docking in Burnaby, B.C., can do the very same thing in northern British Columbia.

The bottom line and the evidence is that what the Prime Minister says is perfectly safe for tanker traffic in southern B.C. can be applied to the northern coast as well.

● (1745)

However, as usual with this Prime Minister, it is all about playing politics and boosting his brand. What is that brand? Increasingly, it is "Do as I say, not as I do."

Let us look at this bill. Rather than slowly meandering through the other place to get through to this place, the Prime Minister could have recalled this place at any time during the summer and brought this in as a government bill.

However, we all know he did not do that. Why not? This Prime Minister was in a conundrum. He says he wanted to see this pipeline built, yet none of the things he actually does support getting any pipeline built.

We should remember, this is the Prime Minister who killed off northern gateway and energy east, and who proposes a tanker ban. Those were all political decisions and none was evidence based.

Kinder Morgan basically called the Prime Minister's bluff and established a deadline. Rather than make some difficult and unpopular decisions within that very voting demographic that this Prime Minister so wants to earn, he bought his way out of the problem that he himself had created.

Buying the Trans Mountain pipeline was a huge insult to taxpayers, but it was a brilliant political move by this Prime Minister. Why do I say this? It is brilliant because now he controls the timeline. What is the timeline? We do not know. We have a timeline for one part of the review, but for the other part of the process we have no timeline.

Do members see how that all worked together? This Prime Minister used Canadian tax dollars to buy his way out of a problem he created.

Do members remember social licence? Do members remember that line in the Liberal platform? I quote:

While governments grant permits for resource development, only communities can grant permission.

How is that all going? It is a massive fail. Does anyone think this Prime Minister will allow a Trans Mountain shovel to break ground between now and the upcoming election? I would submit everyone in this room knows the answer to that.

While I am fully supportive of this bill, and I commend the efforts of Senator Doug Black from Alberta to bring this bill forward, I have my doubts that this Prime Minister will actually do anything with this bill in the event that it gets passed.

I believe that with the Prime Minister it all comes down to numbers, and I do not mean the kinds of numbers I quoted at the beginning of my speech, be they big or small. I mean this Prime Minister is looking at the number of Liberal MPs in B.C. ridings, many located in the Lower Mainland where there is often the least amount of support for this pipeline, versus the very few Liberal MPs in Alberta.

Of course, there is also that NDP provincial government, which put its faith in this Liberal government initially by fully supporting its climate platform. Now the Prime Minister has totally thrown that Alberta NDP government under the bus. It is not an LNG bus, by the way.

In B.C., where a new LNG pipeline project is approved, that project has been given an exemption from the Liberal government's carbon tax increases. This Prime Minister looks the other way about that, smiles and hugs B.C. NDP Premier John Horgan for a photo op. This is the very same NDP premier who stands in the way of the project that this Prime Minister claims is in the national interest.

We also know this Prime Minister quietly waived tariffs so that cheaper, foreign steel can be used to build B.C. LNG. I wonder if he mentioned that when he was visiting Canadian steel mills this past summer.

By the way, did I mention that Westshore Terminals in B.C. last year exported more coal than the entire country of Mexico? I wonder if our Prime Minister had a conversation with Premier Horgan about that? I would say it is somewhat unlikely.

The Prime Minister says the Trans Mountain pipeline is in Canada's national interest. This bill states that the Trans Mountain pipeline project and related works are declared to be works for the general advantage of Canada. I agree with that.

I will vote to support this bill, one that I specifically reported to my constituents on. I asked them about the bill, and the overwhelming majority of people replying by email were very positive and supportive of it.

● (1750)

I am also hopeful that the Prime Minister will hear this speech and that he will also vote for this bill and for once actually do something that he says he will do and build it.

Mr. Paul Lefebvre (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, it is a pleasure to rise today as part of the government's response to Bill S-245 at second reading and to do so as the new Parliamentary Secretary to the Minister of Natural Resources.

I have said many times over the past few months that I am truly honoured by the confidence given to me by the Prime Minister and I have big shoes to fill. The member of Parliament for Northumberland—Peterborough South, who was in this position before, set the bar really high and I want to thank her for her great work.

[*Translation*]

Luckily, I learned a lot while representing Sudbury. Some things stood out as being of particular importance: developing our resources, doing things properly and ensuring that development benefits everyone, including project proponents, local communities, the environment and indigenous peoples. In everything we do, we must consider both job creation and environmental protection.

It is for these reasons that we approved the Trans Mountain expansion. The project had the potential to create thousands of good middle-class jobs. It created opportunities for the 43 indigenous communities that signed mutual benefit agreements. Expanding Trans Mountain will also strengthen our economy by generating billions in new revenue for all levels of government and allowing us to ensure that Canada gets a fair price for its resources.

I would like to share just some of the main reasons we continue to believe in the Trans Mountain project. These are some of the basic reasons we purchased the pipeline's existing assets as a secure investment in Canada's future. It is also for these reasons that we are moving the project forward properly. The bill before us today has been overtaken by events. Not only is Bill S-245 clearly obsolete, but also, passing it would bring no real benefit to Canada or Canadians. That is why our government will oppose the bill.

We know that expanding Trans Mountain is in the national interest. However, Bill S-245 contains two fundamental flaws.

[*English*]

First, Bill S-245 was drafted long before the government acquired the pipeline and long before the Federal Court of Appeal quashed the government's approval of the project. In other words, the bill was written for a very different time and, therefore, serves no practical use in the circumstances we find ourselves in today.

Second, the bill is legally flawed because it seeks to increase federal jurisdiction over a project that is already under federal jurisdiction. Nor does it offer any real improvements in terms of how provincial laws affect matters within federal jurisdiction or change the scope of federal jurisdiction. In short, this bill adds no value and serves no purpose.

If I may, I would like to use my time today to remind members how our government is moving forward on the TMX project in the right way, such as how our efforts make the motion before us unnecessary and how our approach ensures that we continue to create good jobs and grow the economy as we also build public confidence, advance indigenous reconciliation and enhance environmental stewardship. All of this was actually confirmed by the Federal Court of Appeal, in its August 30 ruling on the TMX project.

For example, the court acknowledged that we had made a solid start with the interim principles we introduced back in January of 2016, measures aimed at improving the way major resource projects are reviewed in Canada. The court also concluded that "...Canada acted in good faith and selected an appropriate consultation framework" for engaging indigenous groups and communities on the expansion project and, finally, the court lauded our government's efforts to protect coastal waters and communities. It even encouraged us to continue with those efforts through our historic $1.5-billion oceans protection plan.

Ultimately, the Federal Court of Appeal found that there was still more work to be done in terms of the National Energy Board's review of project-related marine shipping and the phase III portion of our indigenous consultations. Our government accepts both findings which is why we have decided not to appeal the court's decision. Instead, we are following the court's guidance and suggestions for addressing those shortcomings. We are doing so in two key ways that supersede anything found in the legislation before us today.

● (1755)

[*Translation*]

First, we asked the National Energy Board to reconsider its recommendations, taking into account the effects of project-related marine shipping, including the effects of additional tankers along the coast of British Columbia.

We also asked the National Energy Board to deliver its report within 22 weeks. The board will get input from Canadians and will provide participant funding so that the views of indigenous groups are well represented.

Furthermore, we will appoint a special marine technical advisor to ensure that the National Energy Board has the expertise and capacity to deliver the best advice to the government.

Then, we asked the board to consider our government's recent efforts to protect the southern resident killer whales. Our oceans protection plan is part of these efforts. This is one of the largest investments in Canadian history to protect our waters, coastlines and marine life.

Second, our government decided to start over with phase 3 consultations with the indigenous groups affected by the Trans Mountain network expansion. We will use a different and much better framework.

For example, government representatives on the ground will have a clear mandate to conduct meaningful consultations. They will also be able to discuss reasonable arrangements with indigenous groups on the issues that are important to them. We will work with first nations and Métis communities to get their views on how to run the phase 3 consultations.

We will more than double the size of our consultation teams and give them access to all of the government's expertise, internally and externally. We will also adapt the consultations to the groups we are meeting.

[*English*]

Let me be clear. We are not starting over. We are building on the relationships we have, the information we have gathered and the consultations we have conducted.

Finally, as we move through phase 3 consultations, we will have access to the best possible advice from within and outside our government. As part of that, we have appointed retired Supreme Court of Canada Justice Frank Iacobucci to serve as a federal representative to oversee the consultation process.

All of these initiatives represent tangible and substantial ways our government is taking action to ensure the TMX project moves forward in the right way.

That is the clear vision and the practical plan missing in the legislation before us today. That is why I will not be supporting Bill S-245.

[*Translation*]

Mr. François Choquette (Drummond, NDP): Mr. Speaker, I am pleased to rise to speak to this bill. The NDP will not be supporting it either, but not exactly for the same reasons my colleague across the way laid out. In fact, his argument is not as sound as he claims.

Bill S-245 seeks to declare the Trans Mountain pipeline project and related works to be for the general advantage of Canada. We think that is a bit much, but that is okay. We are here to listen.

Every process related to the Trans Mountain project was completed recently. It bears repeating that the assessments were conducted according to the same environmental assessment system that the Conservative government used. The government did say that it would never use this system again after it was completely gutted of all its authority and no longer provided any opportunity for real consultation. I wanted to mention that.

Then there was the dramatic announcement that Kinder Morgan would not move forward with this project because it was not profitable and it made no sense. However, on May 29, 2018, the government decided to buy Kinder Morgan's shares along with the infrastructure related to the Trans Mountain pipeline. Using $4.5 billion belonging to Canadians, the people in my riding, and Quebeckers, the government purchased outdated, problematic, 60-year-old infrastructure. No one is talking about it, but one day this old pipeline will have to be dismantled and the site will have to be decontaminated.

Canada has a tremendous amount of sites to decontaminate. Often, old mining companies leave the land polluted and fail to assume their environmental responsibilities. Taxpayers end up footing the bill for all that. The polluter pays principle is extremely important. Here, the government just decided that Canadians will pay to decontaminate the lands along the pipeline's path. I was astounded by the news.

There continues to be strong opposition to this pipeline in general, especially on the part of municipalities, environmental groups and indigenous groups. They oppose it because the government is still subsidizing the fossil fuel industry. I would remind members that some $2 billion of Canadian taxpayers' money is used to subsidize the fossil fuel industry even though Canada committed to gradually eliminating these subsidies. At this rate, with inflation, we will never get rid of them, even though they promised to do so.

On Monday, a number of members joined us in asking for an emergency debate on the latest alarming report by the Intergovernmental Panel on Climate Change, the IPCC. It states that if we continue doing the same things, we will never hold global warming to 1.5°C, which was the commitment made by the Liberal government in Paris. It said that Canada was back as an environmental leader on the world stage. Unfortunately, it is back with the same low targets as Stephen Harper's Conservatives, making it impossible to make any real commitments.

Therefore, we are far from satisfied. Many people have said that this IPCC report is sounding the alarm and that we must take action and bring in more measures. The report mentions something critical, which is that the technology needed to limit global warming already exists.

● (1800)

What is lacking is political will. Speaking of a lack of political will, the Liberal government definitely has a deficit in that area. I am not the one saying so. According to Greenpeace, the Liberal government is not doing enough to reduce GHG emissions. Greenpeace spokesperson Patrick Bonin said that Canada is really not on track to comply with the Paris accord and warned that unless drastic action is taken, it will completely miss the greenhouse gas reduction target it set for 2030.

Need I remind the House that they were very low targets? François Delorme, an economist at the University of Sherbrooke's School of Management, said that Ottawa is sending the wrong signal by giving unequivocal support to the oil and gas sector, especially with the Trans Mountain pipeline purchase. He said that the government cannot ask people to change their habits while subsidizing fossil fuels.

That was the first mistake, as we have mentioned. Yes, we need to put a price on carbon as a first step, but the next step is to stop subsidizing fossil fuels. Not only is this government subsidizing them, but it is purchasing them with taxpayers' money.

That is not all. The Trans Mountain pipeline is floundering at the moment because of a court ruling that pointed out a number of flaws, including a failure to ensure the protection of marine biodiversity and marine mammals. According to a CBC report, the killer whale has become Trans Mountain's Achilles heel, and the Federal Court of Appeal found that the National Energy Board made a "critical error" in failing to assess the impact of the marine transportation of tar sands oil on killer whales. That is another important factor the government ignored.

This has been the subject of much criticism for some time now. In her latest 2018 report, the Commissioner of the Environment and Sustainable Development revealed that the Liberal government does not have an action plan for protecting marine mammals, including the St. Lawrence beluga. Because of the federal government's failure to take action, these species are going from threatened to endangered. In the report, Commissioner Gelfand wrote: "We found that federal organizations did not have any criteria or guidance for considering the specific needs of marine mammals".

That is extremely important. Everything is connected. We see that with the Trans Mountain pipeline.

In closing, Canadians want champions of the environment. They want people who will use their money to support sustainable development and renewable resources, like the solar walls in my riding and energy efficiency. We are in the process of growing that very important sector in my riding.

There are many companies working to grow the renewable energy sector, but they have to compete with the fossil fuel industry, which receives billions of dollars in subsidies.

There is a lot more I could say, but I see that I have only a minute left. I will close by saying that Canadians expect much better from our government. The Liberals say that they are champions in the fight against climate change, but I think they have demonstrated that that is not the case.

That will not be the case until the Liberals eliminate fossil fuel subsidies and set better targets. There was an emergency debate on Monday, but nothing has been done this week and there is nothing on the agenda for next week either. The government has not made any more investments in energy efficiency, and it still wants to expand the Trans Mountain pipeline.

For all of these reasons, my constituents and other Canadians are saying that champions in the fight against climate change and champions of the environment do not buy pipelines. They invest in renewable energy.

● (1805)

[*English*]

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, a lot of members who have spoken so far on this Senate bill have provided numbers or explained why they are either for or against. I heard the parliamentary secretary explain to us that this was not needed, that this particular bill coming from the other place is defective, because it does not deal with the current situation.

After three years of dithering, confusing and obstructing, we find ourselves in the situation now where the Government of Canada has expropriated Kinder Morgan, allowed a private company in the most profitable sector of the energy industry in Canada, in transportation, midstream, to take $4.5 billion from the taxpayer, and there is no pipeline being built.

We are at this point today due to desperation. There is a great Yiddish proverb that applies: Out of desperation, one finds.

What a surprise that it is an Alberta senator, duly elected by the people of Alberta to represent them in the other place, who has put before this House a bill that would fix a major problem, which is the rule of law in Canada. We have a Constitution that is supposed to apply equally to all provinces, but I would submit that the vast majority of Albertans feel that there is a two-tier system, one system for everyone else and one for Albertans, and that is simply not good enough.

This bill is about respect, respect for Albertans and energy workers in all provinces, because this is not just an Alberta issue. This is an issue that affects energy workers in every single province in Canada if we cannot build major industrial energy projects any more, and with bills like Bill C-69 on the books, we will not be able to build them anymore.

The Senate has already passed this bill. It is up to us to take up the task and pass it here to clear any further obstructions and delays that may come the way of this project from other levels of government, provincial and municipal, and actually get this project built.

The ideal situation, which I would have preferred, like the vast majority of Albertans, would have been to see a private company build it. As I said before, this happens to be the most profitable sector of the energy industry. There is a great cartoon Malcolm Mayes put together in the Edmonton Journal. It shows the Prime Minister riding a massive anchor hooked up to a piece of equipment, and it says, "I'm behind you all the way!" That is what most Albertans fear when they hear that from the federal government, that the Liberals have their hands in Albertans pockets, taxing them.

For the longest time, Albertans accepted it. They said it was okay. They were willing to pay their freight, to contribute to equalization, to contribute to Confederation, because they knew they were building a better country, improving Canada and putting food on the tables of families all across Canada. That is not true right now. That is not true anymore. The highest unemployment rate happens to be in Calgary. I represent a suburban area of Calgary, where countless energy workers are unemployed and underemployed because of decisions being made by the Liberal government of today. It is not getting better; it is getting worse. Families are still losing their homes. Severance pay has run out.

Many people have left the province. An entire generation of young people was told to go into STEM, into science, technology, engineering and mathematics, because they would get amazing jobs in the energy sector and contribute to the province. We spent a generation trying to convince more women to join the STEM fields, trying to convince young people that it was worth their time, and convincing people from outside the province to come to Alberta to establish themselves and bring their families, because they could make a living there. That has been taken away, much of that because of decisions made by the Liberal government, which have compounded problems on the commodity market.

Now we have a differential that has only grown. I remember working for the Calgary Chamber of Commerce many years ago when the differential was $25, and businesses were complaining then. Now it is $40. The reason for the increasing gap between what Canadian heavy crude can get on the market and what we can get in the United States is the decisions of the Liberal government only.

Bill S-245 would clear the way. Liberals have already expropriated Kinder Morgan. They already own the project. This would clear the way from any further delays that could possibly happen. It is the right thing to do. I hear a member again heckling from the other side.

● (1810)

This is about respecting Albertans and respecting energy workers in every province in Canada. This particular section of the Constitution has been used before, many times. The Canadian Grain Commission used it. Facilities, such as storage and sorting facilities linked to the grain commission, were federalized. The Teleglobe Canada Reorganization and Divestiture Act used this particular section of the Constitution so the Government of Canada could divest itself of a corporation. The Cape Breton Development Corporation Act used this section of the Constitution to come into being. The Ottawa canal used that particular section as well. It is not special in any way. It has just not been used as of late, but it has been used hundreds of times by the federal government to ensure that large-scale industrial projects get built for the benefit and general advantage of Canada.

If this is a country of 10 islands, 10 separate provinces that can each do whatever they want whenever they want, then Albertans have a serious question to ask, which is: why are we still footing the bill through massive equalization payments? It is a legitimate question to be asking.

The member for Lakeland has fought for three years to point out the damage that has been done by Liberal government policy. It is something Albertans know all too well. They have experienced this before with a previous Liberal government and its national energy program. It is a myth now in Alberta. It is an easy thing to mention, even for those of us who did not have the opportunity to be born there, who moved to Alberta and became Albertans because they wanted to. The civic nationalism of our province knows about the stories, about the farms that were lost and the homes that were lost. That is what we do not want to have happen again.

The price differential we are experiencing right now is leading to job losses. Just last week, companies were telling us that for the first time ever they had to pay others a few pennies on the barrel to take our oil. That is ridiculous. It makes no sense.

Bill S-245 clears the way. Members opposite say it is not needed anymore, but I have not heard a single description of what harm it could do. The proposed bill does not even mention Kinder Morgan. It just mentions the projects and the licences issued. It applies just as well today as it will in the future. The government has explicitly said it wants to find a buyer. It has not explicitly said whether the project will be fully built and complete by then and actually producing and shipping or not. This would clear the way for any future owner of the pipeline as well, ensuring they can maintain it, ensuring the safety of the workers on site and ensuring the safety of the environment.

Bill S-245 is the right bill at the right time. It took an Alberta senator, an elected senator, not a member of the Conservative Party, but an independent senator, to put it forward. I am happy to support it. It is a great piece of legislation. It is brought from that desperation I just talked about. He found an opportunity to use the Constitution for the general advantage of Canada. This is how we build a community, a community of 10 provinces agreeing that—and I think we all agree—this has gone on for too long. There are too many delays, too much obstruction. Let us get the project built. The energy industry in Alberta is part of the lifeblood of Alberta. The public treasury there depends on it to ensure we have hospitals and schools, and pay for the salaries of its public sector workers. Without it, it will not happen. There will be further harm done to Alberta and to Albertans.

I am calling on all members to support the bill. Like other members have done in the past, when this section of the Constitution was used for things like Teleglobe, the grain commission, the wheat board, all of those things, it is time to act. The time to act is now.

● (1815)

The Deputy Speaker: Resuming debate, the hon, member for Calgary Signal Hill. I will let him know that there are only about six minutes remaining in his time so we can leave enough time for the right of reply.

Mr. Ron Liepert (Calgary Signal Hill, CPC): Mr. Speaker, I welcome the opportunity to use the six minutes to express some views that I consistently get from my constituents in Calgary. They are very similar to what the member for Calgary Shepard mentioned. However, a couple of comments were made today that prompted me to get up and respond.

I listened attentively to the Parliamentary Secretary to the Minister of Natural Resources. He talked about the government having a plan. Many in Alberta believe the Liberals do have a plan, and it is called ragging the puck. Part of the plan was to purchase Kinder Morgan so they were then in control of the timeline for building the pipeline. Many people in Alberta, including me and many of my colleagues, believe the government has no intention of ever getting shovels in the ground. This is part of the plan all right, the plan to rag the puck until after the next election, and the Liberals are doing a good job of it.

I know a number of members on the government side may not be familiar with how the oil industry is priced. I thought I would like to make a few comments to put it in a perspective that is easy for all Canadians to understand. We hear terms like, "price differential". Very few people really understand what price differential means, so let me try to lay out as to what it means to Canadians in the way of lost revenue.

Today, the price of world oil is about $80 a barrel. In the U.S., it is around $70 a barrel. Alberta today is getting under $20 a barrel. Therefore, that price differential of $50 a barrel equates to one school per day not being built in Canada, while one school per day is being built in the United States. It equates to the equivalent of one hospital per week not being built in Canada, but it is being built in the United States.

For those members of the government who come from the auto industry area of Ontario, let me put this in perspective. At the Ford plant in Oakville, it produces a car worth $70,000 and it sells for $70,000 in Canada. However, when that same car is sold in the U.S., the Americans are quite happy to give us $20,000 for it. That is what we are dealing with today.

It is time for the government to do what it says it will do. The Liberals say they are committed to this pipeline. I see nothing in what they are doing that will get this pipeline built. That is why this bill is so very important.

I am offended when I hear the Prime Minister say that the government will not use tricks. He is calling a piece of legislation a trick. The Prime Minister is very good at tricks. It is time he start to look at reality and get on with it, get the job done and get that oil flowing to the west coast so we can start having a school per day built in Canada, not in the United States; a hospital per week built in Canada, not in the United States.

The time is now. We can do it with this legislation. Let us get on with it and support it.

● (1820)

Mrs. Shannon Stubbs (Lakeland, CPC): Mr. Speaker, I would like to thank all of my Conservative colleagues for proving that we are the only champions of responsible energy development on Canada's long-standing track record as a world-leading environmentally and socially responsible producer of oil and gas.

I would like to thank them on behalf of thousands of Canadians in every single corner of the country whose livelihoods depend on Canada's responsible energy development and the amazing incredible role that Canada could play in the world to provide responsible energy for the world's growing oil and gas demand long into the future. That is our vision for Canada as an energy producer and for the benefit of all Canadians.

The Liberals did not have to spend $4.5 billion of Canadian taxpayer dollars to give to Kinder Morgan to go and build pipelines in the United States and consider selling and divesting completely from Canada.

All Kinder Morgan needed, and never asked for, was certainty that once it completed one of the longest and most rigorous environmental reviews with the highest standards in the world on all counts, received approval and met the 157 conditions applied, that it would simply be able to proceed with construction of the Trans Mountain expansion.

For nearly two years the Liberals have failed and their actions just do not match their empty words. They failed to give certainty to Kinder Morgan that the legal provincial and municipal challenges, delays and ongoing roadblocks, which were deliberate tools to try to get Kinder Morgan to abandon the pipeline, would be removed.

For two years Kinder Morgan did everything it could to try to proceed with building the expansion that the Liberals themselves had approved and that we supported.

The Liberals denied three requests for unanimous consent to pass the bill in the House of Commons expeditiously before the spring, before Kinder Morgan's deadline that the Liberals had known about for months. They failed to take action then to provide Kinder Morgan that certainty before it was forced to abandon it.

Earlier my Liberal colleagues suggested it is too late but as my colleagues have expressed here, even if the pipeline can get built there are still future and ongoing threats, like restricting the volume of the expansion that other levels of government and activists can bring to the pipeline.

That is exactly why Bill S-245 is needed now just as much as it ever was to ensure that if the pipeline does actually get built, there will be no further impediments to its construction, operations and ongoing maintenance.

The Liberals failed to deliver a law to assert federal jurisdiction that the Prime Minister himself promised this past spring, around the same time that the Liberals defended spending Canadians' tax dollars on a protest position that was explicitly to stop the Trans Mountain expansion. That is why nobody believes what they say.

The court ruled that the Liberals failed to follow their own plan to consult indigenous people on the Trans Mountain expansion. For more than a month they failed to take any action to fix that failure and their ultimate announcement was just a consultation on how to consult.

The Liberals failed to listen to premiers and legal experts and appeal the court ruling to request a stay of appeal so construction could proceed while the Supreme Court deliberated.

The Liberals failed to introduce emergency legislation to affirm Transport Canada's holistic review of tanker traffic and marine vessels in the area in the case of the Trans Mountain expansion, instead kicking the can down the road for six months with no certainty what would happen after that process. That is why my colleague said their tactic is to rag the puck.

The Liberals continue to fail by still no longer being able to provide concrete timelines for a start date for construction and completion of the Trans Mountain expansion. That lack of a timeline has caused massive uncertainty and stress for the thousands of workers who have been left in limbo after losing those jobs that they were counting on.

It is a pattern. The Liberals killed the northern gateway pipeline instead of allowing more consultation. They killed energy east by political interference, changing the rules, adding red tape and forcing TransCanada to abandon the pipeline. Today the reality is that the Trans Mountain expansion remains stalled and the consequences of their failures have been staggering: more than $100 billion in energy projects cancelled; hundreds of thousands of Canadians out of jobs; more investment losses than any time in more than seven decades; future money for all levels of government lost; lost opportunities for indigenous Canadians and communities in every corner of the country; and deep divisions between Canadians being pitted against each other because of these Liberal failures.

They are about to make it even worse by ramming Bill C-69 through the Senate and failing to listen to experts who have said that legislation will guarantee no new pipeline will ever be proposed or built in Canada again.

● (1825)

What tremendous damage that will cause to our country's international reputation as a safe, fair, predictable place to do business and create jobs. The Liberals should be ashamed of themselves. They should support this proposed legislation to give certainty so that the pipeline could go ahead. I hope it is clear why nobody should believe any of their empty words about supporting the energy sector. Their agenda to shut it down is clear.

The Deputy 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 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 nays have it.

And five or more members having risen:

The Deputy Speaker: Pursuant to Standing Order 93, the recorded division stands deferred until Wednesday, October 24, immediately before the time provided for Private Members' Business.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

● (1830)

[*English*]

INFRASTRUCTURE

Mr. Erin Weir (Regina—Lewvan, CCF): Mr. Speaker, in June, I asked whether the federal government would prioritize the use of Canadian-made steel in infrastructure projects, such as the Trans Mountain expansion, as well as the new Champlain Bridge in Montreal, particularly given the imposition of U.S. tariffs on Canadian steel exports. If we are unable to sell our steel south of the border, it is all the more reason to ensure that we are able to use it in federal infrastructure in our own country. This question is still very much relevant because, of course, we still have American tariffs on Canadian steel exports, even after this USMCA agreement to renew the former NAFTA.

In addition to reiterating that question, I want to raise some other issues regarding the potential benefits to Canadian workers of federal infrastructure spending.

The first thing I want to raise has to do with the Trans Mountain expansion. Kinder Morgan had contracted to do most of the construction with the Christian Labour Association of Canada, which is a very employer friendly organization. It was recently kicked out of the International Trade Union Confederation, and now that Trans Mountain is a public project, I wonder if consideration might be given to reissuing those contracts to more legitimate trade unions that would properly represent their employees and, indeed, bargain for better wages and working conditions.

The second issue I want to raise is that this government was elected on the promise of introducing a modernized fair wages policy, after the former Conservative government had eliminated the federal fair wages legislation. What this really means is that when the federal government builds infrastructure, the construction contracts should require some sort of minimum level of wages for different trades, wages that are better than the prevailing provincial minimum wage. One way the federal government could ensure quite concretely that its infrastructure investment benefits Canadian workers to a greater extent would be to keep its promise to reintroduce some sort of federal fair wages legislation. It is one of the first things I asked about at committee after I was elected, and we are still waiting for the government to make good on that promise.

The third topic I would like to raise would be the notion of community benefit agreements that the Government of Canada could attach to its infrastructure spending. The House passed Bill C-344, a private member's bill, to enable community benefit agreements. I believe that bill is before the Senate, and so it is not law yet. On the other hand, there really is nothing stopping the federal government from choosing to negotiate community benefit agreements when it lets these infrastructure contracts. I believe that would be another way it could ensure that its infrastructure investments are tied to local job and training opportunities, as well as other types of economic and social benefits for the regions where these infrastructure investments are occurring.

I would be very interested to hear from the government whether it will take up any of these suggestions to ensure that its infrastructure spending makes the maximum possible contribution to our Canadian economy.

Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Infrastructure and Communities, Lib.): Mr. Speaker, I want to begin by saying that Canada is a strong proponent of the rules-based international trading system, which ensures the predictability of global trade. As you and all the members of this chamber know, we will always defend Canadian workers and Canadian interests against protectionist actions. Nowhere was that more evident than in our negotiations of the renegotiation of NAFTA, what is now called the USMCA, an important agreement in principle, which we hope to have ratified in this chamber and in the other jurisdictions, the United States and Mexico. This agreement will preserve access for Canadian consumers to the largest economy and largest market in the world.

We have secured no tariffs with respect to the auto sector. I know that is very important in the province of Ontario. We have ensured that we would preserve chapter 19, which is an important dispute resolution mechanism for our country. Finally, I would point out that we worked very hard to reduce duties at the border, which would ensure that Canadian consumers have access to that market without having to pay as much duty as before. These are just some of the net benefits which are flowing from the USMCA.

I would also point out, in direct response to my friend's question, that at each and every critical juncture of this negotiation we had brought to the table representatives from the labour community, from Unifor and the Canadian Labour Congress, and we believe that having a strong labour community is intrinsically connected to ensuring that people are paid a fair wage. He also pointed out, quite rightly, that we are in the midst of enshrining a community benefits agreement framework so that as proponents come forward with projects to strengthen our communities in the context of infrastructure, be it in transit, roads or cultural community centres, there will be a direct benefit to the community as a result of the employment opportunities that are driven by the fruition of those projects.

In the context of the question that my friend had asked previously, I would point out that one example of our commitment in this region, in Ontario, is the Canada-Michigan crossing agreement, which stipulates that only iron and steel that is produced in either the United States or Canada will be used in the construction of the Gordie Howe International Bridge.

● (1835)

[*Translation*]

Even in markets that are not subject to international trade agreements, we encourage the use of Canadian steel in public markets through the Canadian content policy and the industrial and technological benefits policy.

[*English*]

The new Champlain Bridge in Montreal demonstrates our commitment to investing in safe, secure and sustainable infrastructure that will meet the current and future needs of users. With an estimated $20 billion in Canada-United States trade, and as many as 50 million vehicles flowing over the existing bridge every year, the Champlain Bridge corridor is crucial for both local commuters and businesses moving their goods back and forth across the border. Our priority is to deliver a safe, top-quality, toll-free, new Champlain Bridge that is responsible and respectful toward the taxpayer. This federal infrastructure investment is ensuring a modern and sustainable crossing that will improve the quality of life of Canadians for the next 125 years by creating thousands of well-paying jobs that are helping to grow the middle class.

[*Translation*]

To select a private partner for this project, we followed a rigorous, open, fair and transparent procurement process.

[*English*]

The procurement process respected all of Canada's obligations under international trade agreements.

[*Translation*]

However, roughly three-quarters of the subcontractors and suppliers for this project are Canadian. That includes Canam, which is building the steel superstructure for the approaches of the new bridge.

[*English*]

The Government of Canada is committed to ensuring our projects are built safely, sustainably, and with the durability to last generations and protect the economic interests of all Canadians.

Mr. Erin Weir: Mr. Speaker, the parliamentary secretary began his remarks by emphasizing the government's commitment to a rules-based trading system. I certainly appreciate some of the positive accomplishments in the USMCA. However, the fact remains that even with that deal negotiated, we still have American tariffs on Canadian steel and aluminum exports. Therefore, the rules-based trading system is not being respected and I guess the question is how we will respond to that. Will we just accept it or will we use federal procurement policy to ensure that in the face of these trade barriers we can at least use Canadian steel in our own infrastructure?

The parliamentary secretary talked a fair bit about the new Champlain Bridge in Montreal. The last time I asked about it, less than 20% of the steel for that project was being manufactured in Canada. Therefore, I think there are opportunities to use some of the steel that we cannot sell south of the border in federal infrastructure right here in Canada.

Mr. Marco Mendicino: Mr. Speaker, in direct response to my friend's comments about the ongoing steel and aluminum tariffs, the Prime Minister and the Minister for Global Affairs have been absolutely consistent and firm in our position.

These tariffs are unacceptable. They are inconceivable. It is an absolute fallacy that Canadian steel could pose any kind of a national security threat to our friends in the United States and we will continue to work with our friends south of the border to see that those tariffs are removed. That will, of course, be very much connected to the USMCA as a means of creating opportunity, trade, commerce and wealth, which is driving record job growth under this government. There have been over 600,000 jobs created since we have taken the reins of this government, with record low unemployment.

We believe in good trade with our partners. We believe in having labour at the market and that is why my friend and his constituents can be confident in the work that is being done on this side of the House.

● (1840)

[*Translation*]

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:40 p.m.)

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