



CANADA

House of Commons Debates

VOLUME 137 • NUMBER 063 • 1st SESSION • 37th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Wednesday, May 16, 2001

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, May 16, 2001

The House met at 2 p.m.

Prayers

• (1400)

[*Translation*]

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Ancaster—Dundas—Flamborough—Aldershot

[*Editor's Note: Members sang the national anthem*]

STATEMENTS BY MEMBERS

[*Translation*]

REGIONAL PRODUCTS

Mr. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, during the summit of the Americas, which I would remind hon. members was attended by 34 heads of state of the Americas including the president of the United States, a reception was hosted by the Prime Minister. To the great pride of all the people of Brome—Missisquoi, and particularly the people of the town of Lac Brome, Brome Lake duck was on the menu.

An event such as this is an extraordinary showcase for our regional products. We can be justifiably proud of the variety, quality and originality of our local products. As well as being a source of pride to ourselves, I do not doubt that they were greatly appreciated by the summit VIPs.

My congratulations to Canards du lac Brome on this undeniable recognition of their product, an honour that reflects on the town of Lac Brome, on Brome-Missisquoi and on the Eastern Townships as a whole.

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[*English*]

AGRICULTURE

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Mr. Speaker, I would like to bring to the attention of the

government the ongoing income crisis in the grains and oilseeds sectors, particularly on the prairies and throughout Ontario.

In addition, the Saskatchewan net income will be under \$400 million. When we consider that it normally is up in the billion dollar range, that in itself is evidence of this tragedy. On top of that, in my home province of Manitoba we have extremely wet conditions which are delaying seeding. In western Saskatchewan and Alberta we have extreme drought conditions.

I encourage the government to take immediate action and work with provincial premiers in looking at solutions now and deliver the assistance that will be required sooner rather than later.

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TEACHING AWARDS

Mr. John Richardson (Perth—Middlesex, Lib.): Mr. Speaker, it is with great pleasure that I rise in the House to congratulate Mrs. Carol Oriold, a teacher at Listowel District Secondary School in Listowel, Ontario. Mrs. Oriold has been selected from 215 nominations to receive a 2000-01 Prime Minister's award for teaching excellence and a certificate of achievement.

As a teacher of dramatic arts, Mrs. Oriold has inspired students and increased enrolment of classes from eight to fourteen. Many students have gone on to professional theatre schools and work in theatre.

The Black Door Theatre is another example of Mrs. Oriold's achievement. As the founder of the theatre, students work in co-operation with the audiovisual club, arts and technology students. The troupe has won more than 100 awards in the past 15 years.

Mrs. Oriold is an exceptional individual who has inspired students and has been an excellent role model. Congratulations to Carol Oriold.

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[*Translation*]

GRANDS PRIX DU TOURISME QUÉBÉCOIS

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, last Friday evening the 16th award ceremony for the Grands prix du

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tourisme québécois was held in Montreal. Four Outaouais area businesses distinguished themselves at this event, and I am extremely proud to pay tribute to them today.

Café Henry Burger of Hull carried off the gold award in the category restaurant development.

• (1405)

A bronze went to les Grands Feux du Casino de Hull in the category events with a budget in excess of \$1 million.

In the tourism services category, the National Capital Commission was awarded a gold for the Gatineau Park Visitor Centre, while Réservation-Outaouais was awarded a gold in the transportation and travel category.

The Outaouais region has made a name for itself as far as Quebec tourism is concerned. Congratulations and best wishes for continuing success to our four Quebec tourism award winners and to all those who work day in and day out to make the time tourists spend in the Outaouais memorable.

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[English]

NEUROFIBROMATOSIS MONTH

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, I am pleased to bring to the attention of our Prime Minister, members of parliament and Canadians across the country that May is officially recognized as Neurofibromatosis Month. NF is caused by spontaneous mutation of a gene that every human has. This mutation acts to promote tumour development in over one in four thousand North Americans.

This past weekend I had the privilege of attending a fund raising event sponsored by the Benjamin Thornewell Memorial Fund. Benjamin was a happy, outgoing child who passed away of NF at the age of eight and a half. The impact this fine young Canadian had on all of us is exemplified in the fact that over 300 community members came together to raise over \$17,000.

I congratulate Benjamin's mother, Pat, and everyone involved in this huge success. Canada should come together and leave Benjamin a legacy of which he can be proud. Let us support the necessary research to find a cure for NF.

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FISHERIES

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, abalone harvesting licence holders on the west coast remain second class citizens. Unlike other licence holders in other fisheries who have been disenfranchised from their livelihood due to closures, the federal government has never initiated a buyback program for owners of now useless abalone licences.

The government's approach to disenfranchised abalone licence holders was to set up an advisory body to discuss the issue with the native fishery and coastal communities affected by the closure. This is nothing but an attempt to bury the issue in a bureaucratic maze, hoping the real disenfranchised, the abalone licence holders, would forget about the whole thing.

A year ago I asked the minister of fisheries for a meeting to discuss the issue and to date I have not been accorded the courtesy of a response to my letter. When will I get a response from the minister? When will abalone licence holders get what they deserve? When will the minister realize he is from British Columbia? These people are suffering.

I heard why do I not ask the parliamentary secretary, that he should know what the minister is doing if he is doing his job. They are not answering these questions. They should answer them and do something immediately.

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HEALTH CARE

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, our health care system in many parts of the country is under severe stress. Our hospitals are underfunded. Our nurses and doctors are overworked. Our residents are waiting in some regions for over a year for critical diagnostic tests. This situation cannot continue.

On June 28 I will be hosting a community forum on the future of health care in Canada. The results of our discussions will be summarized in a report which I will present to the federal government's Romanow commission.

This forum is about engaging in a dialogue with our citizens in search of constructive solutions. Our goal, as Mr. Romanow has indicated, is to ensure the long term sustainability of a high quality, universally accessible, publicly administered health care system for all Canadians.

I invite the residents of Nepean—Carleton to join me on June 28 at the Walter Baker Community Centre as we take a positive step toward better health care in Canada.

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[Translation]

JEAN-SÉBASTIEN RENAUD

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, it is my pleasure today to welcome to Parliament Hill Jean-Sébastien Renaud, the grand prize winner in the member for a day contest in the riding of Longueuil. In fourth year high school at Jacques-Rousseau school, Jean-Sébastien came first among the students in the Histoire nationale course.

My aim, with this contest, is to develop young people's interest in the hectic world of politics and show them the importance of taking an active part in our society.

These young people, who will be making tomorrow's decisions, have once again shown me that the next generation is very promising indeed. The finalists it was my pleasure to meet were all very interesting.

During his visit to Ottawa, accompanied by his father, Gérald Renaud, Jean-Sébastien will have a chance to see the parliamentary duties of MPs.

On behalf of all my colleagues in the Bloc Québécois I welcome Jean-Sébastien to parliament and wish him an enjoyable visit.

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MARC RACICOT

Mr. Claude Duplain (Portneuf, Lib.): Mr. Speaker, the national capital Alcatel marathon was held this weekend.

I would like to mention the excellent performance by Marc Racicot.

• (1410)

Mr. Racicot is a faithful employee of the security services protection unit of the House of Commons.

He completed the marathon in a time of three hours, eight minutes and fifty-seven seconds. He thus qualified for the prestigious Boston marathon.

My colleagues join me in wishing him the best of luck in this next challenge.

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[English]

IMMIGRATION

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, there is a shocking story of a family of six being deported by the Department of Citizenship and Immigration after going through all the proper procedures to immigrate to Canada.

It seems there is a glitch to their coming here, and that is that Mr. Sklarzyk mistakenly underpaid the \$50 head tax. This honest mistake was further complicated by the fact that the department of immigration cashed his original cheque and then lost any record of the family's application. To add insult to injury, the Sklarzyks were not even notified of their imminent deportation.

It seems there are no extenuating circumstances for this family's deportation or refusal of entry into Canada. They have no record of illegal dealings. They have not contravened any Canadian law. Mr. Sklarzyk even started a small business.

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Correct me if I am wrong, but is this not the kind of hard-working people we want in Canada? Why will the government not let the gentleman pay his \$50 and keep his family in Canada?

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TEACHING AWARDS

Mr. Gurbax Malhi (Bramalea—Gore—Malton—Springdale, Lib.): Mr. Speaker, last week a select group of teachers from across Canada received the Prime Minister's Award for Teaching Excellence. As the Prime Minister said "These teachers are the best of the best".

One of the award recipients was Ms. Carol Scaini, a teacher at Robert J. Lee Public School located in my riding, who won the award because of her innovative learning style and her teaching of self-esteem and respect for others.

On behalf of the constituents of Bramalea—Gore—Malton—Springdale, I wish to congratulate Carol on her achievement and encourage her ongoing work to educate the youth of our country.

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INTERNATIONAL IMPAC LITERARY AWARD

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I rise to congratulate Alistair MacLeod for winning the International IMPAC Literary Award, or the Dublin Prize, for his first novel *No Great Mischief*. The judges commented that this book, the story of a family emigrating from Scotland to Cape Breton in the late 18th century, was a "monument to the universal human spirit".

We must salute the incredible achievement of being recognized in the largest awards process in the world nominated by public libraries from over 100 countries as simply the best.

This completes a great year for Canadian literature, including Margaret Atwood winning the Booker Prize and Michael Ondaatje winning the Prize Medici. These achievements are the fruits of years of efforts by brilliant authors, brave and visionary publishers and the wise public policy which has supported them both.

May we in the House of Commons continue to keep supporting our authors, keep our publishing industry alive and continue to firmly fix Canada's place in the world as a country of magnificent literature.

* * *

[Translation]

BASQUE PEOPLE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, I want to congratulate the Basque people for the political maturity they have shown by re-electing the Basque nationalist party, by increasing its represen-

Oral Questions

tation in the regional parliament and by giving it another mandate to determine their future.

The Basque people are also sending a clear message: they are putting their faith in the democratic system to finally obtain a constitutional status that will allow them to thrive. The result of this election is also a victory for democracy.

They massively rejected political violence, but they will not give up their national aspirations.

I want to make this wish for the Basque people: may they finally achieve, democratically, the status that they are longing for.

Humanity can only be rich through the free and sovereign expression of the peoples that make it up.

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[English]

OTTAWA 67S

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, it is with great pleasure that I congratulate the Ottawa 67s, who yesterday won the Ontario Hockey League championship and with it the J. Ross Robertson Cup. It is another cup on which they have their eyes, and that is the Memorial Cup which will be up for grabs this weekend in Regina.

[Translation]

Following this victory, as I mentioned, the Ottawa 67s will take part in the Memorial Cup tournament, which begins this weekend in Regina.

The team's talent makes its local supporters proud. The players are showing excellence and determination, and they are models for young Canadian athletes.

[English]

On behalf of all the people of Ottawa and all my Ontario colleagues who join me in congratulating these fine athletes, we wish them the best of luck in the Memorial Cup tournament this weekend in Regina.

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• (1415)

MIKE BULLARD SHOW

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, so King Jean has granted his subjects a rare public appearance on CTV's the Mike Bullard show. Unfortunately, however, the general public is barred from the studio audience, apparently for security reasons and because Mike and CTV do not want to make the king to feel uncomfortable.

These are extraordinary measures because this is not our average Canadian. This is King Jean. King Jean must be protected from his lowly Canadian subjects and, God forbid, a dangerous heckler.

Instead, Canadians tuning in to the Mike Bullard show tomorrow night will be treated to a studio audience full of friendly PMO Liberal staffers and friends of CTV. Well at least King Jean will be assured of a few laughs even if his subjects do not see the humour.

ORAL QUESTION PERIOD

[English]

THE BUDGET

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, tomorrow, instead of the usual five year spending projections, the government will only show us two years. Why?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, that is not right what the Leader of the Opposition is saying. The projections have always been based on two years because it is a fairer way to do it. Sometimes we are invited to project into the longer term for special circumstances, but in terms of budgets, we always use the framework of two years.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Sorry, Mr. Speaker, but the Finance Minister has set a five year precedent and now we are deviating from that.

Also, it appears that we will be going two years without a full budget being tabled. I think that is unprecedented in western democracies. Now we will only get two years advance on government overspending and we have an officer of this parliament who says that the Prime Minister and his office is creating a culture of secrecy.

Does the Prime Minister not think that Canadians would be more assured if their government were being more open about its books instead of more closed?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, what is unprecedented is a government that has a surplus budget five years in a row. We are making the projections for two years. Sometimes we have occasion to make projections for five years. We did that for the tax cuts but fortunately we reduced it to two years.

[Translation]

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, some economists are forecasting that we will have a deficit in three years. This is not good news for Canadians.

Oral Questions

Could the Prime Minister ask the Minister of Finance to give us the figures for the year 2003?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Leader of the Opposition likes to quote economists. One of them has forecasted that, if we were to implement the Alliance's program, we would end up with a deficit of \$25 billion by the year 2004.

This is why it is easier to make forecasts for two years than for four or five years. In fact, the actual results have been better than what we anticipated in our recent budgets.

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[English]

TAXATION

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, what we would do differently is less wasteful spending for more tax relief.

Speaking of tax relief, we released a poll today which shows that 76% of Canadians say that they have not noticed any federal tax relief. The government continues to hype its much promised tax cuts. How come three-quarters of Canadians have not seen a dime of tax relief in their own pockets and how can the Prime Minister persuade them otherwise?

Mr. Roy Cullen (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, nearly all the economists agree that we have the largest tax cut in Canadian history that is winding its way through the economy right now. It approximates 2% of GDP. If we throw in the provincial tax cuts it gets even higher.

Everyone but the member opposite agrees that this is a huge stimulative budget. In fact we have other initiatives as well in terms of infrastructure at \$2.65 billion which will create economic activity in Canada and create jobs. I do not know where the member opposite is getting his information from.

• (1420)

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, I am getting it from Canadian taxpayers who have not noticed a dime in tax relief.

Today one of the leading private sector economists in the country, Dale Orr of WEFA, said that that small tax cuts promised by the government "would probably be too late to help the current weak economy".

Surely the finance minister recognizes that given the current economic downturn we need some serious fiscal stimulus right now to protect Canadian jobs. Why will he not listen to these economists? Why is the government delaying tax relief? Why does it not provide it immediately in the economic statement tomorrow?

Mr. Roy Cullen (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, I am not sure why the government

should be getting management advice from the party across the floor when it cannot even keep its own act together.

Notwithstanding that, all economists are saying that this is the largest tax stimulus in Canadian history and that we need to give it a chance to work its way into the economy. The economists have said almost unanimously that we will not be in deficit, that the economy is working very well and we need to give it a chance to work its way through the system.

The member knows full well that some of the deductions in terms of CCP and EI max out after six months, so we are going to see that come—

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[Translation]

ORGANIZED CRIME

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, according to the Minister of Justice's bill on organized crime, democratic organizations such as unions and political parties, with absolutely no connection to the underworld, could fall victim to criminal acts perpetrated by police officers and authorized by those with political authority.

Will the minister admit that there is a serious risk of slip-ups with this bill and that criminal acts that can be committed by police officers must be limited to organized crime?

[English]

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, this is a critical new law that is very important to the police across the country. In fact it is not a blank cheque. There are strict limits and controls, and it has direct political accountability.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, here we have someone who says he never interferes with investigations, yet he is going to give permission for criminal acts to be committed.

This is not going to be limited to organized crime. That requires an organized crime bill. Democracy is threatened if this right granted to police officers is expanded to include just any investigation into anyone and anything.

Do they realize this? Is the minister going to take this into account? Is the solicitor general, he who claims not to interfere in anything, going to start meddling in something, for once? If so, let him meddle in his own affairs, not those of the judges.

[English]

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, what the government wants to do is give the police the tools they need to do their job. Do we not want anyone to work undercover in police services across the country? If we do not

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give them the ability to be able to work undercover then they cannot fight organized crime. The government is going to fight and will continue to fight organized crime.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, last week, the solicitor general said that there would be direct political accountability for police immunity.

But each time we ask the minister about an RCMP investigation—into Shawinigate, HRDC or CINAR, for instance—he tells us that he will not get involved and that that is the way it should be.

Does the minister understand that the direct involvement of politicians in these investigations leaves the door wide open to significant slip-ups and that the only logical solution is to have the judiciary authorize these practices? Will he admit that this is so?

[*English*]

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, this is a tool that all the police forces across the country want and need if they want to fight organized crime. What has to happen is a report must be issued each year to the solicitor general. If they overstep their bounds then they also commit a criminal act and can be charged.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, last week, the Minister of Justice said that the Canadian tradition was to separate the judicial function from the investigative function.

The minister is mistaken because, in Canada, it is the judiciary that authorizes illegal acts such as wiretapping and house searches.

Will the minister explain why she prefers to give the police the power to authorize themselves to commit illegal acts, rather than give this power to a judge, as required by the universally recognized rule of law?

• (1425)

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am sure the hon. member is aware of the fundamental difference between a situation where a judge authorizes a warrant for a wiretap and the kinds of decisions that will be made in the context of the solicitor general or provincial counterparts as it relates to organized crime.

There is a more important issue here. We on this side have been listening to that party bleat on for months about why the government does not take action against organized crime. The government has taken action. We have given our police the necessary tools to do their jobs. I would ask them to support us.

NATIONAL DRINKING WATER STANDARDS

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, 240 communities in Newfoundland today have boil orders for their drinking water. The Newfoundland government has released a report showing that 76 communities in Newfoundland have bacterial levels 10 and 20 times higher than anything considered remotely safe. Water from the Twillingate taps has so much bacteria in it scientists say that they have lost count.

Will the bottled water over at 24 Sussex have to run out before the government will be willing to spend a share of the surplus to solve the water problems?

[*Translation*]

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, when the government announced the municipal infrastructure program, a \$2 billion program which will generate investments of \$6 billion in this country, we said very clearly that priority should be given to green infrastructures, which will improve the quality of air and water for the citizens of this country.

That is what the Canadian government has done. I understand that the provinces and municipalities have already submitted projects seeking to resolve this problem.

[*English*]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, reliable estimates are that \$4 billion a year are needed to tackle the water crisis alone and the government has offered up \$400 million.

Newfoundlanders today simply cannot drink their water. The Prime Minister seems to think it is perfectly okay to export the water. The government is crowing about a \$5 billion surplus higher than projected. If the government gets started today with a billion dollars annually it could at least begin to solve the problem.

How long is the Prime Minister prepared to wait before he will guarantee that—

The Speaker: The hon. President of the Treasury Board.

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, this is a program of \$6 billion which will help municipalities across the country to have good infrastructure and to improve the quality of the air and water for their citizens. This is a major effort from our government to help municipalities achieve those goals.

*Oral Questions***BUSINESS DEVELOPMENT BANK OF CANADA**

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the law requires a five year review of the activities of the Business Development Bank. That includes the period in which two presidents of that bank, Mr. Beaudoin and Mr. Schroder, mysteriously left their duties.

The industry minister has written me to say that the review will not investigate those mysterious departures because they are administrative matters. That breaks the spirit of the law and shows contempt for parliament.

Will the Prime Minister stop the coverup and allow the full investigation intended by the law of parliament?

Mr. John Cannis (Parliamentary Secretary to Minister of Industry, Lib.): Mr. Speaker, there is no mystery there. Everything is transparent. The only mystery here is who is shifting from the Reform Party to the Conservative Party.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the act allows the government to delay tabling this review until July 13, conveniently after parliament has risen.

• (1430)

Will the Prime Minister, not his puppet, give us a commitment that this review will be published in full on that date?

To avoid a situation where a Liberal majority might limit the witnesses who could be called in examination of this report, will the Prime Minister undertake to have the review submitted to a joint committee of this House and of the other place?

Mr. John Cannis (Parliamentary Secretary to Minister of Industry, Lib.): Mr. Speaker, it is a shame the hon. member, and I will use that word in addressing him, uses the word puppets. He should be ashamed because the attack is only a sign of his weakness in his argument and nothing else. He should pay very close attention to his leadership and not ours.

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NATIONAL DEFENCE

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, NORAD is vital for the security and sovereignty of Canada.

Several prominent individuals, including Canada's own deputy commander of NORAD, Lieutenant General Macdonald, have said that failing to support missile defence in principle will mean the beginning of the end of NORAD.

On this basis what possible grounds can the government have for delaying its decision in principle?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, we have just signed a new five year agreement with the United States with respect to NORAD.

NORAD does have a very strong purpose and function. It is a useful defence of North America for Canada and the United States.

With respect to missile defence, as we have often said, we are into consultations. In fact, we began those consultations yesterday.

NORAD still has a very clear function, a very clear purpose and is of value to Canada and the United States regardless of our decision on missile defence.

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, yesterday the Prime Minister told the commons that MPs will be able to debate the missile defence issue before any decision is taken regarding Canada's involvement.

My question for the Prime Minister is, will MPs have the final decision on that issue through a vote here in the House of Commons?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, decisions like that are made by the government which has the confidence of the House of Commons. It is the way we operate. We will have a debate and opinions will be expressed. There will be one moment when they can vote non-confidence in the government if we have not made the decision they want.

What is surprising is that they do not know the facts. They have not studied the problem and they are already committed. I think it is better to have hearings and discussions and then to decide after that what the allies should do.

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[Translation]

ORGANIZED CRIME

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Minister of Justice said that our party had long fought for legislation against organized crime, and that is true. All the while, from the other side of the House, they said it was not necessary.

We fought for legislation against organized crime, not a law that allowed political leaders to intervene in police investigations.

Will the minister realize that her bill goes far beyond organized crime and threatens democracy itself?

[English]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I cannot believe what I am hearing. That is the party that asked the government to consider

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invoking the notwithstanding clause to deal with organized crime in the province of Quebec.

What my colleague, the solicitor general, and I have done is introduce legislation after consulting with the provinces, including Quebec, with police forces, with other stakeholders and after listening to a subcommittee of the Standing Committee on Justice and Human Rights on which the Bloc had members. I would hope that the Bloc gets behind this legislation to protect—

The Speaker: The hon. member for Laurier—Sainte-Marie.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the minister's words are the height of hypocrisy.

Some hon. members: Oh, oh.

Mr. Gilles Duceppe: They objected to such legislation for I do not know how long and, now, they want a mechanism to enable them to intervene, as they did in the past by torching the barns, for example.

Will the minister admit that one of the provisions of this bill is ridiculous to the point of giving the police permission to commit a crime after a crime is committed? Is that acceptable? It is in the bill. It is time she woke up.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, one can readily talk of hypocrisy with this party, which told Quebecers it would be elected only once and then leave. But they have all come back to get their pension from the wicked federal government.

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• (1435)

[*English*]

CANADIAN WAR MUSEUM

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, at the press conference yesterday the Minister of Canadian Heritage disappointed thousands of our war vets from across Canada who believed that the new war museum, as promised, would be built on the 35 acres of land next to the aviation museum and the new military cemetery at Rockcliffe.

Why did the minister not consult the war museum advisory committee and the many veterans' organizations before making a unilateral decision to move the war museum to LeBreton Flats?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, probably one of the most distinguished members of the veteran community, a gentleman by the name of Barney Danson, has worked very hard to see the war museum relocated.

I received a letter from Barney who wrote to me from Ireland. He was unfortunately unable to attend yesterday. Do members

know what he said in his letter? He said that he thought it was an absolutely fabulous site and that he was only too sorry that it had not been available when we made our initial announcement. He is thrilled that it will be at a place close to parliament for all of Canada to rejoice in.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, the vets and the Friends of the Canadian War Museum have raised millions of dollars. They did this after the government's announcement in 1998, just three years ago, that the war museum would be built in Rockcliffe at a cost of \$70 million. Now the government is spending twice as much and moving the museum to a smaller site.

Why does the government continue to treat vets and their organizations as second class citizens by not consulting them?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, as a matter of fact, not only were the Friends of the Canadian War Museum extremely pleased with yesterday's announcement, they were present yesterday to thank the government.

What we have been able to do by an additional investment of \$20 million is make sure that with the rebirth of LeBreton Flats, we have the absolute best site in the whole of Canada to celebrate the contribution made by Canada's war vets.

It is a damned shame that the Reform Party does not agree with its critic, Cheryl Gallant.

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[*Translation*]

HAROUN M'BAREK

Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, a spokesperson for the Department of Foreign Affairs stated that Haroun M'Barek had a fair trial in Tunisia. But we now know that he was found guilty on the basis of testimony given under torture by the key witness, who later retracted himself.

Does the Minister of Foreign Affairs agree that the decision to deport Mr. M'Barek was a tragic mistake and will he intervene with Tunisian authorities to ensure that Mr. M'Barek gets the medical attention that his condition requires and is allowed to see his lawyer?

[*English*]

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, while it is not my policy to discuss individual cases, I can tell the member that representations have been made in this case by Foreign Affairs.

The individuals did receive full refugee determination procedures and due process in Canada. It is always important in every case for individuals to give full information to the department so that a full determination can be made. It is always unfortunate

when a situation occurs where an individual does run into difficulty that was unanticipated.

[Translation]

Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, yesterday, the Minister of Foreign Affairs told us that Canadian officials from consular affairs are trying to observe the legal proceedings involving Mr. M'Barek. But the legal proceedings ended on March 9, when Mr. M'Barek was sentenced. Mr. M'Barek now wants to appeal, but his file cannot be found.

• (1440)

Will the minister admit that Canada has a moral obligation to help this man, since his deportation by Canadian authorities is what led to the tragic situation in which he now finds himself?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, we attended the appeal proceedings. We are continuing to express our concerns to the government of Tunisia and we will try to help Mr. M'Barek as much as we can.

Let us not forget that he is not a Canadian citizen. Still, we are trying to help him.

* * *

[English]

CANADIAN WAR MUSEUM

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Speaker, in reply to a question from my colleague, the hon. Minister of Canadian Heritage suggested that it was perfectly all right and that veterans were certainly supportive of the new location.

I would like to challenge the hon. Minister of Canadian Heritage and ask her, what is the point of the government setting up an advisory committee and then turning around and ignoring it completely before making a move like this? I think it is an insult to the veterans who were asked to provide advice to the hon. minister.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I know there are a number of positions right now in the Alliance Party, but I would like to refer the hon. member to Metro Dateline and Shawn McCarthy in the *Globe and Mail* of yesterday, when he said "MP Cheryl Gallant, the Canadian Alliance cultural—"

Some hon. members: Oh, oh.

The Speaker: Order, please. I will have to speak to the minister's mother again. She knows she cannot use a member's name in the House and I would invite her to refrain from doing so.

Hon. Sheila Copps: Mr. Speaker, in the *Globe and Mail* the hon. member for Renfrew—Nipissing—Pembroke was quoted as saying that she supports the construction of the new museum for the veterans. I suspect that the critic and her members should get their stories straight.

Oral Questions

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Speaker, the hon. Minister of Canadian Heritage fails to recognize that we all support the construction of a new national war museum. That is exactly the point. It is the process that is at debate here. We have a Prime Minister who suggests that whatever he says goes. His backbenchers also have to do whatever he tells them to do. Now we have an advisory committee that the minister goes ahead and ignores—

Some hon. members: Oh, oh.

The Speaker: Order, please. I do not know whether there was a question there or not because I could not hear, but I assume there was because the minister is getting up.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I am absolutely thrilled that we were able to make an announcement yesterday which will do, I think, pride to the service that has been provided by all veterans in the first, the second, the great and the Korean wars.

I would like to comment on a statement made by Cliff Chadderton, chairman of the 37 member national veterans council, when he said that he expected an announcement that would please him. I think it pleased Mr. Chadderton. I know it pleased the members of parliament. I am not sure about the splits in the Reform Party but you will have to figure those out yourselves.

The Speaker: I know all hon. members will want to address the Chair as well.

* * *

TRADE

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, my question is for the Secretary of State, Asia-Pacific.

Nortel Networks corporation in my riding of Brampton Centre has signed a \$275 million U.S. contract with China Unicom to supply equipment for a wireless network in China.

What is the Government of Canada doing to assist companies like Nortel to secure trade and investment opportunities in China?

Hon. Rey Pagtakhan (Secretary of State (Asia-Pacific), Lib.): Mr. Speaker, the Government of Canada applauds this business deal on the part of Nortel. The hon. member for Brampton Centre can take pride in it. This kind of business deal means more jobs for Canadians and a more secure place for Canadian innovation and technology in the Chinese marketplace. As well, it builds on the broad partnership between Canada and China and thereby more people, more people linkages and a more open society. This is

Oral Questions

evidence of the dividends coming from team Canada, led by the Prime Minister. [English]

* * *

• (1445)

THE ECONOMY

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is for the Prime Minister. The widening gap between the rich and the poor has been one of the biggest failures of the Liberal government in the last eight or nine years. Every reputable study in the country shows that the rich are getting richer and the poor are getting poorer.

Why did the Prime Minister not use some of the \$15 billion surplus he applied to the national debt toward reindexing transfers to the provinces and municipalities as a way to fight poverty? Why did he not invest in the human deficit instead of paying down the national debt?

Mr. Roy Cullen (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, unlike the New Democratic Party, this party and this government believe in a balanced approach. Paying down debt is a good thing because it gives us greater flexibility moving forward. We are able to redeploy resources into social and economic programs, cutting taxes more and a whole host of things.

We are doing everything to the very best of our ability. We are cutting taxes. We are paying down debt. We are investing in important social and economic programs. We will continue this balanced approach.

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, if this is a balanced approach, they could have fooled me.

Yesterday the Prime Minister confirmed, before the Minister of Finance, that the government will have a \$15 billion surplus, but Canadians face a huge deficit, a growing gap between the rich and the poor. It is a serious problem.

Will the Prime Minister tell us how much of the \$15 billion will go specifically toward narrowing this gap?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the member should recognize that the government has for several years been transferring significant amounts to Canada's poorest families through billions of dollars in child tax credits for poor families, an unprecedented move. This has narrowed the gap between the rich and the poor in Canada.

HOCKEY

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, my question is for the minister responsible for culture and heritage. The Minister of Industry has given government approval to sell the fabled Montreal Canadiens to a United States entrepreneur.

Despite assurances to keep the team in Canada for a short period, it is still a sale of one of Canada's most prized possessions. What message does this send to Canadian youth and Canadians generally? What could be more Canadian than les Canadiens de Montréal? Why can we not just sell the Minister of Industry instead?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, for any hon. member who has been watching the NHL I think probably one of the saddest moments was when the final Canadian team was knocked out last week.

We have exported an incredible asset, Canada's hockey. However, in terms of investment in our youth, we have to start at the local hockey rinks. We have to start in Corner Brook. We have to start in St. John's. We have to start in Gander. That is where they build the dreams. They do not build them once they reach the NHL.

* * *

IMMIGRATION

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, the immigration department is hiding something even more un-Canadian than selling the Habs. Immigration Canada is preparing to deport a Toronto couple with four children, two of whom were born in Canada, to an uncertain future.

This is despite the fact that an Ontario court judge, Romain Pitt, stated that this family was no threat to Canadian society and that this was as a result of an administrative foul up. The judge went on to state that the application fees were paid twice and they still had not received a refund.

For the sake of the children, will the minister—

The Speaker: The hon. Minister of Citizenship and Immigration.

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, while I do not speak to individual cases I do read the newspaper and I can assure the member and all members of the House that no one gets deported over a \$50 administrative error, not while I am Minister of Citizenship and Immigration.

However people who are failed refugee claimants and have had full due process, people who come to Canada and overstay visitors

visas, have had due process and are queue jumpers do get deported but only after due process in Canada.

* * *

• (1450)

ABORIGINAL AFFAIRS

Mr. Philip Mayfield (Cariboo—Chilcotin, Canadian Alliance): Mr. Speaker, the federal government has lost an important test case involving residential schools. Yesterday in Saskatchewan, Justice Ted Malone ruled that the federal government could not go after the Anglican Church to help pay the costs of lawsuits brought against it by former residential school students.

Will the government settle these lawsuits now and not only help former students who have suffered years of hardship but also save Canadian taxpayers billions of dollars by settling these lawsuits now rather than later? It has the choice of paying the victims now or paying the lawyers forever.

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the court case in question is one decision at the trial level. It stands on its own facts, but I say to the hon. member that we are moving to work out settlements in a way that will be fair, above all, to the victims, to the churches, and to Canadian taxpayers. I look forward to having my hon. friend's support for these continuing efforts.

Mr. Philip Mayfield (Cariboo—Chilcotin, Canadian Alliance): Mr. Speaker, the government has always been the legal guardian of every residential school student. It has frequently ignored this responsibility and continues to ignore its responsibility while dithering in the courts.

Thousands of former students are struggling just to survive. The Saskatchewan court has ruled that it is the government, not the churches, that has responsibility. It is a responsibility it cannot cast off.

Will the government settle these lawsuits now, save Canadian taxpayers billions of dollars and help former students begin the process of healing?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, my hon. friend has finally slipped into the Alliance trap of having unsuitable premises. The case in question is not one that applies across the whole spectrum of cases. It is only one case at the trial division, but we are working to move toward settlements.

We are not dithering. We are working actively with the churches. My hon. friend should work with me in expediting the issue instead of trying to politicize the issue.

Oral Questions

[Translation]

HUMAN CLONING

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, yesterday in Geneva, the Minister of Health put forward the idea of drafting an international convention to ban reproductive technologies such as human cloning.

How can the minister claim to be a world leader with respect to reproductive technologies, when we know that he allowed the recommendations of the Baird commission to languish for seven years before recently introducing a draft bill, which will put off any decision in this regard for yet another year?

[English]

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, the Minister of Health said that because of the importance of cloning, not only to Canada but to the rest of the world, he would be working with his colleagues across the globe to prepare and look at developing a convention among governments prohibiting this practice, one which we support as a government and I am sure all members of the House support.

[Translation]

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, the minister is well aware that there is a broad consensus in Canada that human cloning should be banned, and another year of consultations is perfectly pointless.

If the government seriously wishes to ban human cloning, why does it not move quickly to introduce a bill with that in mind?

[English]

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, it is pretty obvious because of the importance of the issue that it is not a political or partisan issue but one that needs a lot of study and thought by Canadians in general.

The objective of the draft piece of legislation and the proposal is to get input from all Canadians at the provincial level, at the municipal level, and at the first nation level. We would then go ahead with a consensus in the country on something as important as cloning of human beings.

* * *

CANADIAN HUMAN RIGHTS COMMISSION

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, a scathing report on the Canadian Human Rights Commission has been released, indicating that the commission is nearing collapse due to bitter infighting and turmoil.

Oral Questions

It is not the first time that the commission has come under indictment. In 1998 the auditor general rapped the commission for what it called a slew of problems. The chief commissioner says she has a plan of action to address the concerns.

Could the minister tell the House why the chief commissioner is off to Indonesia on another of her well-known expensive junkets rather than working on a plan of action in Canada?

• (1455)

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I applaud the Canadian Human Rights Commission for recognizing that it has a problem internal to the commission and to its management. I certainly commend it for initiating the workplace study, the report of which we became aware late last week.

Let me reassure everyone in the House that we take the role of the Canadian Human Rights Commission very seriously. I am reviewing the recommendations of former Justice Gérard La Forest and his committee. They made recommendations for structural change. We are looking seriously at those and I will be working with Madam Falardeau-Ramsay and others to ensure—

The Speaker: The hon. member for Edmonton—Strathcona.

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, one of the findings of the recent report said that the commission leadership should concentrate on promoting human rights in Canada rather than on taking trips abroad. The only action thus far was the suspension of a senior lawyer who stated that the commission had lost its moral authority to act on cases.

Will the minister immediately advise the chief commissioner to come home, stay at home and address this report's scathing indictment?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I have every confidence that the senior management of the Canadian Human Rights Commission will address the serious concerns identified in the workplace study released last week.

Let me again reassure the House that I will be working with the human rights commission to ensure that we have a functioning, effective and efficient commission that can concentrate on protecting the rights of all Canadians.

* * *

NATIONAL DEFENCE

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, the global security situation is expected to be even more complex by the year 2020. Pockets of political instability are multiplying and disputes

over human rights, arms control and economic reforms involve many nations and international bodies.

If Canada is to function well in this unstable environment the full range of military, political, diplomatic and economic expertise and resources will be needed, including a strong officer corps.

Could the Minister of National Defence tell the House how the Officership 2020 program will assist the officers of the Canadian forces to meet these challenges?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, Officership 2020 is a new blueprint for leadership and professional development for the Canadian forces. In fact our aim is to help make the Canadian forces into a learning organization.

To that end we are putting a number of new programs in place: for example, a personal enhancement program that will increase the amount of reimbursement for educational courses from \$5,000 up to \$20,000, not just for officers but for all ranks of the Canadian forces. An additional \$19 million is going into post-graduate work as well. All together we are helping to prepare our officers for the 21st century.

* * *

IMMIGRATION

Mr. Inky Mark (Dauphin—Swan River, Canadian Alliance): Mr. Speaker, the Department of Citizenship and Immigration seems intent on deporting a family of six back to Poland.

Mr. Sklarzyk filled out all the correct paperwork in his family's bid for refugee status and even paid what he thought was the full fee for entering Canada. In fact he actually underpaid his fee by \$50.

Two months ago the department of immigration notified them that they were being deported. I would like to ask the minister of immigration why Mr. Sklarzyk and his family are being deported.

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I would be very happy to give full details of the case if the member would give me a consent form and a release under privacy legislation. Until he does that I cannot answer his question as fully as I would like.

I can tell him this: No one is deported from Canada because of a \$50 administrative error. I am pleased however to hear that he and his party support due process. I also hope that they support our ability to be able to remove those people who are failed refugee claimants, those who have no reasonable right to stay in Canada and have had due process.

Mr. Inky Mark (Dauphin—Swan River, Canadian Alliance): Mr. Speaker, these people came from Poland in 1994 initially on a

refugee claim on humanitarian and compassionate grounds. Two of their four children are Canadian born. There is no record of any illegal activity. Mr. Sklarzyk has even started a small company in Canada.

I find it impossible to believe that the minister is less intent on deporting criminals than innocent families. Is the Sklarzyk family not the kind of people we want to bring into Canada?

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the member knows full well that Bill C-11 in fact expedites and allows us to remove criminals, those who have committed serious crimes in Canada and those who are inadmissible to Canada because of criminal activity, even faster.

• (1500)

I will say to the member opposite that if he or any member of the House wants to make representation on an individual case where there is concern, I am always happy to share all the facts of the case and review that case to ensure that no one is improperly removed from this country.

If they should be given another opportunity, I am certainly prepared to hear that.

* * *

[Translation]

ROAD INFRASTRUCTURE

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, on May 9, the Quebec Minister of Transport wrote to his federal counterpart as follows:

During the last election campaign, your government announced investments in excess of \$3 billion for Quebec highway infrastructures. There was not even a mention of completing Highway 50.

Can the minister make a commitment on Highway 50 and can he tell us how much money he is prepared to put into it, given the importance this project holds for the people of the Outaouais?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, over the past 30 years, we have invested \$100 million in Highway 50 in Quebec. There is now an \$11 million project for the extension of this highway.

It is obvious that the federal government is really doing its part in constructing this country's highways.

* * *

[English]

ORGANIZED CRIME

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, last year the federal government provided a host of tools to the RCMP to fight money laundering. It gave it a

Business of the house

significant budget increase. It gave it tools. We also adopted money laundering legislation.

Could the solicitor general tell us what results Canadians can expect from the RCMP, our national police force, with what it has been given?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, as we speak the RCMP is holding another news conference in Montreal to highlight the conclusions of a major police operation aimed at dismantling illegal activities of three international criminal organizations specializing in drug trafficking and money laundering.

This again highlights that when we give police forces the tools to do the job they do the job.

* * *

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of his Excellency Carlos Quintanilla Schmidt, Vice-President of the Republic of El Salvador.

Some hon. members: Hear, hear.

* * *

POINTS OF ORDER

ORAL QUESTION PERIOD

Ms. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Speaker, not only did the Minister of Canadian Heritage use my name twice in the House, she incorrectly stated facts.

She made inference that the Canadian Alliance had conflicting views within the caucus on the point of the War Veterans Museum. I wish to say to that we do agree.

The Speaker: I caution that if we are to have a point of order there is no point in getting into debate. I chastized the Minister of Canadian Heritage for using the hon. member's name on the occasion I heard it. I heard rumours it was used a second time, which I missed because of the very substantial noise in question period today.

If the hon. member has another point of order I would be happy to hear it, but I do not want to hear about disagreement over facts because I am afraid that is a matter of debate, not of order.

* * *

BUSINESS OF THE HOUSE

BILL C-300

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, I rise on a point of order. I seek unanimous consent of the House to have Bill C-300, an act to amend the criminal code,

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wearing of war decorations, standing in my name on the order of precedence withdrawn and the order discharged.

The Speaker: Is there unanimous consent for the proposition of the hon. member?

Some hon. members: Agreed.

The Speaker: Accordingly the bill is withdrawn and the order for second reading discharged.

(Order discharged and bill withdrawn)

• (1505)

ALLOTTED DAY

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I rise on a point of order. I wish to designate Thursday, May 17, an allotted day.

ROUTINE PROCEEDINGS

[Translation]

CANADIAN BOOK INDUSTRY

Ms. Sarmite Bulte (Parliamentary Secretary to Minister of Canadian Heritage, Lib.): Mr. Speaker, on behalf of the Minister of Canadian Heritage, I have the honour to table, in both official languages, the government's response to the report by the Standing Committee on Canadian Heritage, tabled during the second session of the 36th parliament, and entitled "The Challenge of Change: A Consideration of the Canadian Book Industry".

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Derek Lee (Parliamentary Secretary to 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 five petitions.

* * *

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have three reports to present today.

First, I have the honour to present the 17th report of the Standing Committee on Procedure and House Affairs regarding its order of reference from the House of Commons on Tuesday, February 27, 2001, in relation to the main estimates for fiscal year ending March

31, 2002, vote 5 under Parliament, House of Commons. The committee reports the same.

Second, I have the honour to present the 18th report of the Standing Committee on Procedure and House Affairs regarding the associate membership of some standing committees.

Third, I also have the honour to present the 19th report of the Standing Committee on Procedure and House Affairs regarding radio and television broadcasting of the proceedings of House committees.

These rules creating a test period would expand the potential for a television broadcast and recording of committee proceedings.

If the House gives its consent, I should like to move concurrence in the 19th report of the Standing Committee on Procedure and House Affairs at this time.

The Speaker: Does the parliamentary secretary have unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Derek Lee: Mr. Speaker, if the House gives its consent, I should also like to move concurrence in the 18th report of the Standing Committee on Procedure and House Affairs at this time.

The Speaker: Does the parliamentary secretary have unanimous consent to propose the motion?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Derek Lee: Mr. Speaker, following consultations, I seek unanimous consent of the House that Mr. Harris and Ms. Gallant be substituted for Mr. Strahl and Mr. McNally as members of the Standing Committee on Procedure and House Affairs.

The Speaker: Does the parliamentary secretary have unanimous consent to propose the motion?

Some hon. members: Agreed.

Some hon. members: No.

* * *

PETITIONS

LABELLING OF ALCOHOLIC PRODUCTS

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am very pleased and honoured to be able to present several petitions signed by hundreds of Canadians who are very concerned about the matter of health problems caused by drinking

alcoholic beverages. In fact the petitioners acknowledge that fetal alcohol syndrome and alcohol related birth defects are preventable by avoiding alcohol during pregnancy.

• (1510)

They call upon parliament to mandate the labelling of alcoholic products to warn pregnant women and other persons of certain dangers associated with the consumption of alcoholic beverages.

GASOLINE ADDITIVES

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, pursuant to Standing Order 36 I am honoured to present a petition on behalf of citizens in and around Grand Bend who call upon parliament to protect our health and environment by banning the questionable gas additive MMT.

CANADIAN BROADCASTING CORPORATION

Mr. Gurbax Malhi (Bramalea—Gore—Malton—Springdale, Lib.): Mr. Speaker, pursuant to Standing Order 36 I have the honour of presenting a petition to the House of Commons. The petitioners draw the attention of the House to the fact that the CBC decided to take its service away from one million Canadians who have watched the CBC on C-Band satellite dishes for 20 years.

Therefore the petitioners call upon parliament to request the CBC to return its service to C-Band viewing Canadians.

RESEARCH

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, I have the privilege of introducing two petitions. In the first petition the petitioners are asking parliament to pass legislation that would prohibit the harvesting of aborted fetuses for research purposes.

JUSTICE

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, the second petition is signed by approximately 10,000 Canadians. The petitioners ask parliament to take measures necessary to ensure that public citizen rights and their safety are paramount over the rights of known violent sex offenders, and that federal laws be directed to give priority to enforcing and tightening parole conditions so that each sentence of sexual assault is served consecutively to better protect the public.

PEDOPHILES

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, I have a petition containing the signatures of well over 5,000 people in my constituency of Kamloops, Thompson and Highland Valleys. The petitioners want changes made to the justice system that would put a stop to the early release of pedophiles from prison.

They call on parliament for tougher sentencing to be brought about for pedophiles and others who commit violent crimes against

Routine Proceedings

children. They also want to see pedophiles deemed as dangerous offenders and changes made in the parole system to better guard against repeat offenders.

The petitioners hope the federal government will take seriously the dangers posed to children when pedophiles are released back into society before they have fully paid their debt.

EMPLOYMENT INSURANCE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I am pleased to rise today to present a petition signed by many people throughout Saskatchewan who are concerned about changes to the Employment Insurance Act. This petition notes that the federal government has taken about \$30 billion out of the EI fund.

The petitioners call upon the government to re-establish employment insurance as an earnings replacement program that once again supports unemployed workers, their families and their communities.

HEALTH CARE

Mr. Rob Anders (Calgary West, Canadian Alliance): Mr. Speaker, I am honoured today to present a petition consisting of 3,226 signatures from people who are concerned about the incursions on their freedom with regard to health care choice.

The petitioners are opposed to the government's abuse of natural health products, the regulation of those products and their ability to augment the nutritional quality of their diet with vitamins, minerals, herbs and amino acids.

They simply want to prevent disease with the nutrients available to them without government regulation interference. There are 3,226 people opposed to the bill.

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QUESTIONS ON THE ORDER PAPER

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, Question No. 13 will be answered today.

[Text]

Question No. 13—**Mr. Svend Robinson:**

For each of the last five years, 1996-2000: (a) on how many occasions were Canadian diplomats overseas alleged to have violated national or local laws in the host country; (b) in each instance, in which country did the alleged violation occur; (c) what was the alleged infraction; and (d) what was the response of the host country?

Hon. John Manley (Minister of Foreign Affairs, Lib.): The Department of Foreign Affairs and International Trade is aware of five incidents in the last five years in which Canadian diplomats¹ overseas are alleged to have violated national or local laws in their host country. Not included are tickets for traffic offences, which departmental policy requires diplomats to pay themselves. Provi-

Government Orders

sions of the Privacy Act prevent the department from releasing personal information; for this reason, the identity of individuals must be protected.

Three of the five incidents involved minor dependants of diplomats.

The first incident involved an alleged misdemeanour of arson by a minor dependant. A waiver of immunity was requested but not granted in this case. Given the very minor nature of the offence, the government of the host country took no further action.

The second incident involved an allegation of driving while impaired by a minor dependant. The department was advised by the host country that a refusal to waive immunity would result in loss of the dependant's driver's licence. The family returned to Canada shortly after the incident.

The third incident involved a Canadian consular officer alleged to have uttered a death threat. No charges were laid against this individual in the host country. However, a foreign court ordered the individual to stay away from a certain area. Since consular officers have more limited immunity than diplomats, the individual was subject to the jurisdiction of the court. The individual was recalled to Canada by the department.

The fourth case, involving a diplomat formerly posted to Israel, is generally considered public knowledge. This individual was not charged in the host country and thus no issue of immunity arose. The incident led to the laying of criminal charges in Canada last year for trafficking in narcotics.

The fifth case involves a recent allegation of an indecent act in a park by a minor dependant. The department waived immunity in this case and the matter is before the courts.

¹ The word "diplomat" is used in a generic sense to cover all persons enjoying consular and diplomatic immunities and privileges.

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[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if Questions Nos. 12 and 37 could be made orders for returns, these returns would be tabled immediately.

• (1515)

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 12—**Mr. Svend Robinson:**

For each of the last five years, 1996-2000, (a) how many foreign diplomats were alleged to have violated Canadian, provincial, and local laws, (b) in each instance, what law was alleged violated, (c) what was the nationality of the alleged offender, and (d) what was the response of the Government of Canada?

Return tabled.

Question No. 37—**Mr. John Williams:**

With regard to performance pay for public servants in the Executive (EX) category and the Deputy Minister (DM) category in fiscal years 1999-2000 and 2000-2001 for each department, agency or Crown corporation: (a) how many employees received performance pay, broken down by EX level (e.g. EX-1, EX-2, etc.); (b) how many employees are there in each EX level; (c) how many employees received performance pay, broken down by DM level (e.g. DM-1, DM-2, etc.); (d) how many employees are there at each DM level; and (e) what was the total amount paid out in performance pay?

Return tabled.

Mr. Derek Lee: Mr. Speaker, I ask that all Notices of Motions for the Production of Papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[English]

QUESTIONS ON THE ORDER PAPER

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): I ask Mr. Speaker, that all questions be allowed to stand.f

Mr. Derek Lee: I ask, Mr. Speaker, that the remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

MESSAGE FROM THE SENATE

The Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed certain bills, to which the concurrence of this House is desired.

GOVERNMENT ORDERS

[English]

YOUTH CRIMINAL JUSTICE ACT

The House proceeded to the consideration of Bill C-7, an act in respect of criminal justice for young persons and to amend and repeal other acts, as reported (with amendment) from the committee.

SPEAKER'S RULING

The Speaker: There are three motions in amendment standing on the notice paper for the report stage of Bill C-7, an act in respect of criminal justice for young persons and to amend and repeal other acts.

[Translation]

Motions Nos. 1 and 3 will be grouped for debate, but voted on as follows: a vote on Motion No. 1 will apply to Motion No. 3.

[English]

Motion No. 2 will be debated and voted on separately.

[Translation]

MOTIONS IN AMENDMENT

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ) moved:

Motion No. 1

That Bill C-7 be amended by adding after line 43 on page 7 the following new clause:

"3.1 The lieutenant governor in council of a province may, by order, fix an age greater than ten years but not greater than eighteen years for the purposes of exemption from the application of this Act and the provisions of any other Acts amended by this Act, in which case the Young Offenders Act, as it reads at the time the order is made, continues to apply in that province."

Motion No. 3

That Bill C-7, in Clause 199, be amended by replacing line 18 on page 169 with the following:

"199. This Act replaces the Young Offenders Act, except in a province that makes an order under section 3.1, in which case the Young Offenders Act remains in force in that province."

He said: Mr. Speaker, I wish to take this opportunity to say that the amendments moved by the Bloc Québécois are inspired, and this is easily understandable, by the situation in Quebec.

I wish to remind the House that the member for Berthier—Montcalm has recently travelled across Quebec to explain to young stakeholders the threat that Bill C-7 represents.

If there is a warning we should issue to this government, it is to say that it should not try to impose on teenagers a criminal justice system made for adults.

In recent weeks, the member for Berthier—Montcalm has met many people, including teenagers, directors of youth centres, law enforcement officers, social workers in local community service centres or elsewhere. The member for Berthier—Montcalm has travelled from one end of Quebec to the other. He went to Jonquière, to the Lower St. Lawrence, to the Matapédia, to Bonaventure.

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Stakeholders and teenagers who were made aware of the possible consequences of Bill C-7 all had the same reaction. They all wanted to know what these consequences would be. The fact is that the youth justice system will no longer be focused on teenagers and their characteristics, but on the nature of the offence.

• (1520)

This balanced attitude toward the young offender, his past and his rehabilitation will now be replaced by a plan exclusively focused on the offence. Let us be straightforward about this: all other factors related to the personal history of the young offender, and to his rehabilitation potential will take a backseat. Our amendment would allow Quebec to keep its tradition and programs of the last 20 years and more.

My colleague, the chief whip of the Bloc Québécois, will certainly agree with me that caucus proceedings are secret, but I think he will let me break this well established rule in our institution by saying that we had the visit of a young actor in caucus this morning.

Marc Beaupré, the actor who plays the role of Kevin Teasdale in a very popular TV series, *Les deux frères*, has agreed to join the Bloc Québécois campaign. What is this campaign about? The likeable and dynamic member for Berthier—Montcalm has already travelled throughout Quebec for this campaign. A pamphlet has been put out, and I would have liked to have it here, but logistical problems have made this impossible.

The hon. member for Berthier—Montcalm has lead this campaign on behalf of all his Bloc Québécois colleagues. It is called "Donnez-nous une chance". What does that mean? It means we should refrain from automatically criminalizing young offenders.

[English]

Mr. Derek Lee: Mr. Speaker, I rise on a point of order. I hope the hon. member will excuse me. There have been further consultations which are moving us all toward further enlightenment. I think you would find consent in the House to revert to routine proceedings for the purpose of three items.

The Speaker: Is there unanimous consent of the House to revert at this stage to routine proceedings?

Some hon. members: Agreed.

Some hon. members: No.

[Translation]

Mr. Réal Ménard :Mr. Speaker, obviously there seems to be some misunderstanding among the House leaders and I invite them to work it out. I do not like to be disturbed when I am in the middle of something.

Routine Proceedings

The member for Berthier—Montcalm led a campaign that took him all over Quebec. What we heard from young people during that campaign was “Give us a chance”. I see that the Parliamentary Secretary to the Minister of Justice is with us today. I would like to remind him that there is a consensus in Quebec. I challenge anybody on the government side, including Liberal members from Quebec, to give us one example of a person working with youth who does not support the Quebec consensus.

I was saying a few moments ago that the actor who plays the role of Kevin in the television series I mentioned, Marc Beupré, a talented actor—and he is not partisan—accompanied the member for Berthier—Montcalm when he went to Jonquière, Rivière-du-Loup, the lower St. Lawrence, the North Shore, all over Quebec. I was told about the warm welcome he got from the residents of the North Shore, and we all know the tradition of hospitality that is personified by the member for Charlevoix. It must be realized that a consensus does exist.

Marc Beupré, the actor, gave us an example that I will share with members. It may be a minor violation of caucus confidentiality, but it will not cast a shadow over my legendary discretion.

Marc Beupré was leaving the Joliette area in his car. He accepted to give a ride to a female hitchhiker whose exact age is unknown but who looked to be in her early 20s, maybe less, perhaps not quite 18.

An hon. member: Sixteen.

Mr. Réal Ménard: Mr. Speaker, remember when you were sixteen.

• (1525)

Marc Beupré accepted to give a ride to this young girl who had had a difficult life and had been placed in a drop in centre, a youth centre. She talked to Kevin, played by actor Marc Beupré, and said that notwithstanding the difficult circumstances of her life that had brought her to commit an offence, she had a good experience in the youth centre, because she became aware of a number of things, developed certain talents and, more important, established a meaningful relationship with a youth worker.

With the new Bill C-7, which puts the offence at the heart of the decisions that the judiciary will have to make, if that person had been held in a regular institution, a penitentiary or any similar institution, could she have had the same meaningful relationship she had in a youth centre? Of course not, because the prisons are not focused on rehabilitation.

In keeping with the consensus in Quebec, when young people commit offences, misbehave, violate the law, we are not saying that they should not be punished or that we should grant them absolution. We are saying that efforts must be made to try and understand why they acted the way they did. These young people should be allowed to benefit from rehabilitation experiences.

In Quebec there are youth centres, specialized institutions that allow young people to have a meaningful relationship with a youth worker and to get some learning experience. This learning experience is sometimes more focused on the professional aspect and sometimes more of a soul searching exercise. Some young people need to do some soul searching to understand why in certain circumstances they tend to have violent behaviour. Where did they learn that in society when there is a conflict, when there are problems to be solved, mediation must be through violence? Some youth workers provide training workshops. Sometimes these are about professional life; sometimes young people learn a trade. Sometimes these workshops have nothing to do with that. They deal with the soul searching some young people must do.

Frankly, if Bill C-7 is passed we do not believe that such a thing will be possible. We do not believe this is desirable for the mental stability of young people.

Another argument was brought to our attention. I ask the government to consider the approach taken by the hon. member for Berthier—Montcalm, to consider that there is a special rehabilitation system in Quebec and to allow some sort of opting out, so that Quebec can apply the whole system, whose value has been proven, a system that defence lawyers, youth workers and the CLSCs are calling for. With the current system whose value has been proven in Quebec I believe it will be possible to rehabilitate young people.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, following renewed and successful consultations among all parties in the House, I wish to deal with three items.

First, if the House gives its consent I move that the 18th report of the Standing Committee on Procedure and House Affairs presented to the House earlier this day be concurred in.

Second, if the House gives its consent I move that the 19th report of the Standing Committee on Procedure and House Affairs presented to the House earlier this day be concurred in.

The Acting Speaker (Mr. Bélair): Is that agreed?

Some hon. members: Agreed.

(Motions agreed to)

• (1530)

PRIVATE MEMBERS' BUSINESS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, on the third item, I believe you would find consent for the following motion. I move:

That Bill C-222 and Motion No. 241, both private members' business items, be substituted for one another in the order of precedence.

The Acting Speaker (Mr. Bélair): Is that agreed?

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

[English]

YOUTH CRIMINAL JUSTICE ACT

The House resumed consideration of Bill C-7, an act in respect of criminal justice for young persons and to amend and repeal other acts, as reported (with amendment) from the committee, and of Motions Nos. 1 and 3.

Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am pleased to be able to respond today to the opposition's motion to amend Bill C-7, the youth criminal justice act. Motion No. 2 calls for section 125 to be amended to make disclosure of information about young persons mandatory rather than permissive.

Section 125, like the Young Offenders Act, specifically recognizes the interest of schools, professionals and other persons engaged in the supervision or care of a young person in receiving information when a young person is dealt with under the youth criminal justice system.

Section 125 allows the provincial director, the attorney general, a peace officer or any other person engaged in the provision of services to a young person to disclose identifying information with any professional or other person engaged in the supervision or care of a young person, including a representative of a school. It does so under the following circumstances: to ensure compliance for the young person with a court order; to ensure the safety of staff, students or other persons; or to facilitate the rehabilitation of the young person. This can be done without a court order.

The section expands the Young Offenders Act provision that was included in 1995 by adding the authority to disclose information to facilitate rehabilitation of a young person. It is important that

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privacy protections are a hallmark of the youth justice system in Canada. Any disclosure of identifying—

The Acting Speaker (Mr. Bélair): The Table needs to know whether the hon. member is speaking to Motion No. 1 or to Motion No. 2?

Mr. John Maloney: Mr. Speaker, I am actually speaking to Motion No. 2, but I will be getting to Motions Nos. 1 and 3 subsequently.

The Acting Speaker (Mr. Bélair): I am sorry to inform the member that we are on Motions Nos. 1 and 3 and the hon. member should limit his remarks to those motions. We will come to Motion No. 2 a bit later.

Mr. John Maloney: Mr. Speaker, Motions No. 1 and 3 would allow a province to opt out of the youth criminal justice act and continue to apply the Young Offenders Act. Although some have questioned the need for new youth justice legislation, it is apparent that most Canadians feel that the Young Offenders Act is not working effectively as a legislative base for the youth justice system in Canada. More than 16 years with experience with the Young Offenders Act backs up the perception that there are many real problems with the law.

The proposed youth criminal justice act would address key problems with the Young Offenders Act. It does not reflect the coherent youth justice philosophy. Its principles are conflicting and do not effectively guide decision makers in the youth justice system. It has resulted in the highest youth incarceration rate in the western world per capita, including that of the United States. It has resulted in overuse of the courts for minor cases that could be better dealt with outside the courts. It has resulted in disparities and unfairness in sentencing. It fails to ensure effective reintegration of a young person after being released from custody. Its process for transfer to the adult system has resulted in unfairness and delay. It fails to make a clear distinction between serious violent offences and less serious offences. It fails to recognize the concerns and interests of victims.

The proposed youth criminal justice act effectively addresses these problems in a manner that also provides considerable flexibility for the provinces to implement the legislation to reflect local needs and circumstances. However there are appropriate limits to this flexibility. The youth criminal justice act is founded on federal criminal law and criminal procedure power. There should be only one youth criminal justice law operating in Canada and fundamental legal principles would be respected.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, we have been waiting since 1993 for significant changes to the Young Offenders Act that have not come from the govern-

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ment. I am afraid, even with the new bill, that the changes are not the kind of changes most Canadians are looking for.

• (1535)

I have heard from a number of individuals from Quebec over the last eight years. The polls indicate very strongly to me that the people of Quebec are not happy with the Young Offenders Act.

The Bloc would like to keep the legislation intact because it claims that it is highly successful and popular in the province of Quebec. I would question that as being a fact. All victims of various incidents of violence and crimes by young offenders who reside in Quebec and to whom I have talked tell me quite the contrary to what I am hearing from Bloc members. I believe it is time for a change.

Unfortunately I cannot personally support the bill because it is not the kind of change that Canadians are looking for with regard to young offenders. We want to see some very serious things happen. The Bloc's reason for not supporting it is that it wants to keep the status quo. The status quo is not satisfactory anywhere in Canada.

The bill was adopted in 1984. In 1994 it was supposed to come under a 10 year review. The justice department came out with a report. It indicated that crime, particularly violent crime among young people, was increasing at an extremely high rate. In 1994 it was reported to be nearly 300% to 350% higher than it was in 1984 when the Young Offenders Act was brought in. It is going in the wrong direction.

Now we hear the rhetoric that everything is all right and that it is decreasing by 3% or 2%. That tells me it has levelled off for the time being, but it is still 300% higher than it was when it was first brought in. Surely it cannot be acceptable to the people in Quebec that they would have this high increase over a 10 year period since the act was introduced. There has to be something wrong somewhere.

I encourage Bloc members to go back and visit with people throughout their province to make certain the happiness they claim exists with the bill really and truly does. I believe they would find that not to be the case. Our party will be opposing the motion.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I rise on a point of order. There have been consultations among all the parties in the House and I think you would find consent for the following motion.

I move:

That the amendments moved by the hon. member for Hochelaga—Maisonneuve at report stage with respect to Bill C-7, an act in respect of criminal justice for young persons and to amend and repeal other acts, be identified as standing in the name of the hon. member for Berthier—Montcalm.

The Acting Speaker (Mr. Bélair): Does the hon. member have unanimous consent of the House to move the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Bélair): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

• (1540)

[*English*]

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I have a few remarks on why the NDP will not be supporting Motions Nos. 1 and 3 in the name of the Bloc member. These motions, if passed, would have the effect of allowing the province of Quebec to opt out of the youth criminal justice act. That would not be acceptable.

I say this in the context of belonging to a party which on other issues and at other times has supported the ability of Quebec to opt out of certain national social programs with compensation. In the past our party has supported the recognition of Quebec as a distinct society in terms of its civil law, its French language and its culture, et cetera.

However allowing Quebec to opt out of the youth criminal justice system, which would be applicable in every other part of the land, would be going much further than anything we have agreed to so far. It would not be in keeping with the arguments we have advanced with respect to opting out when it came to other matters.

I say this with some regret, because I have some sympathy for what members of the Bloc Québécois have been saying about the youth criminal justice act. They have indicated that in their home province the Young Offenders Act has been made to work better than in many other provinces. As some would argue, the Young Offenders Act has worked in Quebec closer to what was intended when it was passed in 1984.

However that is not reason enough to make the leap that Quebec, or any other province for that matter, should be allowed to opt out and have its own separate youth criminal justice system. That is not something Canadians in general would find acceptable. They may not find the youth criminal justice act acceptable either. They may find, as we do, that the bill is imperfect to the point of not deserving our support. They may find that it is cumbersome and complex, that it lacks the appropriate resources, and that all other things said about it by various critics at the provincial government level and others are correct.

Nevertheless the principle of there being one criminal law, whether it is criminal law for youth or a criminal law for others, for

all Canadians no matter where they live is something I would want to uphold in this instance. That is why the NDP will not be supporting Motions Nos. 1 and 3.

[*Translation*]

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, unfortunately, the Progressive Conservative Party cannot support this amendment.

[*English*]

Much like the position that has been articulated by my colleague from Winnipeg—Transcona there is ample evidence, both in committee and before the House, that the province of Quebec has done exemplary work in the administration of the current Young Offenders Act.

It has arguably set the standard for the rest of the country in the way in which it has been very innovative in early intervention and restorative justice model type programs aimed specifically and very directly at troubled youth before they enter the criminal justice system.

● (1545)

As was enunciated by the hon. member for Winnipeg—Transcona, the Progressive Conservative Party has in the past made monumental efforts to recognize the distinctness of Quebec not only in the area of justice but in the areas of culture and language.

However in this instance we are dealing with a federal statute that pertains directly to the administration of justice. This amendment would allow provinces to opt out completely, to take away federal jurisdiction and leave jurisdiction solely in the hands of one province. That is dangerous and inconsistent with the administration of federal laws.

I think all members would agree that an opting out provision on criminal law is a recipe for disaster. Criminal law must apply evenly and be administered with fairness and with balance across the country. We cannot have bizarre sentencing schemes or justice that is seen as biased in any province.

Quebec's approach to criminal justice and youth criminal justice is arguably superior to that of other provinces and should be admired and emulated. However, an amendment to opt out and administer separately and apart from the rest of the country would not be in keeping with federal legislation.

I commend the intent and spirit of what the hon. member has put forward but I cannot support the amendment. We will have ample opportunity to debate this cumbersome and confusing bill in its entirety and to look at its many shortcomings.

For all its good intentions and emphasis on early intervention, the new law would shortchange provinces which try to administer it. It would expand the existing Young Offenders Act twofold. The

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provinces would cry out for resources because the bill permits and alludes to the expansion of early intervention programs.

The provinces would be left to live up to the standards the bill calls for without being given the resources to do so. The Minister of Justice has given the provinces a postdated cheque. The bill would come into being after being rushed through committee, as we have seen in this session. It would be foisted upon the provinces without the additional resources they would need to start and administer many of the programs.

Those are not my words or the words of the Progressive Conservative Party. Those words came directly from provincial representatives who appeared before the committee. They expressed grave concerns that the federal government, through Bill C-7, was trying to raise public expectations that all would be well if the bill came into being. They said that the notion of putting in place early intervention programs and restorative justice models without the resources to back it up, both human and monetary, was a fallacy. The provinces, given the option, would have preferred to keep the old bill. They would have simply asked the federal government for the money, the know-how and the support to put programs in place to make the existing system work.

I have worked in the justice system in administering the YOA. I think Quebec recognized very early on that although there are flaws in the Young Offenders Act there are ways to make it work. Quebec has set the standard and raised the bar in terms of its ability to work within the parameters of the old law.

● (1550)

It was a matter of giving more resources to provinces to allow them to fully administer programs, be innovative, make early interventions and set up programs for counselling. Such programs were aimed at putting youth on the right path as opposed to attempting after the fact to usher them through the criminal justice system.

I will touch for a moment on the upshot of what the new bill would do. It would cause incredible delay by introducing new procedures and processes pertaining to parole and early release, to the determination of violent versus non-violent offences, to new types of conditional sentences and to new types of tracking systems, so-called extrajudicial remedies that police officers would administer. All this would result in more appeals and more confusion over what the law means.

Judges came before the committee, judges with incredible experience in the criminal justice system and with the Young Offenders Act, who said they did not understand the bill and how it would work. They said they did not believe it would in any way improve the criminal justice system. They believed it would result in further delays.

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The holding of young people to account, the protection of the public and the involvement of the state in rehabilitating young people would simply not occur. The resulting delays would perpetuate a system which is already confusing and frustrating for all participants, not only police, prosecutors, lawyers and judges but the young people themselves.

It will take an incredible amount of time to weed through the new bill to discern and comprehend what the drafters intended. It has a very academic feel as opposed to a practical, pragmatic and, dare I say, streamlined one which was likely the drafters' intent when they undertook the task of rewriting our youth criminal justice law.

The bill before us does the complete opposite. It is not streamlined. It is thicker. It is more cumbersome. It is more confusing. It adds new procedures. It adds new elements of delay.

I will conclude on this note. We all know the old legal maxim that justice delayed is justice denied. The bill would do just that. It would allow lawyers, on behalf of their young clients, to exploit these new procedures and cause lengthy delays that would deny the administration of justice. For that reason and those I have enunciated I cannot support the amendment. Nor do I support the bill.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I have listened to all the remarks since the beginning of this debate, and I would like to go back on some of the questions that have been raised.

For example, the Alliance member for Wild Rose said "I encourage Bloc members to go back and visit with people in Quebec. They will find out that they are against this and want changes to the Young Offenders Act". The hon. member is certainly not reading the papers these days. Since Sunday, May 13, I have been on a whirlwind tour of Quebec, which has already taken me to Montreal, Laval, Bonaventure, Sept-Îles, Jonquière and Sherbrooke.

Just before coming to the House today, I gave a press conference and I met people in Hull, Gatineau, and Aylmer to discuss the Young Offenders Act and Bill C-7 of the Minister of Justice. During this tour I met experts but also ordinary citizens, mothers and fathers. I will meet more people because I will be touring for five or six more days.

• (1555)

All these people told me the same thing: We do not want the federal government to tell us how to raise our children. We have legislation called the Young Offenders Act and if it is applied properly, that legislation gives good results.

To the hon. member wondering if I know what is going on in my province, I can say that I do. I do not claim to know everything and that is why I keep on touring Quebec. However I have not seen anyone who was happy with the minister's amendments. No one in Quebec wants to see the Young Offenders Act amended.

Of course there is room for improvement. If we had more money in order to apply that legislation even better, we would get better results. The justice minister said the implementation of Bill C-7 would cost Canadian taxpayers between \$200 million and \$250 million. That is just for implementing Bill C-7.

If the federal government has money it does not know what to do with, here is what I say: "Do not allow yourselves the luxury of a new act that no one wants and that everyone, even in the western provinces, finds complicated; invest more money so that provinces know and implement the Young Offenders Act better". The success of a good implementation lies in knowing the tools.

They come up with extrajudicial measures as if they were something new to Bill C-7, but the Young Offenders Act already provides for alternative measures and we have been enforcing them for a long time in Quebec. This no doubt explains why we have the lowest crime rate in Canada. The province also has the lowest recidivism rate and the lowest detention rate. This may be because we enforce the law correctly.

The justice critic for the Progressive Conservative Party, the hon. member for Pictou—Antigonish—Guysborough, spoke highly of Quebec. He said that Quebec is more successful than any other province. This is true. He praised Quebec's approach. Government members made similar comments. Do members realize that the bill they are about to pass, and I do hope they will not pass it, the bill the government wants us to pass, will put an end to this excellent success by Quebec?

Quebec's whole approach is now jeopardized. If members do not wish to listen to me, the member for Berthier—Montcalm, hopefully they will listen to all the Quebecers who daily enforce the Young Offenders Act. This is why Quebec has such good success rates.

Members should listen to the Commission des services juridiques, the Conseil permanent de la jeunesse, the Centrale de l'enseignement, university teachers, criminologists, Jean Trépanier, a well known expert on the issue, the Fondation québécoise pour les jeunes contrevenants, Institut Pinel, the Conférence des régies régionales de la santé, Les Centres jeunesse du Québec, defence counsel and prosecutors.

The court judges who appeared before the committee said so. Justice Michel Jasmin appeared before the Standing Committee on Justice and Human Rights. This is not someone who knows nothing about the law. Justice Michel Jasmin is the co-ordinating judge of

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the Youth Court of Quebec. He came and told us that what the federal government was about to do was a mistake. We should at least listen to those individuals.

The Quebec coalition for youth justice is a group of 30 to 40 agencies that enforce the Young Offenders Act on a daily basis, and it said the same thing. It told us that the problem was not the Young Offenders Act but the way it is implemented. It has to be better enforced, but to be better enforced this legislation needs to be better understood.

It seems to me that, as members representing ridings, as legislators in this House, before we amend the law we should try to find out what the problem is. The problem is not the law but its enforcement. Let us work together to find a better way to enforce the law and inform the other provinces about the success achieved in Quebec.

• (1600)

Furthermore, the minister made some 166 amendments to the bill as it existed before the election of November 2000, in order to satisfy Quebec she says.

The government across the way refused to hear what witnesses from Quebec had to say about his proposed amendments. The government is embarrassed because it is fully aware that these amendments, as well as Bill C-7 we are now debating, are not in line with what is done in Quebec and in fact go against everything that has been done in Quebec for at least 20 years. The government did not want to hear this. It lacked the courage to hear those individuals who enforce that law.

When I toured the province a woman told me: “Everything you said about implementing the legislation and what a teenager needs to get back on the right track is true. The good thing about the Young Offenders Act is that it takes the human factor into account. The YOA is also good for families and for parents because it gives them something to do. The legislation gives them the right to act in order to help their children get out of trouble”.

If there is one area where there is no discrimination it is youth crime. We find young offenders in poor families as well as in rich ones. No one is immune to the phenomenon.

I myself have kids. If one day because of peer pressure from friends or a street gang, or because of school or for any other reason, one of my kids or both of them stray from the path, I would prefer them to come under the Young Offenders and not the legislation the minister wants to shove down Quebec’s throat because the YOA gives me, the parent, a say in what happens to my kids,

Bill C-7 contains a series of automatic responses and measures. Everything is left to the justice system. The cases are withdrawn from stakeholders who know very well how to deal with young offenders.

If their offence is serious, they will be given a pre-determined sentence. If it is not so serious, they will be given a simple warning. It will not be possible to intervene at the right moment, do the right thing, and treat young offenders properly. That is what is catastrophic and what the government does not seem to understand.

I am told that I only have one minute left. I could speak for hours on this issue because it is a subject that is close to my heart. This has nothing to do with party politics. I met people and I will meet many more during the tour I am doing with an excellent spokesperson, Marc Beaupré.

Marc Beaupré is not in politics precisely because he pursues social causes. He is an actor playing the role of Kevin in the series *Les deux frères*. He is a talented young actor who decided to join us, not the Bloc Québécois but all of us who want to fight for children in Quebec.

He wants to convince the minister and the government that they are on the wrong track. He is trying to reach out to them, as we do, to make them understand.

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, I am very pleased for various reasons to speak to Bill C-7. I want to start by paying a most sincere tribute to the member for Berthier—Montcalm for the colossal work he has done on this issue, as he does on all issues in which he is involved.

His work on this issue is particularly remarkable. We know that he has been trying for months to get through to the government. He did it, among other things, by proposing 3,000 amendments in committee, 2,977 of which were ruled in order by the chair.

He also did it in a colossal way by speaking in committee for a period equivalent to almost 27 hours without interruption, probably to the great joy of his colleagues opposite. He did it very effectively, all things being relative of course. Let us say it was a relative joy—

• (1605)

Mr. Gérard Asselin: We did not get to vote.

Mr. Yves Rocheleau: My colleague reminds me that we did not get to vote. We know how timid this government is when it comes to using all the powers available to it, particularly to limit debate. We know how in this great Canadian democracy parliamentarians are free to express their opinions. We know how much we like to tell other countries how to run their affairs. This is part of the hypocrisy we were talking about a moment ago during oral question period.

Speaking of that, I hope the Bloc will find a way to set the record straight, faced as we are with a government that is becoming more and more arrogant, and even more so since the last election.

I want to salute my hon. colleague for Berthier—Montcalm, who is touring all the regions of Quebec now to focus public attention

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on the fact that this bill contains certain totally unacceptable things which are absolutely contrary, and this is the aspect I want to bring to the attention of the hon. members, to a way of doing things which is really unique to Quebec and which, moreover, is a great success.

We must bear in mind that young Quebecers represent 23% of young Canadians but only 11% of young Canadians who are in trouble with the law. This is a sign that the Quebec approach is effective. While there are 201 cases involving young people before the courts in Quebec, there are 435 in the rest of Canada. That is the proof that the approach of Quebec is effective, valid and personalized.

In the 1970s there was a slogan in Quebec “Québec sait faire” or “Quebec has the know-how”. Quebec does have the know-how in the field of juvenile delinquency. Quebec knows how to do things well by respecting individuals and giving them a chance. Given our tradition, Quebec’s rehabilitation rate is very high compared to the Canadian approach which is focusing more on a punitive approach and on repression, the words are delicate here, as we tend to make everything we can to rehabilitate the individual and get him back into society.

It is this approach that is now being challenged in the federal bill. It is challenged in what I call our soul. Crime is always a touchy subject in any society, all the more so when it concerns young people.

We have developed a model that works very well and that makes a wide use of the Quebec expertise. We are faced here with a process that does not recognize Quebec’s performance and originality, that even holds it in contempt. It crushes the specificity and distinctiveness—I am sure members understand what that means—that come perhaps from being a distinct society. I am using the very words used by the Prime Minister in his post-referendum motion when he declared that Quebec is a distinct society.

However the government does not recognize the so-called distinct society that the member for Saint-Maurice has in mind, whether it concerns young offenders, parental leave or the \$5 a day day care.

It indicates an obvious lack of courage. All we are asking as Quebecers, all my colleague from Berthier—Montcalm is asking as a member of the House of Commons, all the coalition is asking for, based on a consensus among Quebecers, is that Quebec be allowed to use its own approach and that it be allowed to withdraw from this bill, if only on the basis of its distinct character.

What is the use of having a consensus in a society which purports to be a democratic society, and Quebec is a democratic society, and of asking every Tom, Dick and Harry and the various

prestigious organizations my colleague from Berthier—Montcalm listed earlier, as well as criminal lawyers, youth centers, youth protection services, psychologists, et cetera, when everyone agrees that the Quebec approach is the best?

● (1610)

Its the best because it is focused on the individual and his special needs. The justice system examines every individual on a case by case basis to understand his personal development, to see if he can be rehabilitated, if he co-operates, if he has a good behaviour. This formula works.

When all those in the know say that we should keep the status quo, what gives members opposite the right to do what they are doing? They are obeying a mean western right wing anxious to stomp on those who have made mistakes in their youth without giving them a chance to make amends. They would lock them up and throw away the keys. Why should Quebec have to submit to such a process?

This is a wonderful example, and members can be sure that their humble servant will use it to the best of his intellectual capacities, of the price Quebec has to pay for its dependence, its non-sovereignty. This is the result of having voted no in the 1995 referendum.

They are ramming down our throats legislation which is steam-rolling over Canada. From now on things will be decided here and no longer in Vancouver, Winnipeg, Halifax, Toronto and especially not in Quebec City. Things will be decided here, from coast to coast, with national standards for health, education and social programs.

The government will be the leader. Even when the public is against it, or when the major stakeholders are against it as is the case with Bill C-7 on young offenders, it strong headedly, arrogantly, heavy handedly forges ahead with its legislation instead of being true to its promise. A promise from whom? From none other than the Prime Minister. He is the one who used the expression distinct society to deceive Quebecers.

With every week and every month that go by we realize that the Prime Minister’s distinct society is but an empty shell. He was talking through his hat. He was trying to fool people.

Next time when there is a referendum in Quebec, soon we hope, people can count on us to appeal to Quebecers’ wisdom and remind them they should no longer trust this Prime Minister; they should not put their trust either in his predecessors such as Pierre Elliott Trudeau, who was his mentor, or for that matter any other prime minister in this supposedly great democratic country. They made promises during the referendum campaign at a three day love-in. They make nice memories.

They made commitments and promised to put their heads on the chopping block. They made commitments in Verdun this time, only to break them and lie to the people of Quebec. Contempt can only last for a while.

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, usually it is a pleasure for me to speak in this House, but today I am very sad. With Bill C-7 we will be burying a practice that has proven its mettle in Quebec, that of democracy.

Before I begin, I would like to congratulate my colleague, the member for Berthier—Montcalm, for preventing the government from burying the Young Offenders Act for years now.

Yesterday in the Jonquière region I attended a meeting with stakeholders from the community. In attendance were representatives of the Centres jeunesse du Saguenay, the head of youth protection, the Syndicat des enseignants de Jonquière, the Corporation de développement communautaire des Deux-Rives, which comprises some 50 community organizations, and the Aînés de JAK de Jonquière senior citizens. They said “No, no, no. We seniors oppose this bill”.

• (1615)

As well there was the Association des parents d’ados, an organization helping young people. This organizations provides a 24 hour help line.

Also in attendance were the Patro de Jonquière, streetworkers, Justice alternative jeunesse du Saguenay Inc., the Commission scolaire des rives du Saguenay, the Commission scolaire de Jonquière, the Association québécoise de défense des droits des personnes retraitées et préretraitées, the Centres Jeunesse and a number of individuals.

They all came to speak to my colleague and to Marc Beaupré, the person in charge of the non-political aspect of the issue in Quebec. It is far too important an issue to make it political. Marc Beaupré is doing an excellent job of it.

I also attended a meeting in the riding of Sherbrooke with my colleague who represents that riding and about 20 stakeholders, ordinary people, street workers, community organizations. They came to tell my colleague and me that they did not want this bill.

They are the ones who are the first to intervene with young people. They are the ones who know how effective the Young Offenders Act is in Quebec. I am not saying that it does not need any improvement. Nothing is perfect in this world, but these people work with this act and they are telling us “We have the right tools; we must just improve them and invest in the frontline, that is in prevention”.

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This is what they came to tell us. I did not ask them to do so. They are the ones who agreed to meet my colleague and who said “Congratulations, you are informed. You are defending young people. You are defending tomorrow’s society”.

In the last couple days I have been witnessing a vaudeville in the House. We know what a vaudeville is. It is a human comedy.

I think now that enough is enough. What is happening now with this arrogant government is enough. The Minister of Justice should go and listen to the Quebec people. Why does she not travel? I am prepared to invite her to my riding of Jonquière so she can meet workers who will tell her about their views on the Young Offenders Act and Bill C-7. I would like that. I am inviting her. I am extending my hand to her. I would even like to invite the Prime Minister and tell him “Come and listen to ordinary people. You are a lawyer by training. Come and listen”.

Judges are saying that they will not know how to implement Bill C-7. Moreover, it will cost between \$200 million and \$250 million to do so. That money will not go to young people. It will be lost in structures such as buildings and facilities and in training for judges.

Two hundred and fifty million dollars to implement a bill when street workers back home are not even paid minimum wage to provide frontline to young offenders. They sure could use \$250 million. In Quebec the recidivism rate is nil. It would be wonderful; things would be even better. We would be able to help young people who have stumbled.

At age 14 we all make foolish mistakes, including you and I, Mr. Speaker. Should a 14 year old be branded for the rest of his life? Today’s young people are not allowed to buy alcohol or cigarettes until they are 18 years of age. The law prohibits them from doing that, but it is unacceptable that at age 14 they would be sentenced and branded for the rest of their life.

How can we get this across to the Minister of Justice, all members from Quebec and all Liberal members from Quebec? They should tell their minister “Open your eyes. We are successful in Quebec. Make sure it gets even better. Help us improve things if necessary but do not dismiss it out of hand and start all over again”.

We have been successfully implementing this legislation for years in Quebec. Why should we pay for the other provinces which had the same legislation but did not implement it?

• (1620)

I am speaking for young people. I have children myself and I have grandchildren, as do many members and many of those watching us today. Parents came and told us “The young offenders system is helping us, but with this bill it will become judicialized”.

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This is not what people want. They want assistance, assistance for young people and for their families so that young people can learn to take charge and make something out of their lives. This is possible under the present Young Offenders Act but it will not be under Bill C-7. What a shame.

I do not know how I will proceed, but I have a lot of imagination and I will not allow the minister to come in my province where we are successful and establish a system under which this success will be ignored and young people will have no opportunity to take their destiny into their own hands. This is unacceptable.

Yesterday actor Marc Beaupré came to speak with young people. He asked them what they thought about the bill. They answered "We cannot support this bill. You must stop them". How can they be stopped? That is the question I ask Quebecers and Canadians, as well as the Liberals in the House.

I am asking the Liberals "When will you stop criminalizing young people with such a bill?" I do not think that we should throw stones at the young person who commits an offence. In life, they should all have an opportunity to get their lives back together.

In my family there are several lawyers so I know how the judicial system works. Instead of helping young people we will put them through the judicial system. That is enough. We are dealing with young people less than 18 years old, not with adults. Oddly enough, adults sentenced to six years of prison, thanks to a remission of sentence, serve only two years. That is serious.

Presently under the Young Offenders Act young people sentenced to six years serve six years. They serve their sentence in a rehabilitation system, in institutions that allow them to know themselves and progress. This is possible under the Young Offenders Act.

The minister must be thinking "I made a mistake. We must allow Quebec to withdraw from the application of that act". We must be allowed to keep on applying proactive measures for our youth. We are asking her to allow us to do so.

If she wants to maintain her bill as is, she should keep it for the other provinces and let Quebec withdraw from its application. That is what I am asking her to do. If she maintains it as is, I will vote against it.

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, I am pleased to address the House. I want first to congratulate my colleague from Berthier—Montcalm on his splendid job of raising the level of public awareness within Quebec and probably in the rest of Canada. He is getting feedback from Canadians throughout the country about the public awareness campaign he is waging against this bill.

People do not see this bill for what it really is. It is a far right bill, a punitive bill. It does not allow young offenders to get back on the right track and it does not allow for their rehabilitation. In Quebec rehabilitation is working, and it is working well.

A recent report broadcast on the TV program *Le Point* showed two teenagers who had committed roughly the same crimes. The Quebec method was used with one of these youngsters, and he is now rehabilitated. He is back in his community and he is doing fine. The prevailing punitive method that they want to make even tougher in the rest of Canada was used with the second one. He ended up in prison, which is a school for crime. While in prison he learned how to become a more dangerous criminal.

● (1625)

This is what we want the minister and the government to understand. We are telling them "In Quebec, there are people, and not just anyone, judges, police officers, crown attorneys, school boards, scholars, academics, social services people, community groups, youth centres, the youth protection branch, all those who are providing social services to young people, who are saying that changing the present system does not make any sense. Pass your bill if you want, but let Quebec pull out and keep its rehabilitative approach as opposed to a punitive approach such as the one proposed in the bill".

All those people are asking for this, and I fail to understand the Liberals' position. If we look at members across the way, we see that they are keeping a very low profile. They were told to shut up, and they chose to serve the Liberal Party instead of the interests of the people. I am addressing my remarks to the Liberal members of Quebec in particular.

During the election campaign they said "We will try to influence the government from inside and ensure that Quebec will be respected and that policies are adapted to Quebec's reality". However, when they have an opportunity to express themselves on a bill that is unanimously rejected in Quebec what do they do? The opposition comes not only from the Bloc but from all the main forces of Quebec. I am looking at them right now and they are not saying a thing. They remain silent. They prefer to serve the Liberal Party instead of the interests of Quebec. They prefer to work for financial moguls who contribute to their campaign funds to the tune of \$100,000 at a time, and for western Canada, to try to get some votes there. They have turned their backs on Quebec.

Each time members from Quebec are elected as government members the problem is the same. It is more obvious within the Liberal Party because this is the party with two different attitudes: one during the campaign when the Prime Minister speaks loud and

clear and a completely different one after the election. Then Liberal members from Quebec suddenly become silent and ignorant. It is incredible.

I see people like the member for Anjou—Rivière-des-Prairies, who was a president of the Quebec teacher's corporation, a man who had a career, a man from the left who was even friendly with Khadafy in Libya, a leftist from Quebec who suddenly remains silent in his seat and repudiates his commitments, rejecting everything to serve the Liberal Party and all its underhanded practices.

I see people like the member for Saint-Laurent—Cartierville, an academic, who is not saying a thing when all his peers have expressed their opposition to this bill. All the academics, all the university student associations, all the youth centres, all the legal community and all the police associations have said they are against this bill, but the Minister of Intergovernmental Affairs says nothing and claims to be serving Quebec's interests. Why then is he saying nothing? He remains silent, sitting back in his seat, oblivious of his duties toward Quebec. Is this not a totally reprehensible attitude? Why is the minister not fighting for Quebec?

Why does the newly re-elected member for Portneuf remain silent today, he who spoke against Pierre de Savoye, a great spokesman for Quebec? Where is the former minister who sharply criticized Mr. Turp and won against him, while Mr. Turp rose almost every day in the House to defend Quebec's interests? In his maiden speech he sullied Mr. Turp's reputation and then he claimed to be fighting for Quebec. Is it time for the member for Beauharnois—Salaberry to stand up. Why does he remain silent? Is he ashamed of his party? He should at least be ashamed of this bill, which is totally contrary to Quebec's interests.

They are here in Ottawa supposedly to fight for Quebec: the hon. member for Beauharnois—Salaberry, the hon. member for Portneuf, the hon. member who defeated Ms. Alarie, such a good advocate for the riding of Louis-Hébert. She has taken her seat because of the municipal amalgamations. She was to fight for Quebec. She should rise and speak up.

• (1630)

No member from Quebec wants to talk. No Liberal member from Quebec wants to talk. Yet, as I said earlier, everybody in Quebec is saying no to this bill: all the law enforcement community, all the people in the judicial system, all the academics, all the social services community. They are all saying that Quebec must have the right to opt out of this bill to pursue its own line of action, which is far better and, moreover, a source of envy around the world.

Why are they so quiet? In the last campaign they promised to serve the interests of their constituents, to serve the interests of Quebec. Why do they say nothing? Why do we hear nothing from

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them? Why do they prefer serving the Liberal Party to serving the interests of Quebec? It is unacceptable.

We will spread the word in their ridings. We will shout it from the rooftops. There is a campaign under way for a visit to all regions of Quebec to tell them about the attitude of Liberal members from Quebec who say nothing, who prefer betraying Quebec to serving it. That is unacceptable. Never has such a unanimous outpouring been heard from Quebec against this bill.

They must take a stand; they must speak up and tell their minister "Pass your bill but back off in Quebec". That is all we are asking and it would cost nothing

It is not even that. It is all part of the Liberal Party's centralizing philosophy which says "In the future there will be national standards; there will be only one nation. The Quebec nation will not exist. The French fact will not exist. There will be one Canadian nation, and you people in Quebec will not have a voice".

That is the Liberal Party's philosophy, which the Minister of Intergovernmental Affairs spouts and which the Liberal members from Quebec have decided to support rather than serving their own constituents and listening to the alarm being raised by all Quebecers.

On that I must close because I have a meeting with some students from my riding, as it happens. I want to make them aware of this bill, but I must say one last time how well this bill shows once again that we would be better served by ourselves. If we were 100% ourselves we would be much better off than being 25% of someone else. That is why this bill once again shows the need for Quebec to be sovereign.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, I am pleased to speak to the amendment to the young offenders bill which was brought forward by my colleague, the member for Berthier—Montcalm.

This amendment strongly suggests that Quebec be excluded from the application of the new legislation recently introduced by the Liberal government.

It must be acknowledged that during the course of this debate on amendments to the Young Offenders Act the Minister of Justice showed good judgment on one particular occasion. Do members know when it was? It was when she recognized that Quebec was incredibly successful in the way it enforced the Young Offenders Act.

In all her documents and even when she appeared before the Standing Committee on Justice, the minister recognized that Quebec had done so well with the Young Offenders Act that its success rate exceeded that of the Canadian provinces as a whole, with the lowest recidivism rate in North America.

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Why change things? Why ignore Quebec's success just because the YOA was a total failure elsewhere and because the right, which has become more powerful over the last seven or eight years, wants children to be treated like adults, wants them to be thrown in jail just like adults?

Why a blanket policy? Why impose a new Young Offenders Act that makes no sense, thus ignoring the greatest consensus in recent years, a consensus supported by all stakeholders who are against the fact that the Minister of Justice wants Quebec to be like any other province despite its successes?

● (1635)

When we talk about a consensus we are not referring to a small one. The national assembly has adopted a unanimous motion to postpone the review of this new Young Offenders Act so that Quebec can keep on enforcing the law as it has always done with all the success it is known for.

In the last two and a half or three years since the beginning of the debate on the reform of the Young Offenders Act, we have heard from people who work with young people on a day to day basis. These people try to ensure that these young people benefit from a first or a second chance, that they are given a chance. This is what young people want. We have demonstrated it in Quebec.

When we react with an open mind and give them a second chance, most young offenders do not commit other offences. However, when we put them in jail with adults, it is well known that prisons become criminal factories for them. They have an opportunity to meet hard core criminals, real criminals, and living with them they soon become like them. We deny them the chance to rehabilitate.

In passing, I would like to congratulate my colleague from Berthier—Montcalm for his excellent work on raising awareness of the most important issues in this bill. He was telling me that he had met this afternoon with a University of Ottawa professor who had worked as a criminal lawyer in Alberta as well as in the maritimes. He is well aware of the mess these provinces made in enforcing the Young Offenders Act. He supports us. A University of Ottawa professor is supporting us in our opposition to changes to the Young Offenders Act.

Once again this shows that in Quebec, when this act was properly enforced, there were some success stories. We have an incredible rate of success in the rehabilitation of young offenders.

In recent years there have been many testimonies. Among other things, speaking about a consensus, a coalition was created in favour of justice for minors. Here is what this coalition said in September 1999 when we were dealing with the bill that preceded

this one, which contained almost the same provisions and which died on the order paper because the election was called.

The Coalition pour la justice des mineurs said in September 1999:

Before throwing away sixteen years of practices, adjustments and case law to engage in a program that breaks with traditions almost a century old, parliamentarians must ask themselves if it is worth doing.

Will they have the courage to defend an act that is unanimously agreed on by those who know and use it, or will they give in to lobbies that are relying on misinformation to promote a program that is both mean-spirited and simplistic?

This tells a lot about the state of mind of those who oppose this reform. This reform makes no sense. It throws away all the efforts of people who work with young offenders to try to give them a chance.

There have been other testimonies by people known for their great competence on the issue of rehabilitation of young offenders.

Here is what André Normandeau, a criminologist from the University of Montreal, was saying in 1999:

People in western Canada still react as they did 20 years ago, at a time when the crime rate increased each year. They have kept more of a punitive approach. Changing the law is the easy way out, but, more importantly, it does not work. Violent criminals, who represent 10% of offenders, do not respond to coercion.

It is an easy way out to resort to the stick or the whip, as my father would have said. It is an easy way out to play petty politics in referring to a supposedly increasing youth crime rate, which is wrong and refuted by every statistic.

● (1640)

It is an easy way out to engage in petty politics at the expense of our children's future. It is cheap. There is no other word to describe what the minister is proposing and to describe also the support she can get from her Liberal colleagues or from Alliance members. It is cheap to play politics with that.

It is cheap to use misinformation about an alleged increase in youth crime rate to show support for a right wing approach, for beating, or for the death penalty while at it. That is cheap.

First and foremost we should think of our children. That is what we are doing in Quebec. Why not accept excluding Quebec from the application of the new legislation? It would be so simple for some people to stop playing dumb and to open their minds to the fact that Quebec has made it work.

Why prevent us from continuing just because people from western Canada want to be tougher and Liberals are willing to go along? All they do is play petty politics.

Why not think of the children's future first? No wonder young people are no longer interested in what goes on in parliament. We are not listening to their concerns. We are ignoring their concerns.

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On top of that, we want to throw them in jail instead of giving them a second chance.

In what kind of country do we live? Sometimes I wonder. The Minister of Justice is thick as a brick and she is narrow minded. I have never met anybody as narrow minded as she is.

Today again, on another bill, the one aimed at strengthening the criminal code, we mentioned the fact that the solicitor general said that the bill would not apply strictly to criminal groups, that it could go beyond that. The solicitor general could authorize a police officer to commit crimes to enforce the new provisions of the criminal code.

That is the only thing wrong with this bill, but the minister could very well kill any support for her bill. The Bloc Québécois has been calling for a strengthening of the criminal code for years to be able to fight crime more effectively. Why does the minister not go after real criminals instead of children? She should stop including in her legislation provisions that are too broad, thus killing any support we could have given her. She should open her mind.

I invite all my colleagues to vote in favour of the amendment proposed by the member for Berthier—Montcalm to exclude Quebec from the application of the new legislation.

The Acting Speaker (Mr. Bélair): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Cumberland—Colchester, Fisheries; the hon. member for South Shore, Fisheries.

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, I am pleased to rise today on behalf of voters in Quebec who elected us during the last election on November 27. This was a senseless election called by the Prime Minister, but it went ahead anyway.

Quebecers, especially those in Charlevoix, were lucky enough to be able to make a democratic choice and send to the House of Commons an MP with the mandate to defend Quebec's interests.

I am very proud to rise today in the House to speak to Bill C-7 on behalf of my constituents in Charlevoix, but most of all on behalf on young people in my riding. Our youth is our future. They will be penalized by Bill C-7 on young offenders.

The Quebec national assembly is totally opposed to the federal bill. Once again we feel that the federal government wants to centralize through legislation the former Reform Party had asked for. The minister, in order to win a few ridings in western Canada, has rehashed legislation asked for by the Reform Party now called the Canadian Alliance, only to win a few votes in western Canada.

This is being done at the expense of one province, Quebec, which is managing very well under the Young Offenders Act.

• (1645)

Statistics show that we have a rehabilitation system in Quebec. There are institutions for young people such as drop in centres where they are followed by psychologists and have access to guidance and training.

The purpose of all this is social reintegration. Sometimes, because of bad luck, depression or drug or alcohol abuse, a 16 year old girl or boy commits an unfortunate act. Right after committing that act, the young person deserves some form of reintegration, of rehabilitation.

According to Bill C-7 youngsters 14, 15 or 16 years old would be put in jail for an undetermined period of time. Putting a youngster away for 10 years in a maximum security jail with adults, criminals, is like sending him to the university of crime.

It would be totally illogical to send a teenager who has committed an offence, oftentimes by order of an organized crime group, to the pen while organized crime members are free to come and go.

The young offender obeyed orders either to make money or to act out violently or because he was acting under remote control. He would be sent to penitentiaries, those crime universities, for an indeterminate period of time that, as I said, could be from eight to ten years. The minister agrees to all of this, she is fully aware of this.

She will know that in Quebec the justice system, the police, the CLSCs, in other words all those involved, are unanimously rejecting this bill and saying that the minister is mistaken. It is totally illogical to send teenagers to prison while criminals who are clearly identified with their crest on their backs go about freely.

Because she made a mistake we are asking the minister to introduce a bill to fight organized crime. We are also telling her that Bill C-7 is targeting the wrong people, young offenders.

Since it has not yet achieved sovereignty Quebec is still subject to federal legislation. The federal government is about to pass a bill that would be bad for Quebecers who are unanimously denouncing it. The courts, educational institutions, penitentiaries, the police, lawyers, judges, everyone is against it.

Because we have not yet obtained sovereignty, because we are still dependent on the federal government, we must give in. The Liberal government in power is about to muzzle us by saying: "We will end the debate at such time on such day and proceed to the vote". With its majority in the House the Liberal government will once again pass a bill that will affect our constituents, particularly young Quebecers.

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During the 1995 referendum campaign many Canadians came to Montreal to tell us how much they loved us, how much they appreciated us and wanted to keep us in Canada. They wanted our young people to vote no. The difference between the yes and the no sides was about 50,000 votes. More than 48% voted yes and the federal government won by a slim majority.

Liberal ministers from Quebec and even the Prime Minister travelled extensively throughout Quebec and its regions. They made all sorts of promises, but the Liberal government's promises do not wash any more, or they will not because Quebec's motto is "I remember".

• (1650)

I hope those who voted no in the referendums will remember that once again the Prime Minister of Canada has lied to and misled the population. Today the minister is trying to have a bill passed that will be detrimental to Quebecers and young offenders in Quebec.

It is unfortunate, but in the circumstances Bloc Québécois members who are here to represent the young and Quebecers in general have to condemn this situation. I also find unfortunate the fact that Quebec members in the government, the Prime Minister who comes from Quebec, the Minister of National Revenue who hails from Charlevoix, the Minister of Finance and the Secretary of State for Amateur Sport who are also from Quebec, said during the election campaign "Vote for us. We are in power. We listen carefully. We can speak in cabinet".

Why are they not telling the Minister of Justice, who does not live in Quebec, who does not know or understand it, that everyone opposes this bill, which is skewing the whole legal system for young offenders in Quebec? Why are they not taking the minister to task? It means nothing to be in office today. What counts is the party line. The Minister of Intergovernmental Affairs and the Minister for International Trade come from Quebec as well. There is a fairly sizeable group from Quebec who should have some influence on the minister.

Here again the focus of the minister is to meet the demands made at the time by the Canadian Alliance and say "We are looking after that, we in the Liberal Party. We are getting organized". Unfortunately Liberal members from Quebec are totally out of this debate. None of them is rising. They smile at us, almost arrogantly. What is the member for Quebec East waiting for?

I think I see Jean-Paul Marchand rising here today and criticizing the situation. I see Hélène Alarie, the member for Louis-Hébert at the time, rising and doing the same thing. I can also see the former member for Frontenac—Mégantic, Jean-Guy Chrétien. He would have torn his hair out here in the House in his unbridled criticism of the situation and in his whole hearted defence of the interests of the young people in his riding. I think I can see the

former member for Frontenac—Mégantic expressing his disagreement to the minister.

On the Liberal side, however, a number of members have probably left for supper, and the others still here are totally out of this debate. And yet, they were elected.

I close in the hope, once again, that the minister will accept the amendments to Bill C-7 proposed by the Bloc Québécois. I would like to congratulate the member for Berthier—Montcalm on his excellent work in this.

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, my voice is not in the best of shape for me to speak today, but I really wanted to make a speech on the young offenders legislation. This is a very important piece of legislation for Quebec.

I find unfortunate the position of the government where it refuses to recognize the realities of Quebec. With this bill we are seeing the same lack of flexibility of federalism when it comes to recognizing Quebec's realities and approaches.

It is insult that is made today to Quebec's national assembly, which voted unanimously against this bill that will make the Young Offenders Act tougher. We know that for our young offenders who have committed a severe crime, a crime that is unacceptable in our society, but who need a particular approach or reinforcement, the bill will run counter to everything that was put in place in Quebec to help them.

We are not alone in this fight. In Quebec many stakeholders have in fact supported our colleague, the member for Berthier—Montcalm, in the battle that he has been waging for many years against the justice minister's bill.

• (1655)

The minister insists on enforcing an act that goes against what is being done in Quebec. Each problem is different, and this is exactly the approach taken by Quebec. Each problem is different and each one has a different solution.

The new act that the minister wants to adopt, which is focusing mainly on the seriousness of the offence, underestimates the needs of young people. It does not deal with the young person, with the one who needs a special approach or individualized treatment.

The Quebec approach is successful and it has been said that at 23% the Quebec criminality rate it is the lowest in Canada. What Bill C-7 will do is to change the face of juvenile justice. It will change gradually. We all know that the attorney will be the one who will do justice. Whether he will enforce the minister's bill or adopt Quebec's approach remains to be seen however.

We can only be against this bill. The government claims that there will be flexibility and that the provinces will have some, but

this is nothing else than smoke and mirrors. It will be up to the attorney. There is nothing in the bill confirming that Quebec may carry on as it would like to.

We thought that the amendments put forward by my colleague from Berthier—Montcalm would persuade the Minister of Justice. But no, quite the contrary. I do not think she will be persuaded. She is digging in her heels. From her answers it is obvious that she is stubbornly refusing to understand what is being done in Quebec, but we will not give up.

As we know, there is a tour of Quebec going on at present. Through it, Quebec public opinion will be heard louder and louder. The public is becoming more and more aware of what is going on here in the federal parliament.

I would like to make particular mention of the generous contribution of Marc Beaupré, a young actor who wanted to add his voice to the campaign. He plays a troubled youth, Kevin, in the televised serial *Les deux frères*. In order to see what it was like for a youth in jail, he spent time there himself. He was able to see for himself how much it was a school for crime. In just a few days he was able to learn some of the tactics taught in the schools for crime that are our prisons.

We must not bury our heads in the sand on this. We know very well that when a person is treated like a criminal rehabilitation becomes harder. We know very well that there are no more true life sentences, that the person will be coming back out into society. We must do everything possible to reclaim our youth, to give them every possible encouragement, while at the same time making them accept the seriousness of what they have done. This is the approach used in Quebec at the present time. The young offender is made aware, made to understand right from the start the serious nature of what he or she has done, and immediate assistance must be provided as well.

With the minister's law in place we will no longer be able to take that approach, to intervene as appropriately, as promptly, as necessarily as is often required, with the young person who has committed an offence.

We are very disappointed, because we have the support of many people. I can tell the House that the list of those who support us is impressive. André Normandeau, a criminologist from the University of Montreal, supports the Bloc Québécois' approach, as does Cécile Toutant, a criminologist and a member of the Quebec Bar Association's subcommittee on young offenders, Jean Trépanier, a criminologist, and André Payette, a spokesperson for the Association des centres jeunesse du Québec.

I could read out pages and pages of names of people who support us, but I will stop here because it is truly discouraging to see how stubbornly the government is pushing this bill through.

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We hope that our offensive today will show that we are not going to give up and that we will keep on hoping right up until the last minute that the minister will finally recognize what is being done in Quebec.

● (1700)

I would like to read an excerpt from the Jasmin report, which goes as follows:

It is often easier to amend legislation than to change our approach to a problem. It may be tempting to think that tougher legislation is the answer to the problems of delinquency. Simplistic responses blind us to the full extent of complex problems and create the false impression that we are doing what is necessary to resolve them.

One such simplistic response is substituting get-tough measures for educational approaches. Doing so, however, loses sight of the fact that adolescents are still developing, and lays all of the blame for their delinquency on them, as if society and the environment they live in had nothing to do with it.

I think that we all feel concerned. When a young person commits such a serious offence I think that all of society should feel responsible. Our legislation and approaches must be realistic. They must be rooted in reality.

I am going to support the initiative of the hon. member for Berthier—Montcalm. I find it sad that members of this parliament are not rising to speak today. Where are the Liberal members from Quebec? The Liberals from Quebec said they were going to have one voice in parliament. When they were campaigning they were very interested in mergers. We are not dealing with mergers here; we are dealing with the new Young Offenders Act, which is going against the Quebec approach.

Like my colleague for Charlevoix was saying, where are the Liberal members from Quebec? Where is the member for Louis-Hébert? Where is the member for Quebec East? Where is the member for Portneuf? All of them are members of the Liberal Party that got elected in the last election.

We in the Bloc Québécois are here to speak for the interests of Quebec. We will never let go because we are not afraid to talk loud and clear about the consensus existing in Quebec. This bill will be one more example of the federal government's inflexibility concerning Quebec.

All the youth centres support the legislation already in place in Quebec. They are against the minister's bill because its approach is not good for young offenders and their rehabilitation. We will never say it enough.

Today I might not have had the voice to make a speech, but I was trying to express my concern over what is proposed in this bill.

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, to follow up on my colleague from Quebec, despite her voice that gave her some

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difficulty, are we to assume that all Liberal members from Quebec also have a sore throat? She has the courage to speak out on behalf of all Quebecers.

It is with great interest that I speak to this bill. In September 1998 when I was elected as the member for Sherbrooke I proudly committed to representing the interests of residents of my riding, my region and Quebec.

I have been constantly in contact with youth centres, with the Coalition des travailleurs de rues, with different youth workers. I know quite well several people who work with young people in my region.

When I look at young people I remember that one day there was born a child, an exceptional child, a sovereign being to whom people wished only good things, the best things in the world for the mind, the body and intelligence.

• (1705)

However, even when an exceptional and sovereign child is born, it is not certain that child will be able to live comfortably in society. Numerous actions and contacts throughout his childhood and his adolescence will mould him, develop him and shape his behaviour. Likewise, if unfortunately this young person ever commits some wrongdoing, it is difficult for us to determine why it happened. We know that each person is different and can commit certain offences, but the first thing that we must do is to help that person because, as I said earlier, this individual is not allowed to function like this in a society that has laws, regulations and even biases. We must of course identify the causes of that person's reprehensible behaviour and deal with them.

When we look at the bill, at how it is drafted and at what it proposes, we realize that the government's priority is to establish a list, label crimes and define the price to pay by the young offender, instead of developing a set of personalized measures for each young person who commits an offence. We know that it is possible to take action at that level so that these young people will later be able to contribute in a very positive way in society.

Instead of using a personalized set of measures for young people, the bill tries to define the seriousness of the offences and for all intents and purposes make the individual pay on that basis. Let me go back to young people's power to make decisions. Through its acts the government is telling us that a person under 18 years of age is not allowed to vote or to decide for himself if he can smoke. That young person does not have that power. A young person under 18 is not allowed to drink beer moderately. He is not allowed to make such a decision.

On the other hand, the government wants to make that same person responsible for actions which, as I said earlier, may be due to any number of circumstances in which a young person lives in

our society. It is difficult to identify the real problem, but we must take every measure possible to make that young person able to function. If he has made a mistake or done something deplorable, we must help him. The first principle is early intervention.

In Quebec there are many stakeholders today who gained a solid experience in intervention and supervision, helping young persons learn how to function in our society. Should we always proceed punitively? I am very skeptical about that. Why did we say that on the one hand the bill against organized crime does not go far enough while on the other hand the bill respecting young persons goes a little too far? Are we to understand that the government maintains automatically, as the saying goes "He who steals a penny will steal a pound?" I do not agree, but this is what the government says automatically.

• (1710)

Since September 14, 1998, I have had direct contact with people involved in criminal justice in my riding. Only yesterday, as part of the tour being carried out by my colleague from Berthier—Montcalm, we met with quite a large group of stakeholders.

This group included many young persons who are familiar with this situation, young persons who saw some of their friends faced with situations that were sometimes painful, to say the least. These people witnessed how Quebec stakeholders rehabilitated some young persons who, if Bill C-7 had been in effect at the time, would have been lost. One day these young persons would have ended up being dealt with under the organized crime legislation.

It is obvious that members of the Bloc Québécois are acting in good faith, are being caring and are acting out of love for the young people. We ask the Quebec members of the Liberal Party to also act in good faith and to honestly say that in Quebec at this time the Young Offenders Act adequately meets the needs of the young people. Thanks to this legislation they can have access to workers who give them guidance. However, such an approach is expensive.

Instead of investing \$200 million or \$250 million for the enforcement of this legislation, the federal government, which often speaks about its great generosity, should transfer a pro rata share of this money to Quebec so that we can continue to enforce the legislation we now have in Quebec where it is undeniably yielding good results.

If all Quebec members honestly and sincerely declare that they want to protect the young people of Quebec, I think that all the Liberal members will vote against this bill, alongside Bloc Québécois members, to make sure that our youth can have a chance at happiness.

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):
Mr. Speaker, like the member for Quebec I believe it is my duty to

rise today to speak against the bill. It will be extremely detrimental. It will fly in the face of the approach developed by hundreds if not thousands of people who have been working for years with Quebec youth. This approach has a proven track record.

It is based on rehabilitation and the needs of young people. It is individualized and specific. It does not include automatic haphazard punitive measures without any regard for the context and the situation of the young offender.

Before daring to hand out harsher sentences, and considering sentencing young people at an ever younger age to adult sentences, the government should first prove to us that the approach put forward by Quebec is no good. It is in fact quite the contrary; it has yielded very good results, as a matter of fact the best in Canada, as mentioned on many occasions by the member for Berthier—Montcalm. He has done an outstanding job of reaching people working in the field in Quebec and consulting them. Of course he first studied the act very carefully. Then he consulted workers in the field, which he has been doing for a long time.

• (1715)

The government is seeking to respond to a need or request voiced in one area of our country, more specifically western Canada, where there is a right wing movement, we must say, and try to apply this approach coast to coast, including in Quebec, when we have the lowest youth crime rate. As a matter of fact, statistics show that youth crime rates have been dropping throughout Canada.

It is quite incredible to see that when the situation is improving and not deteriorating the government has decided to pass a bill that is even harsher and that holds our young offenders responsible for their acts by punishing them. This is quite inconceivable.

Since 1993, with other members of the Bloc, we sometimes visit various provinces in Canada. I will always remember that in the fall of 1994, with my colleagues from Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques and Mercier, I was part of a tour that dealt with social programs. We found out that depending on the province there was a different culture and a different mentality but also different social problems, different ways of treating problems. The rest of Canada tends to depend more on the central government than Quebecers.

Quebecers, however, federalists as well as sovereignists, have always had more confidence in their own government, in the government that is the closest to their problems, especially social problems, such as those we are talking about today.

To talk about young offenders is to talk about teenagers. To talk about teenagers is to talk about the future. When we send these teenagers to prison, thinking that we will rehabilitate them by doing so, we are in fact putting them in a school for crime.

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Recently I heard a speech by Marc Beaupré, who went on a consultation and awareness raising tour with the hon. member for Berthier—Montcalm. He told us that he himself stayed two days in prison, not to serve a sentence of course, but as a learning experience. In those two days he was taught many things. We can only imagine what he would have learned had he stayed longer. He gave that as an example. He learned a few of the tricks taught in the school for crime.

In a few minutes I will name the members of the Coalition pour la justice des mineurs, just to show how strong the Quebec consensus is.

However I would first like to point out that at second reading of the bill I made a speech, as have certain members from Quebec, including the member for Beauce who said that they had consulted youth organizations and that what they heard was different from what the member for Berthier—Montcalm was saying. I wanted to check because he and I live in the same region. I called those who had attended the meeting to know their opinions.

They all told me that their opinions had not changed. They said that, on the contrary, they told the member in question that he was mistaken, that he was headed in the wrong direction, but he kept saying that the government had consulted.

Maybe they did not give him a hard time, because people who work with teenagers do not usually favour the aggressive approach for obvious reasons, but they did make him understand that he was headed in the wrong direction. Despite that, members from Quebec do not talk much in the House, and when they do it is to say that it is not that serious.

• (1720)

I will now give a list of members of the Coalition pour la justice des mineurs because it is worth mentioning. They are: Commission des services juridiques, Conseil permanent de la jeunesse, Centrale de l'enseignement du Québec, Jean Trépanier of the University of Montreal School of Criminology, Fondation québécoise pour les jeunes contrevenants, Institut Philippe Pinel, Association des directeurs de police et pompiers du Québec, Conférence des régies régionales de la santé et des services sociaux, Association des centres jeunesse du Québec, Crown Prosecutors' Office, which comes under the Quebec Minister of Justice, Association des CLSC et des CHSLD du Québec, Marc Leblanc of the University of Montreal School of Psycho-Education, Regroupement de justice alternative du Québec, Child Welfare League of Canada, Canadian Criminal Justice Association, Association des avocats de la défense du Québec, Société criminologie du Québec. And there are a few more.

That is a lot of people. I am not sure how many, but these groups must represent hundreds and thousands of people who work with

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young people daily. They are part of a coalition that came here to condemn this bill, but the government is still turning a deaf ear.

I agree with those who suggest that if the rest of Canada, and by that I mean all the provinces except Quebec because we are still part of the Canadian federal system, wants this bill, let the government add a clause granting Quebec the right to opt out, if we have a flexible federal system, with the support of a consensus in Quebec that includes members of the national assembly, all Quebecers, all the stakeholders I just enumerated, the young people and their parents.

This would make a lot of sense. There are precedents for this in many areas like the civil code on questions that are under Quebec's jurisdiction, contrary to what exists in other provinces. Education is a provincial jurisdiction. Why stubbornly try to have a uniform Canada, and why treat everybody the same way when it is obvious for everybody that there are differences out there, that there are two nations in this country? Let us show some respect for the Quebec people by letting them determine how they are going to educate their children.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, I rise today to speak to the bill in respect of criminal justice for young persons at report stage. As a matter of fact this legislation is better known as the Young Offenders Act.

That legislation has caused much ink to flow over the last several years. It carried various numbers and each time the federal government came up against a solid and strong consensus by Quebec stakeholders. Those stakeholders say that this punitive approach tends to be very severe toward young people and to punish them by sending them to jail instead of keeping and developing an approach of co-operation and rehabilitation is unacceptable.

The government says it has to change the model. Yet statistics show that the existing model is working well, that the youth crime rate in Quebec is lower, that rehabilitation is having good results and that recidivism is very low. However, over the last few years, because of the rightist wind blowing from the west and carrying the justice minister who comes from that part of the country and represents a western riding, the federal government steamroller has been obstinately persisting on imposing this model. That is very sad.

After all, the major strength that helped the hon. member for Berthier—Montcalm in carrying the issue so efficiently is that there is nothing better in democracy than knowing that one's cause is directly connected to what people wish and want.

• (1725)

As we have seen in the past and are seeing now, it is not a political party that is opposed to this bill; it is a society. There is in

Quebec a society that has developed a model and that wishes to maintain this model. Indeed, we have something that is successful and that is working better than elsewhere.

Societies must be open to other environments. When a good idea is being developed in the rest of Canada, in the United States or in Europe, we can take it and use it in our models, but when we have something that is working very well in Quebec, we would like to use it. We do not want the federal government to barge in, in order to change the situation and bring us back to a situation that Quebecers do not want. We are seeing this today. We have seen this with the list of people who have supported the legislation and the organizations as well as individuals that are supporting it.

The testimonies we are receiving are from young people who have been through the system. Instead of going to jail, they had the chance of going in close treatment, in environments where they are forced to reflect on their situation. We force them to ask themselves what led to such behaviour. We help them with psychologists, with social workers.

This is not necessarily easier. I think this is the tough solution, the hard road to go, but this is giving them a chance to turn their act around.

The other way is easier. In jail, they learn all kinds of things, things they do not need to know for the rest of their lives and things that lead to unacceptable behaviour.

The human aspect is the most important. I have three children; one 17 year old, another 15 year old and a 10 year old who will soon be 11. I would not like to see my children find themselves stuck in the criminal system for the rest of their life because they had made a mistake. If a young person makes a mistake, I hope he gets an opportunity to correct his behaviour, understand his mistake and what it entails. There is an important educational aspect to the issue. It is refreshing to see that people have understood that.

We often read in the newspapers about the plight of some people. A crime is committed by a teenager and for five days, the media repeat that he has been identified, arrested and then he is brought to trial and goes through all the subsequent stages. People have understood that these are the exception, not the rule.

The rule is that we succeed in rehabilitating our young offenders and making them responsible citizens, people who, in the end, have learned to behave.

The attitude of the federal government should have been more focused on investing money in the system and making a maximum effort. The rest of Canada does not want that system so let us try to find a way to answer their needs. If we want Quebec's system to continue to operate and show good results, we have to invest money in the system and allow Quebec to make the best possible use of available resources for the benefit of teenagers in order to

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continue to reduce the crime rate and to get the best possible rehabilitation.

The federal government does not have this attitude, which is surprising. I will mention a few members, such as the members for Quebec East, Portneuf, Bellechasse—Etchemins—Montmagny—L'Islet, and Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok. The last two members represent ridings next to mine. What message did these members receive from their constituents for them to say so little?

When it is time to vote, I wonder if they will have the courage to say “Our system in Quebec works well. We will never accept this Canadian model, which does not suit us, which will thwart the efforts that have been made for several years”.

In legislation principles come into play but ultimately some resources are also involved. We will end up in a situation where more and more money will be needed for penitentiaries to deal with the repressive aspect of this legislation, while all that money would have been needed for prevention. There is not a word about that in the bill.

Where are Quebec's federal Liberals in this debate? Why are they keeping so quiet? Is this not an issue on which they will have to vote?

I know I will have a few minutes left that I will be able to use when we resume debate on this bill, but I urge all members in the House to listen carefully to the message that all Quebecers are sending them.

* * *

● (1730)

[English]

CANADA NATIONAL MARINE CONSERVATION AREAS ACT

The House resumed from May 15 consideration of the motion that Bill C-10, an act respecting the national marine conservation areas of Canada, be read the second time and referred to a committee.

The Acting Speaker (Mr. Bélair): It being 5.30 p.m. the House will now proceed to the taking of the deferred recorded division on the motion at the second reading stage of Bill C-10.

Call in the members.

● (1755)

[Translation]

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 99)

YEAS

Members

- | | |
|------------------------------------|--|
| Adams | Alcock |
| Allard | Assad |
| Bagnell | Baker |
| Barnes | Beaumier |
| Bélair | Bélanger |
| Bellemare | Bennett |
| Bertrand | Bevilacqua |
| Binet | Blaikie |
| Blondin-Andrew | Bonin |
| Bonwick | Boudria |
| Brison | Bryden |
| Bulte | Caccia |
| Calder | Cannis |
| Caplan | Carignan |
| Carroll | Casey |
| Castonguay | Catterall |
| Cauchon | Chamberlain |
| Chrétien | Coderre |
| Copps | Cotler |
| Cullen | Cuzner |
| Desjarlais | DeVillers |
| Dhaliwal | Dion |
| Doyle | Dromisky |
| Drouin | Duhamel |
| Duplain | Easter |
| Eyking | Farrah |
| Finlay | Folco |
| Fontana | Fry |
| Gagliano | Gallaway |
| Godfrey | Godin |
| Goodale | Graham |
| Grose | Guarmieri |
| Harb | Harvard |
| Harvey | Hearn |
| Herron | Hubbard |
| Ianno | Jackson |
| Jennings | Jordan |
| Karetak-Lindell | Keddy (South Shore) |
| Keyes | Kilgour (Edmonton Southeast) |
| Kraft Sloan | Laliberte |
| Lastewka | Lavigne |
| LeBlanc | Lee |
| Leung | Lill |
| Lincoln | Longfield |
| MacAulay | MacKay (Pictou—Antigonish—Guysborough) |
| Macklin | Mahoney |
| Malhi | Maloney |
| Manley | Marleau |
| Martin (Winnipeg Centre) | Matthews |
| McCallum | McCormick |
| McDonough | McGuire |
| McLellan | McTeague |
| Mitchell | Myers |
| Nault | Neville |
| Normand | O'Brien (Labrador) |
| O'Brien (London—Fanshawe) | O'Reilly |
| Owen | Pagtakhan |
| Paradis | Parrish |
| Peric | Pickard (Chatham—Kent Essex) |
| Pillitteri | Pratt |
| Price | Proctor |
| Proulx | Redman |
| Richardson | Robillard |
| Saada | Savoy |
| Scherrer | Scott |
| Shepherd | Speller |
| St. Denis | St-Jacques |
| Steckle | Stewart |
| Stoffer | Szabo |
| Telegdi | Thibeault (Saint-Lambert) |
| Thompson (New Brunswick Southwest) | Tirabassi |
| Tonks | Torsney |
| Ur | Valeri |
| Volpe | Wappel |
| Wasylcyia-Leis | Wayne |
| Whelan | Wilfert |
| Wood—153 | |

Private Members' Business

NAYS

Members

Abbott	Anders
Anderson (Cypress Hills—Grasslands)	Asselin
Bailey	Bellehumeur
Benoit	Bergeron
Breitkreuz	Burton
Cadman	Cardin
Casson	Chatters
Crête	Dalphond-Guiral
Day	Dubé
Duceppe	Elley
Epp	Fitzpatrick
Gagnon (Québec)	Gallant
Gauthier	Girard-Bujold
Grewal	Guay
Guimond	Harris
Hill (MacLeod)	Hinton
Jaffer	Lancôt
Loubier	Lunn (Saanich—Gulf Islands)
Manning	Mark
Mayfield	McNally
Ménard	Pallister
Pankiw	Perron
Peschisolido	Picard (Drummond)
Plamondon	Rajotte
Reid (Lanark—Carleton)	Reynolds
Ritz	Rocheleau
Roy	Sauvageau
Schmidt	Skelton
Solberg	Spencer
St-Hilaire	Strahl
Thompson (Wild Rose)	Toews
Tremblay (Rimouski-Neigette-et-la Mitis)	Venne
White (Langley—Abbotsford)	Williams
Yelich —67	

PAIRED MEMBERS

Anderson (Victoria)	Bachand (Saint-Jean)
Bigras	Bourgeois
Brown	Comuzzi
Desrochers	Eggleton
Fournier	Gagnon (Champlain)
Gray (Windsor West)	Knutson
Laframboise	Lalonde
Lebel	Marceau
Marcil	McKay (Scarborough East)
Minna	Paquette
Pettigrew	Sgro
Tremblay (Lac-Saint-Jean—Saguenay)	Vanclief

The Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Canadian Heritage.

(Bill read the second time and referred to a committee)

[English]

The Speaker: It being 5.58 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

• (1800)

[Translation]

BLOOD SAMPLES ACT

The House resumed from March 20 consideration of the motion that Bill C-217, an act to provide for the taking of samples of blood for the benefit of persons administering and enforcing the law and good Samaritans and to amend the Criminal Code, be read the second time and referred to a committee.

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, it is a pleasure to speak to Bill C-217 under Private Members' Business.

If I am not mistaken, this bill, the blood samples act, was introduced in the House by a Canadian Alliance member on February 5, 2001.

It arises out of an event that occurred in October 1997, when a police officer, Isobel Anderson, arrested a man for armed robbery. It is useful to explain why the Canadian Alliance member introduced this bill.

While searching for weapons she reached into his pocket and felt a sharp pain. She pulled her hand out to find a bloody needle stuck in her palm. As she feared, doctors told her that the needle may have infected her with HIV, which leads to AIDS. Then she learned that the robbery suspect had refused to take the HIV test and could not be compelled by law to give a blood sample.

After some negotiations the suspect agreed to a blood test, and the results came back negative for HIV but positive for hepatitis C.

As a precautionary measure Ms. Anderson agreed to AZT treatment, which understandably changed her life for several months. Six months later it was confirmed that she had contracted neither HIV nor hepatitis C. Today this policewoman is in good health.

Since the creation of the Reform Party, a group called Front Line and Good Samaritans Rights to Know has been encouraging police officers and other emergency workers to make their voices heard and support the efforts of the party, now the Canadian Alliance, in favour of a bill to protect the interests of people working for others in a service capacity.

Our position on this bill is the following. The bill is essentially aimed at forcing people suspected of being HIV or hepatitis B or C positive, and who could have infected a peace officer, a security guard or a person acting under section 494 of the criminal code, to give a blood sample.

The bill is pitting one fundamental right against another, namely the right to health and safety and the right to privacy and the sanctity of the human body.

We believe that in its present form, the bill might infringe upon the rights of people with HIV or hepatitis B or C by ostracizing them. Moreover, such a bill might lead to abuses against those suspected of carrying one of those diseases. Far from reflecting the values dear to Quebecers, this bill would contravene the fundamental human rights legislation passed by the Quebec government.

Finally, it seems obvious to us that this bill would go against the Canadian Charter of Rights and Freedoms and change the criminal code in a worrisome way. It would allow for the taking of blood samples even when no misdemeanour or offence of any kind has been committed.

The bill does not respect the fundamental values of Quebecers, and the government has passed several laws to entrench human rights and freedoms.

• (1805)

It might bear repeating that these values are entrenched in the Quebec charter of human rights and freedoms, at articles 1—dealing with right to life, freedom, security and integrity of person to 5, which deals with the right to privacy protection. In the civil code of Quebec, article 10 states that “Every person is inviolable and is entitled to the integrity of his person”.

If this bill were to be passed, several Quebec acts and codes would be affected by Bill C-217 and would require consequential amendments. That would be the case, for example, for the professional code and the act respecting health services and social services.

When creating the Quebec charter of rights and freedoms in 1974 under the Quebec Liberal Party at the time the legislator established as a fundamental right that “Every person has a right to respect for his privacy”.

There is in the civil code of Quebec, in force since January 1, 1994, a whole chapter on the issue of respect for one’s reputation and one’s privacy. The new code, after recalling the principle stated in the charter, provides that only the law or the consent of a person or of his heirs can justify an intrusion in his or her private life.

Moreover, Bill C-217 does not respect the concept of the human body’s inviolability provided for in section 10 of Quebec’s civil code which says that except for certain exceptional situations no one is to be subjected to medical treatment without his or her well informed and freely given consent.

According to some experts, the definition of medical care is broad enough to include the taking of samples, tests and even DNA analysis. A practice that affects someone’s integrity violates all the more his right to privacy. And respect for one’s privacy implies that every person can exercise control over personal information concerning him and decide whether or not to make them public.

Private Members’ Business

It is interesting finally to note that the doctors’ code of ethics includes under the principle of the confidentiality of medical information two exceptions that would apply to genetic information.

The first exception provides that the doctor can divulge facts that he was personally made aware of when a patient or the law authorizes him to do so, when there is a pressing and justified reason to do so for the patient’s health or that of the people around him.

The second exception provides that unless there is just cause the physician may not reveal to people who are close to the patient a serious or fatal prognosis if the patient forbids it. However, in this last instance, experts say that nothing indicates what would constitute just cause to justify such violation.

Therefore, these exceptions could not apply to the subject matter of Bill C-217. The bill could be viewed as going against sections 7 and 8 of the Canadian Charter of Rights and Freedoms and the jurisprudence from the Supreme Court of Canada. In *R. v Dyment*, Justice La Forest noted that “the use of a person’s body without his consent to obtain information about him invades an area of privacy essential to the maintenance of his human dignity”.

Finally, we are not convinced that taking a blood sample from the person suspected of having transmitted bodily fluid to another person will enable to determine in every case whether the person carries the HIV virus or the hepatitis B or C virus. Indeed, because of the incubation period, it is very difficult to determine with certainty whether an individual is a carrier of these diseases. Had the tests done on the suspect apprehended by Ms. Anderson been negative, nothing could have indicated that the individual himself was not in the incubation period.

For all these reasons we must oppose Bill C-217, which in essence is an interesting bill. When a peace officer, firefighter or any other person needs to interact with another in the performance of his or her duties and is left with doubts as to whether he or she may have been infected with HIV or hepatitis, this is unbearable. Everyone will agree.

However, when a situation needs to be corrected, the way to do it is not with an incomplete, unconstitutional bill, because the very first inmate required to be tested would take it to the Supreme Court of Canada and would, as I have attempted to prove, win his case.

We need to find a way to provide these personnel with some peace of mind. We in the Bloc Québécois do not believe that Bill C-217 is the way to go. We do not feel it is going to provide any piece of mind to those working with the public who are unfortu-

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nately infected by misadventure, by accident, or deliberately by inmates in detention.

• (1810)

We often hear stories of prison guards being bitten by inmates. They are then subjected to a truly unbearable sense of insecurity.

This bill, which is intended to remedy this untenable situation, would not do so.

[English]

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Speaker, we have here one of those common sense type bills. It is one of those bills that looks into what is good in society and what would protect the health and the good nature of people. The bill would address good Samaritan activities. It would address the protection of good Samaritans, health workers and emergency workers.

I think all members of the House have at one time or another been in contact with an emergency worker. We have extended a helping hand to someone in an accident, whether on the highway or somewhere else, or have wanted to extend a helping hand but were not sure of the conditions of the situation. Emergency workers such as firefighters, police officers and security personnel are often subjected to cases where they do not know all the risks.

The hon. member brought forward the bill with the noblest of intentions. His intentions are not only noble but practical. The member wants to give as much protection as possible to people who are subjected to risks of which they are perhaps unaware. However there seems to be a feeling that any individual who suspects something can demand a blood test.

There is a safeguard in the bill. The safeguard is a judge. Judges are people who have demonstrated and exercised good judgment in the past. That is why they are judges. They help us interpret the law. They make sure the law is applied, as far as humanly possible, in a fair and equitable way. That is what we are after.

When individuals are put into questionable situations they may be subject to risk. The bill looks at three kinds of risks: hepatitis C, hepatitis B and HIV. The bill focuses on these three risks and no others. The presence of these diseases can be detected by a blood test. Is the test foolproof? Of course it is not. No test in the world is absolutely foolproof. However it is good enough to ask a judge that it be administered.

Why do people suggest it would be an intrusion into privacy? The greatest intrusion into people's privacy is to shorten their lives by infecting them with a disease. Drawing a couple of drops of blood and subjecting someone to a test is no great infringement on anything. It would be done through the auspices of a judge and

through careful analysis of the situation. I do not know of anything more common sense and humane than that. We should all be supporting the bill with everything we have.

How can we not support the bill? We need only look at the absolute volume of organizations that support it. All kinds of organizations support the bill. I am talking about police departments and associations, and 18 such organizations support the bill.

• (1815)

This is not one group of policemen in some city somewhere. These are national and provincial police associations.

Let us go another step. We have security guard unions and associations. I have eight groups here. Who are some of these groups? The Union of Solicitor General Employees is a pretty sophisticated group. We have the Correctional Officers' Association of Ontario. We have the National Office of the Commissionaires and the North Saskatchewan, Manitoba, Northwestern Ontario and Nova Scotia divisions of the Commissionaires. Not only do we have groups on a national level, we have them on the provincial level. People in these groups are all emergency workers.

We go beyond those groups to include hospitals, health boards and nursing associations. Some 26 different groups support the bill.

We should pay special attention to health workers. Can anyone imagine a situation that is more significant to the welfare of our society than to have a sound and healthy group of health practitioners? Do we want to subject them to unusual and unnecessary risk? We should do everything we possibly can to protect their safety and to assure them that everything is being done to ensure they are not infected due to the risks that are inherent in the profession they are pursuing.

It is not only health workers. I have two other groups here, the paramedic associations and the ambulance services. My heart goes out to these people in a very particular way. They are the frontline people when an accident happens and no one knows for sure what will happen in a situation like that. These are very experienced people who can usually recognize when there may be an unusual risk of exposure in a particular accident or in a particular development. They often know when they have been pricked by a needle, cut by a knife, or have cut themselves on a zipper or on a piece of metal from a vehicle. If they see blood on their hands they do not know if they have been exposed to an infectious disease. Should we not give them every opportunity to have as much protection as possible? Surely that is not unreasonable.

I cannot for a minute believe that anybody would oppose the bill.

I have just talked about the paramedic associations and ambulance services, but we are still not finished. We also have the fire

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departments. The same set of arguments can be used here when people are going into a building that is on fire. These firemen, who enter buildings filled with fire, smoke and heat, could also suffer a cut to their face or hands no matter how much protective clothing they wear. It will happen. Should these people not have maximum protection? I believe they should. I believe judges are very sympathetic to that.

Someone mentioned to me that there may be abuses with a test like this. What kind of an abuse could there be if members have to appeal to the highest law enforcement office in the land for an interpretation? Are we really suggesting that judges would abuse this kind of a provision to hurt someone else? Would they really do something like that? I cannot for a second believe that this would be a legitimate concern. I cannot imagine what kind of a reason that might be, but it would have to be an excuse that is manufactured, not one that is resting on common sense or past experience.

I am not finished. I have many other groups, such as the Victims Resource Centre in the city of Nicolet, Quebec, the Retail Loss Prevention Association of British Columbia, and another group from Quebec.

The hon. member from the Bloc mentioned some instances where this might be an intrusion into somebody's privacy. We have dealt with that to at least a small degree. I think even that member, when he thinks through what he said, did not actually mean everything he said. I think what he really wanted to say is that we should maintain the privacy of individuals, but we also wanted to protect their safety and ensure that is the case.

• (1820)

I am sure after analyzing carefully what he said the hon. member would say that he could trust judges, even those judges in Quebec where he suggested there might be intrusion. I believe the judges in Quebec are just as capable of doing this as properly as anyone else. I hope we can encourage everyone to vote in favour of the bill.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, it is a pleasure and an honour for me to rise in support of Bill C-217. I take this opportunity to praise the hon. member for Fraser Valley for his tireless work on this file and, more important, for bringing forward a matter of great concern to true Canadian heroes. If the hon. member for Fraser Valley would like to come over here and sit beside me, I would not have a problem with that at all. He has done a wonderful job.

Bill C-217 respecting the blood samples act offers a measure of protection, security and peace of mind to those brave Canadians from every part of the country who put their lives in harm's way to defend and assist those in need. There can be no more noble legislation than that which protects those who protect us. There is a policeman in the gallery tonight who works in the community to protect us.

It has been said that Bill C-217 would benefit Samaritans. I am reminded of the parable of the good Samaritan as recounted to us in the readings of Luke 10:30-37. It is a story of a traveller who was beaten and robbed by a pack of thieves. Left by the side of the street, hurt and bloodied, this innocent victim was in dire need of help. Others came down that same road but passed the traveller and would not reach out a helping hand.

Then came a Samaritan who was himself on a journey and who bore witness to this victim of crime in desperate need of help. The Samaritan did not know the traveller and did not know what had happened. The Samaritan did know, however, that he should treat his neighbours as he would want to be treated himself. The Samaritan stopped and helped the severely beaten traveller, not knowing even so much as his name.

We are fortunate that many brave Canadians have taken this parable to heart. I cannot imagine our not taking the steps in this place, no matter how great or small, to ensure that those who selflessly put themselves in the path of danger are afforded some measure of protection. Whether our modern day Samaritans are heroes by virtue of career or circumstance, they must always be mindful of the fact that helping others must often involve taking risks. The very challenges they overcome to help those in need often make their acts much more heroic.

We know all too well that the modern world has its share of danger. It is hidden from the naked eye but can strike us down as painfully and as deliberately as any danger that is plainly visible.

It is not difficult to imagine that a policeman, a firefighter, a nurse or an ambulance attendant could come into contact with the bodily fluids of someone who has been injured. We could even go as far as to suggest it is expected that they would.

I know that because my mother and father, on their 50th wedding anniversary, were in a car accident caused by two young people who were drinking. Their car rolled over and my mother was pinned. Firefighters and policemen had to cut her loose to get her out of the car. She never walked again. Those who looked after my mother and father did have my parent's blood on their hands. They saved their lives that night and I thank them from the bottom of my heart.

There are many people in the constituency of Saint John, New Brunswick, which I represent, who put their lives in harm's way. I thank them also from the bottom of my heart tonight. In today's society, when policemen are called out and have to go into a home, they put their lives on the line as they never know whether the person in there will attack them with a gun or a knife.

• (1825)

These bodily fluids can cause the spread of infectious diseases that would in some cases be life threatening. For heroes who might well have come in contact with infected bodily fluids, the possibil-

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ity exists that they might well live out their days under the looming spectre of a debilitating disease.

When we consider the potential consequences of these selfless acts and the risk to those who undertake them without hesitation, we would agree that the onus falls clearly on us in the House to ensure that every possible preventative measure is in place.

The House is well aware that I am neither a lawyer nor a physician. I am just an honorary doctor. However it seems to be a matter of pure common sense that we would seek to take a blood sample for the single purpose of protecting the lives of those who protect us. We all know that by taking a blood sample medical professionals can conclude whether there is a risk of contamination and can decide whether or not to give the powerful drugs available to them that might well fend off an infection.

When my colleague from Pictou—Antigonish—Guysborough spoke to this legislation he cited an example of a Calgary police officer who was bitten by an AIDS infected suspect in the course of his daily work. The officer, a loving husband, had to endure a barrage of tests and trials to guarantee that he was not infected with AIDS that day.

Clearly there are questions here that go to the heart of individual rights. If it were my cousin, Gordon Fairweather, standing here instead of myself, I am sure he would speak to those issues and those concerns more eloquently than I. Suffice to say, however, that our Canadian Charter of Rights and Freedoms clearly protects each individual Canadian and I see no corruption of those rights by voting in favour of Bill C-217.

I cannot imagine a world where a police officer, a fireman, ambulance drivers or the people in the ambulance must face the daily possibilities of being infected with AIDS. I cannot imagine a world where an ambulance attendant would have to hesitate before giving medical attention to a victim for fear that he or she might contract a disease. The rights of the person who has blood taken are already protected to a large extent. Police officers must obtain warrants and go before a justice before a blood sample can be taken. In most instances there are exceptions.

Bill C-217 has been carefully drafted so as not to go too far afield in breaching a persons human rights. Current sections of the criminal code would also apply to compel those who would use the particular section not to go outside a person's human rights.

There are current sections that apply to impaired driving, sexual assault and the new DNA databank that would come under similar scrutiny in the judicial chambers. It is an important step toward protection and enhancement of safety for everyone.

I again commend the hon. member for Fraser Valley for this initiative. It is a tremendous common sense initiative and one that

my party, the Progressive Conservative Party of Canada, wholeheartedly endorses. I encourage all members to do likewise.

I cannot imagine a world where our police officers, our firefighters and our ambulance attendants would have to hesitate before giving medical attention to a victim for fear that they might contract a disease. They never hesitate. They do their job immediately. We owe them a lot. Bill C-217 is one thing that we do owe to them.

I believe that we must take this step. This is the responsible thing to do. It is the right thing to do. Each and every one in the PC Party is in favour of the bill.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I wish to say first that my brother-in-law is a firefighter at the Vancouver airport and he welcomes the type of initiative by my colleague from Fraser Valley. As we are talking about blood sampling, the other day I had the privilege and honour of donating my 100th donation to the Canadian Blood Services. I encourage all members of parliament and their families, those who are healthy and those who can, to donate blood on a regular basis to help those less fortunate in our society.

• (1830)

Instead of coming up with one of my eloquent speeches, I thought I would just repeat a speech from my former colleague, Mr. Peter Mancini from Cape Breton, who spoke on the bill so eloquently. I thought it would be proper just to repeat what he said.

First, we welcome the member for Fraser Valley for bringing forward this piece of legislation, Bill C-217, which is well intentioned. We commend him for it. It raises some important questions about people who partake in the kind of activity envisioned.

When listening to his remarks we became a little concerned, and the government member raised some of those concerns as well. There is a difference between people who engage in criminal activity and people who in the execution of their professional duties, such as firefighters or peacekeepers, have suffered or have cause to be concerned about whether they have been infected with various forms of hepatitis or HIV.

A great deal of his time was spent referring to the perpetrators of the crime. He was right. When someone has committed an offence, should our police forces or security guards not have a right to find out if they have been infected with some kind of disease when in the execution of their duty, which is the protection of our society, they encounter some activity that has caused them some concern?

The bill is wider and goes further than that. It does not narrow those affected to those involved in fighting crime and to the perpetrators of crime. The legislation says that a person, not a crime fighter or a police officer, may apply to a justice for a

warrant authorizing the taking of a sample of blood from another person who is not necessarily the perpetrator of a crime.

There are numerous examples. We can envisage how wide ranging the legislation would be. For example, it would apply to firefighters who in the execution of their duties such as saving an individual from a burning building, came into contact with bodily fluid blood or whatever and may have cause to wonder if they have been infected in the line of their duty with some disease.

The same would apply to health care workers and paramedics. The bill is quite broad. It applies to persons who in their professional capacity may find themselves in that situation. Like the government member, I wonder if the criminal code is the best way to meet the need which is obviously a real concern for the member and the people engaged in those activities.

We in the New Democratic Party intend to support the legislation to at least get it to committee where it can be examined. However we wonder if we might better to look at labour legislation, because we are talking about the health and safety of individuals engaged in the performance of their professional duties, be they nurses, firefighters, policemen, security guards, prison guards, teachers, people in day care centres, et cetera. We are talking about a wide range of professionals and working people who are faced in 2001 with health and safety concerns that we could not possibly have imagined 25 years ago.

We applaud the intent of the legislation. The purpose of the legislation is good. However we wonder if by working collectively through the committee members of the Conservative Party, the Alliance, the Bloc, the NDP and the Liberals, we might find a better way to ensure that this legislation does what the member wants it to do without running into all kinds of hurdles. Working collectively we may all be able to achieve just that.

In addition to wondering whether the criminal code is the appropriate piece of legislation, there are certain civil liberties that have been raised by the government speaker as well.

We may be able to find a way to take the thrust of the legislation out of the criminal code and place it in labour legislation. The government talks about working in tandem with health. We lean toward labour legislation. If we find a way to do that then we may avoid some of the constitutional challenges that could follow as a result of criminal code legislation.

The hon. member in speaking to his bill referred to the perpetrators of crime. However we remind him, and he obviously knows, that this legislation is very wide ranging.

My colleague is a lawyer and a bit of a wordsmith from Nova Scotia, and we deal with words all the time. Subclause 3(b) states

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that a judge can issue a warrant and it outlines the considerations. Subclause 3(b) goes on to state "by reason of the circumstances by which the applicant came into contact with the bodily substance". We need to explore that to see exactly what it means. If it is a matter of a criminal code offence, then we know that if in the execution of his or her duties, and the examples were given by the mover of the legislation, a police officer gets stabbed by a needle or gets bitten, these are compelling circumstances.

However for a nurse who works in a hospital in a unit where a number of people suffer from HIV or hepatitis B are those circumstances sufficiently compelling? No one says, as in some of the criminal cases cited by the member, "I bit you. Now you have HIV" or "I have a score to settle with you and I am going to pierce you with a needle".

• (1835)

How compelling should the circumstances be for the invasion of someone's civil liberties to take a blood sample? We need some clarification on that. By sending the bill to committee, we might very well get the clarification that is required.

In summary there is a serious point raised by the government and the opposition members, and that is the arresting of someone who has not committed a criminal offence. That is a serious matter for all of us to consider, especially in the constitutional challenges.

In Canada one of the things we pride is our freedom: freedom from arbitrary arrest, freedom from arrest without the reading of rights and without knowing what we have done wrong. This is where the criminal aspect of this is different than applying it to the civil aspect, to those engaged in health and safety occupations where no crime has been committed.

We have fought the intent of the legislation. We would like to bring it forward to the committee for further examination. There are some real concerns that we see with it, but we think by working together we will be able to iron them out.

This was originally said in 1999 by our great colleague, Mr. Peter Mancini from Nova Scotia.

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, the bill proposed by the member for Fraser Valley raises a number of important issues that must be thoroughly examined.

Bill C-217 provides that a justice may issue a warrant authorizing a peace officer to require a qualified medical practitioner to take or cause to be taken by a qualified technician, samples of blood from a person in order to determine whether the person carries the hepatitis B virus, or the hepatitis C virus or human immunodeficiency virus if the justice is satisfied that there are

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reasonable grounds to do so. These reasonable grounds are subsequently enumerated.

At first blush the bill appeals to our desire to help those on the front lines, those individuals who in their daily work confront the possibility of putting their health at risk. We are speaking medical practitioners, firefighters and police officers to name a few.

The Minister of Health, as we all do, appreciates the work that has been done by the emergency responders in Canada. They are an essential component of the Canadian health care system. Health Canada has collaborated with the emergency responders on many occasions leading to the development of a national consensus on guidelines for the establishment of a post exposure notification protocol for emergency responders.

Those who work on the front lines as emergency responders can be exposed to blood and other body fluids in the course of their work. Of concern in this proposed piece of legislation are those injuries that could result in an exposure of blood borne pathogens, namely HIV, hepatitis B and hepatitis C. It must be pointed out that exposure to the blood or blood fluids of an HIV, HBV or HCV infected person does not necessarily result in a transmission of the virus.

In order to properly prevent these exposures and to respond appropriately when an exposure occurs, emergency response organizations need an overall occupational health protocol. That includes immunization against hepatitis B and personal protective equipment such as gloves and safe work practices. If a possible exposure does occur, emergency responders need to be educated on the protocols of how to obtain immediate assessment and follow up.

Bill C-217, a blood samples act, would authorize the drawing of blood samples from individuals who may have accidentally or intentionally exposed frontline emergency providers or a good Samaritan to hepatitis B, hepatitis C or human immunodeficiency virus HIV. After a suspected exposure, an emergency service provider would be permitted to apply to a justice for a warrant. This warrant would authorize a medical practitioner or technician to take a blood sample from the patient in question, tests for the aforementioned diseases and provide test results to the patients and to the emergency service provider. Refusal to submit a blood test could result in a prison term of up to six months.

While we recognize that emergency service providers must act promptly to counteract the negative effects of exposure to serious diseases, it is important to note that previous requests for such testing have been rejected by the courts.

● (1840)

Preventive measures should be taken within hours of exposure. According to Health Canada guidelines published in the Canada

communicable disease report, the option to administer post exposure prophylaxis should be established within a few hours. It is unlikely that the legal and medical procedures necessary to draw an authorized blood sample, to test it and to distribute its results could be accomplished within this brief timeframe.

While mandatory blood testing of sources in cases of genuine exposure might assist in making more informed decisions regarding the use of post exposure medications, there would also be the potential for endangering the health of the victim, especially his or her mental health, by breaking the rules on patient confidentiality.

The guidelines referred to previously and established by Health Canada in 1995, in conjunction with firefighters, police and ambulance workers, demonstrate concrete actions taken to address the risks and consequently have already anticipated the objectives of the bill.

Guidelines that ensure emergency responders will be notified quickly regarding exposures obtained in their line of work have been implemented by the provinces of Alberta, Ontario, British Columbia, Saskatchewan and the Northwest Territories and by other regions and hospitals in other jurisdictions.

In 1997 a second protocol outlining assessment, testing and treatment procedures to be used to promote the well-being of health care workers, including firefighters, police and ambulance workers, was released by Health Canada. By following the second protocol, emergency responders will receive up to date care directed toward reducing the effects of an exposure.

The guidelines recommended by Health Canada for emergency responders reflect the same standard of care given to all other health care workers including nurses and physicians. The guidelines recommend testing the source in such cases but always with consent.

By following Health Canada's notification protocols emergency responders can be assured of timely, rational and effective assessment and treatment.

Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance): Mr. Speaker, it is a pleasure to join in the debate. I commend my colleague from Fraser Valley for bringing forward this initiative. I thank those who have worked so hard for so long behind the scenes to bring this idea to the floor of the House of Commons.

There seems to be one underlying issue for those who have any hesitation in supporting the bill, that of two conflicting principles: the principle of individual personal autonomy versus personal responsibility.

In objections raised by a few of my colleagues, that is the nub of their argument. They say or have said that we need to be careful of an individual's right and in taking a blood sample we might be

impinging on a person's right. The flip side of that argument is that individuals in society need to be responsible for their own actions.

When there is a conflict in this area, which do we choose as legislators? We have the opportunity with Bill C-217 to make a positive change to help those who help others. We have the opportunity to make a change for health care workers, police officers, people in emergency services or those who do something out of the goodness of their hearts. We can do that with the bill. Let us not focus on the aspects that might stop us from moving ahead because there is a greater good in passing the bill.

• (1845)

We are always faced with choices in our lives. As legislators we are faced with the choice of moving ahead with the bill or saying yes, it is a good idea, but let us not do it. I say let us do it. I encourage my colleagues from all parties to move ahead and say yes to Bill C-217.

It needs to be done. The reason it needs to be done is that there are many people in our society who do things out of the goodness of their hearts. When doing so they rarely stop to think about the implications of their good deeds. Those who work in the health services area or are police officers or emergency service workers obviously do think about it. They are trained. They do have protocols.

My colleague from St. Catharines seems to be saying, and I hope I mistook him in some way, that these protocols would provide an extra level of protection. In one way they do, but at the end of the day what needs more protection and was not mentioned by my colleague is the uncertainty that has to be lived with by an individual who has done a good deed and may have accidentally been exposed to hepatitis B, hepatitis C or HIV. That individual has to live with the mental anguish of not knowing. I cannot fully imagine how terrible that is for those who have had to walk that road, thinking about their own families, their children, their lives and their livelihoods and how that one act of goodness done to help another might be the cause of their own demise. That is a terrible thought and that is a terrible place to be in. We can do something about it.

Change happens when individuals seek out change, take a stand and move forward with a vision and with hope on something that is very important to them. Constable Anderson has been very instrumental in behind the scenes work with the bill in terms of developing an organization called FLAG, Front Line and Good Samaritan's Right to Know. I commend her for her good work. Oftentimes it must be frustrating to hear the different debates we have about this conflict of individual rights versus personal responsibility.

At the end of this debate what we need to hold in the forefront of this discussion as legislators is that we want to discourage negative

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behaviour and encourage positive behaviour in our society for the good of our country, for the good of our citizens and for the well-being of all.

Should we then place the emphasis on those who might commit an act that could endanger the life of another citizen? Should we put that principle above the principle of personal responsibility? I do not think we should in this case, and I think the bill addresses very well that specific concern mentioned by my colleague from the Liberal Party and by other colleagues as well. There would have to be a warrant issued by a judge for the taking of a blood sample in this situation. There is protection built into the legal system so that this would not be abused. There would have to be a good reason for a warrant.

Also for those who have concerns, the warrant can be used just for that specific purpose. Clause 14 of the bill says that:

A sample of blood taken from a person pursuant to a warrant issued under section 5 shall not be analysed for any purpose other than the purpose specified in the warrant.

• (1850)

That is very specific.

This is a well crafted bill that addresses a need and a concern and it should be passed. So many times in this place we hear good ideas, for good causes. We debate both sides and make a decision. In this case I believe we must be compelled to focus on the greater good of those who give of themselves in the line of service. We must focus on that because it is a positive thing to do and it will provide a benefit to our society, to our health care workers and to people who put their lives on the line every single day in every single way that they can. That so often goes unnoticed and unthanked.

It is that selfless giving of individuals day after day in their lines of work that contributes to society and makes it a better place to be. We should not neglect that and pass up the opportunity now. If we let the bill slip away, we will lose an opportunity to do something good that would benefit our country, our people and future generations. For that reason, I ask my colleagues, when considering why they should or should not support the bill, to consider the argument that it is a better thing to focus on personal responsibility and the greater good of our society in passing the bill. While taking into consideration individual personal responsibility, the greater good must be done.

Let us do it. Let us work together and make this happen. We have an opportunity to make a difference and that does not happen too often in this place. We can do it today. Let us move forward and support Bill C-217.

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I will begin by commending my colleague for introducing this bill. It is a very good bill. One of the things that has really impressed me

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in my years as a member of parliament is that many of the good ideas that come into the Chamber are brought in by private members. These are the people, all of us, who on the weekends and in the weeks out of the House rub shoulders with our constituents. We find out from them what is really important to them. To me that is the essence of representative democracy: to bring to the Chamber the ideas that our electors back home implore us to deal with.

I am very pleased that my colleague has introduced the bill. I am also exceptionally pleased that in our grand lottery scheme he actually had his bill drawn and was then able to somehow persuade that so-called independent committee that it was actually worthy of a debate longer than one hour and worthy of a vote. We will actually be voting on this.

That is truly remarkable and it should not be. If I digress for just a few seconds, Mr. Speaker, I am sure you will not mind. There should not be occasions when members bring forward ideas that they consider important enough to occupy the House's time which are then automatically discarded without resulting in a decision, by vote, of the members here.

• (1855)

Quite a bit has already been said about this bill and why people should support it. If I may, I would like to add my ideas and my argument in favour of supporting the bill.

There are a number of important issues. The one I would underline is the conflict that appears when we have presumed conflicting rights. We have these all the time, no matter how large the society.

Our children are all grown up and have left home, so our little society in our house consists of my wife and myself. Every once in a while we have little conflicts on whether she should get her way or I should get mine if we disagree on something. I have learned over the years to simply compromise and do what she wants, not always but most of the time. It keeps peace in the house. I know if she gets word of what I have said here, I will be in trouble when I get home, but we will debate that further at that stage.

This situation arises in a democracy, in a society, regardless of whether there are two people or 30 million. There will be times when the rights of people collide. How do we evaluate which right takes precedence over the other?

The issue before us today is one of those cases where one does not have to be a very deep-thinking person to realize that it is almost an open and shut case. I know that we want to defend the right of privacy in the country, and justifiably so. We do not want a society where people are looking over our shoulders and watching everything we say, do and think.

Notwithstanding that, we seem to have that situation in the country. We have agencies of the government like the CRTC, for

example, which is very involved in determining even which radio stations can exist, what their formats will be and what they can broadcast. That to me is an intrusion on a personal freedom. If people have financial backing and want to have a radio station on a certain theme, they should have the right to proceed. It should not be up to a government bureaucracy to decide that they cannot.

However we have situations like the one before us today where one person, having done the right things, is potentially at risk of contracting a life threatening disease, whereas the other person has the risk of giving a sample of blood or other body tissue that he or she does not want to give so that an evaluation can be made as to whether or not the person who is the victim has been infected.

It seems to me that this is not an issue we have to think very hard about. The rights being protected are worlds apart in magnitude. One is very important and the other one, the necessity of giving a sample of blood or whatever, is a very small loss.

When I was younger I used to donate blood at the Red Cross clinics. It was not very painful to give. In those days we measured things in quarts and gallons. I would go quite regularly and give a quart of blood with no problem.

How can a person say that my rights are being violated if I am asked to give a little vial of blood so that another person can find out whether or not he or she has been infected? To me it is totally clear.

I am going to run out of time very shortly, but I would like to appeal to all members of the House to simply use their intelligence, analytic abilities and independence to vote in favour of this very good bill.

The Acting Speaker (Mr. Bélair): The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

ADJOURNMENT PROCEEDINGS

• (1900)

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

FISHERIES

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I am pleased to rise and follow up on my question of February 23 about the Cobequid fish hatchery which served northern Nova Scotia for 60 years and was very much a part of the community. Then along came a new policy by the federal government to divest

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the fish hatcheries in Nova Scotia, a great new enlightened policy that would result in an expanded fish hatchery through private sector investment. The only problem was the fish hatchery did not survive that private sector divestiture. The company failed and the fish hatchery was wound down to virtually nothing.

It was amazing that when we had such a serious situation with our fisheries and so many different threats to the fisheries the government responded by selling off the fish hatcheries to companies that could not raise the revenue to make them viable. Even right from the very beginning, anybody who looked at the proposals on the divested fish hatcheries knew they would not work. Three hatcheries in Nova Scotia failed and ended up reverting back to the government.

The government wound down the Cobequid fish hatchery at a time when we needed it very badly. Everyone knew the fisheries were at risk. Again, the response was to close the fish hatcheries or sell them off to companies that could not make them survive. The fish hatchery near Oxford, Nova Scotia, served the environment. The fishery provided jobs and was very much a part of the community for decades and decades. Again, it failed and reverted back to the government.

This is a really opportune time for the government to grab the agenda and do something really appropriate.

The inner Bay of Fundy salmon has been designated as a very distinct species of fish which only stays in the Bay of Fundy. Most salmon go to Greenland in the winter and spend time there. However this unique species of fish stays in the inner bay.

Therefore, I would like the minister to consider and even accept the proposal that the Cobequid fish hatchery be dedicated to this endangered species. The government has a responsibility for endangered species. Here is a perfect opportunity to deal with it. We have a fish hatchery that needs to be upgraded and enhanced and we have a need for the fish. It is a perfect opportunity.

I hope the government will respond to this repeated request to upgrade the Cobequid fish hatchery with a very positive answer. It is an opportunity to solve two problems, one of an endangered species and one to deal with the Cobequid fish hatchery, which served our community for so long.

Once again I ask the minister to enhance the Cobequid fish hatchery, reinstate it, bring it back to where it was and help it serve the community like it did for so long?

Mr. Lawrence O'Brien (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I am pleased to talk today on behalf of the Department and Fisheries and Oceans' plan for continuing support of Atlantic salmon conservation.

At one time Fisheries and Oceans Canada operated three mainland Nova Scotia hatcheries principally to enhance Atlantic salmon stocks for aboriginal and recreational fisheries. In October 1997 DFO negotiated an operational agreement and divested these

hatcheries to Salmon Care, a not for profit group dedicated to the conservation and sustainable use of Atlantic salmon.

DFO has now consolidated the following programs: the Atlantic Salmon live gene bank, which is a program to maintain inner Bay of Fundy Atlantic salmon and potentially acid rain impacted Atlantic salmon stocks; the rearing of salmon to stock acid impacted rivers; the rearing of the endangered Atlantic whitefish; and support for the integrated Atlantic salmon fisheries management plan.

DFO is currently looking for resources to maintain the facilities at Mersey and Coldbrook for their use for Atlantic salmon and Atlantic whitefish conservation.

● (1905)

FISHERIES

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, the issue of fish hatcheries is not dissimilar to the issue I am raising this evening. My question is for the Parliamentary Secretary to the Minister of Fisheries and Oceans.

The government has shown the same lack of vision, direction and responsibility toward the issue of salmon and the three Nova Scotia fish hatcheries as it has toward other aspects of the fishery in Atlantic Canada.

I pointed out to the minister on March 2 that Chief Lawrence Paul and others in Nova Scotia have stated that federal negotiators are considering dividing bays in Atlantic Canada between aboriginal and non-aboriginal fishermen. That would be a clearly wrong-headed policy. It would go against the spirit of sharing the fishery, under one set of rules, between aboriginal and non-aboriginal fishermen.

The answer I got from the parliamentary secretary was not satisfactory. It did not speak to my question. I asked it in March and a couple of agreements have been signed since then. Agreements were signed with two Nova Scotia bands just a short time ago, one with the Glooscap band and one with the Pictou Landing band. I commend the government for being able to do that. Those agreements should not be ignored.

However that begs the question: where is the long term policy? What are we doing to prevent another outbreak in a very short period of time, by June 1? What are we doing to prevent another Burnt Church or another problem with the Shubenacadie band? What are we doing to protect the livelihoods of non-native fishermen who have seen licensing fees increase from \$70,000 to \$125,000? One could typically have bought a licence in LFA 33 for \$70,000. For \$150,000 to \$175,000, one could have bought a

Adjournment Debate

licence in LFA 34. The licence that sold for \$150,000 before the government started its wrongheaded policy is today selling for \$700,000. How can a young man or woman even begin to imagine buying their father's fishing licence and entering the fishery today? It is impossible.

We have spent \$180 million on efforts with first nations issues. My party and I are fully in favour of settling issues with first nations, signing modern day treaties, reconciling the situation and moving forward together in a new society. This type of legislation from the government does not achieve that. This type of short term policy and this type of decision making do not achieve that. It is time we addressed this. We must have one fishery, one set of rules and one opening date for all commercial fishermen. Nothing else is acceptable.

Mr. Lawrence O'Brien (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, thank you for the opportunity to address the issue of whether fishing areas should be split into native and non-native areas.

We must all keep in mind that aboriginal groups and the commercial sector want the same things. They want a sustainable fishery, prosperity, and safe and vibrant communities. That is what the federal fisheries team is working toward. The government is working toward providing first nations with access through the issuance of commercial licences. These licences are subject to the same rules as all other commercial licences. There is no differentiation between aboriginal and non-aboriginal fishers.

We are not establishing separate fishing zones or different rules for different groups and will not do so unless all parties agree. Such a proposition is not the way to foster co-operation and coexistence. Creating two classes of fishers does not serve the purpose of managing fisheries resources.

The Acting Speaker (Mr. Bélair): 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 7.10 p.m.)

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