

PARLIAMENTARY WRAP-UP FOR THE WEEK OF APRIL 27 – MAY 1, 2015

Updates on Key Legislation pertaining to First Nations

Please note: LEGISinfo, a website maintained by the Library of Parliament, provides comprehensive information on all

legislation: <http://www.parl.gc.ca/LegisInfo/Home.aspx?Language=E&Mode=1&ParliamentSession=41-2>

Bill C-32: Canadian Victims Bill of Rights Act

- **Passed 3rd reading in the Senate on April 22, 2015, Received Royal Assent on April 23, 2015.**
- The Bill creates a Victims Bill of Rights that outlines specific rights for victims of crime, including accessing information about the criminal justice system and programs and services, information about the status of investigations and criminal proceedings, protection from intimidation and retaliation, right to have views considered, the right to present a victim impact statement and to make a restitution order.
- The Bill amends sentencing principles in the Criminal Code, including s. 718.2(e) that directs consideration to the unique circumstances of Aboriginal offenders. There is concern that this proposed amendment would be confusing and would interfere with the intention of flexibility in sentencing for Aboriginal offenders particularly coupled with recent introduction of mandatory minimums.

Bill C-33: *First Nations Control of First Nations Education Act*

- **Passed 2nd reading on May 5, 2014. The Minister of Aboriginal Affairs and Northern Development announced that the bill will be held pending clarification of the position of First Nations. The pre-study initiated by the Senate Committee on Aboriginal Peoples has also been put on hold.**

Bill C-46: *Pipelines Safety Act*

- **Completed committee review with amendments – currently at 3rd reading in the House of Commons.**
- **The AFN provided a written submission outlining impacts on First Nations' rights (available on www.afn.ca).**
- The Bill introduces absolute liability for all NEB-regulated pipelines, meaning that companies will be liable for costs and damages irrespective of fault — up to \$1 billion for major oil pipelines; companies continue to have unlimited liability when at fault or negligent; provides the NEB authority to order reimbursement of any cleanup costs incurred by governments, communities or individuals; and provides the NEB authority and resources to assume control of incident response if a company is

Bill C-51: *Anti-Terrorism Act, 2015*

- **Completed review by the House of Commons Standing Committee on Public Safety and National Security and is at Report Stage with four amendments, including removing the word “lawful” from the greater certainty clause under the Definitions in Part 1, which now reads: *For greater certainty, it does not include advocacy, protest, dissent and artistic expression.***
- **Currently under pre-study by the Standing Senate Committee on National Security and Defence.**
- **National Chief Bellegarde presented to the committee on March 12, 2015 and a written submission has been provided to the House of Commons and Senate committees. These are available on www.afn.ca.**
- Under Part 1 of the ATA 2015, an “activity that undermines the security of Canada” includes: (a) interference with the capability of the Government of Canada in relation to intelligence, defence, border operations, public safety, the administration of justice, diplomatic or consular relations, or the economic or financial stability of Canada; (b) changing or unduly influencing a government in Canada by force or unlawful means; (d) terrorism; (f) interference with critical infrastructure. This definition could be problematic for First Nations who have marched across or set up blockades at the border of

the United States and Canada, First Nations who have called for action on a specific file by setting up a blockade along a major highway, or who block access to a road or railway.

- There is also a concern that that Bill C-51 would criminalize speech and intent, not just action; lower the requirement to detain people without due process; and allow security agencies unrestricted access to Canadians' tax records, online communication, and travel plans.

Bill S-6: *Yukon and Nunavut Regulatory Improvement Act.*

- **Completed study by the House of Commons Standing Committee on Aboriginal Peoples and Northern Development and reported to the House of Commons with no amendments.**
- Amends the *Yukon Environmental and Socio-economic Assessment Act* to provide that the *Canadian Environmental Assessment Act, 2012* does not apply in Yukon, to allow for the coordination of reviews of transboundary projects, to establish time limits for environmental assessments and to establish a cost recovery regime.
- Yukon First Nations have assessed that the Bill infringes their Treaty rights and has been imposed without Crown consultation and accommodation.

Private Member Bills

Bill C-469: *Declaration on the Rights of Indigenous Peoples Act*

- **Introduced on January 28, 2013 by Romeo Saganash, Abitibi – Baie-James – Nunavik – Eeyou.**
- Requires the Government of Canada to take all measures necessary to ensure that the laws of Canada are consistent with the Declaration on the Rights of Indigenous Peoples, and that the Minister of Aboriginal Affairs must prepare an annual report to Parliament for the next four years reviewing progress in implementing this law.

Bill C-628: *An Act to amend the Canada Shipping Act, 2001 and the National Energy Board Act (oil transportation and pipeline certificate)*

- **Defeated at 2nd reading in the House of Commons on April 1, 2015.**
- Would amend the National Energy Board Act to ensure that consultations must take place between the Government of Canada and First Nations whose lands or waters will be affected by a pipeline.

Bill C-639: *An Act to amend the Criminal Code (protection of critical infrastructures)*

- **Introduced December 3, 2014 by [Wai Young \(Vancouver South\)](#)**
- Act would create an offence of damaging any part of critical infrastructure, with a minimum fine of \$3,000 and maximum imprisonment of 10 years. If such damage is deemed to cause a danger to life, it could result in life imprisonment.
- Critical infrastructure is very broadly defined as: “privately owned facility, network, service or asset that provides or distributes services for the benefit of the public, including services relating to energy, telecommunications, finance, health care, food, water, transportation, public safety, government and manufacturing, the disruption of which could produce serious adverse economic effects or endanger the health or safety of Canadians.”
- This Act could be used to target First Nations engaging in civil disobedience, lawful protest or blockades.

Bill C-641: *United Nations Declaration on the Rights of Indigenous Peoples Act*

- **Introduced December 4, 2014 by Romeo Saganash, Abitibi – Baie-James – Nunavik – Eeyou. Scheduled to continue debates at 2nd reading on May 4, 2015.**
- Would require the Government of Canada to take all measures necessary to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples and for the Government to table a report on its progress between 2016 – 2036.
- Requires the Government of Canada to take all measures necessary to ensure that the laws of Canada are consistent with the Declaration on the Rights of Indigenous Peoples, and that the Minister of Aboriginal Affairs must prepare an annual report to Parliament for the next four years reviewing progress in implementing this law.

Highlights in the House of Commons

April 27, 2015

Aboriginal Affairs

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):

Mr. Speaker, the Conservatives are failing another generation of aboriginal children with their latest budget.

Every child in Canada, regardless of where they live or where they come from, deserves a high-quality education. However, instead of being part of the solution, the Conservatives would rather be part of the problem, by blaming aboriginal communities for their own failure with Bill C-33.

Why does the Prime Minister refuse to honour his pledge to invest \$1.9 billion to address the underfunding of aboriginal education?

Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):

Mr. Speaker, our government believes that first nations students, like all other Canadians, deserve access to a high-quality education system.

That is why our government has invested over \$10 billion since 2006 in elementary and secondary school education for more than 117,000 first nations students living on reserve. Last week, in the latest budget, we announced a \$200 million investment to improve the education system, and we will continue in the same vein.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):

Mr. Speaker, it is not just in first nations education where Conservatives have dropped the ball. When it comes to health services, it is as if indigenous peoples are actually living in a different country than Canada.

Despite first nations and Inuit having higher rates of chronic disease and infant mortality, the current government has cut basic services and made them harder to access. The Conservatives' latest budget offered next to nothing on aboriginal health.

Why has the Conservative government abandoned its responsibility toward indigenous peoples health care?

Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of Health and for Western Economic Diversification, CPC):

Mr. Speaker, our government is committed to the health and safety of all Canadians, including our aboriginal communities. We provide over \$2.5 billion toward programs and services with aboriginal health. This includes 24/7 access to nursing services in 80 remote communities, home and community care, and \$34.5 million to improve the quality of health services in aboriginal communities. Those are just a few of some very important measures that we are doing in terms of aboriginal health.

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):

Mr. Speaker, to add insult to injury, the minister would like first nations to believe that he is actually doing them a favour by cutting services. He is targeting the poorest of the poor in this country by cutting welfare rates for New Brunswick's first nations.

Does the minister really believe that the only reason for keeping first nations on welfare is their “passiveness”, or perhaps it has something to do with high unemployment rates in the region.

Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):

Mr. Speaker, our government believes that income assistance in first nations communities all across Canada should be consistent with provincial rates. We have been working with Atlantic first nations on aligning government assistance program policies with the national policy.

As the hon. member very well knows, this is before the courts, and I will not comment further.

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):

Mr. Speaker, that is simply disgraceful, but nobody is surprised to hear that kind of thing from the Conservatives.

According to Chief George Ginnish, the anticipated cuts mean that a family of four will receive about \$908 per month, which is well below the poverty line, yet the minister would have us believe it is for their own good.

Does the minister really think that New Brunswick first nations receive welfare because they are too passive?

Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):

Mr. Speaker, my answer will be the same.

We are implementing the national directive that welfare rates for first nations members in the provinces should be comparable to those provided in the given province. As the member is well aware, this matter is before the courts, so I will not comment further.

April 28, 2015

National Action Plan to Address Violence Against Women

Ms. Niki Ashton (Churchill, NDP)

moved:

Motion No. 444

That, in the opinion of the House, the government should develop, in collaboration with the provinces, territories, civil society and First Nations, Métis and Inuit peoples and their representatives, a coordinated National Action Plan to Address Violence Against Women which would include: (a) initiatives to address socio-economic factors contributing to violence against women; (b) policies to prevent violence against women and policies to respond to survivors of violence; (c) benchmarks for measuring progress based on the collection of data on levels of violence against women over time; (d) independent research on emerging issues that relate to violence against women; (e) a national public inquiry into missing and murdered Aboriginal women and girls; (f) strategies that address the specific needs and vulnerabilities of different communities including specific attention to Aboriginal women, women with disabilities, women from minority groups and young women; (g) participation by community and other civil society organizations, including support for those organizations to participate in the implementation of the national action plan; and (h) human and financial resources earmarked specifically to carry out the program of action set by the plan.

She said: Mr. Speaker, I am honoured today to rise to support Motion No. 444, a motion to create a national action plan to address violence against women.

[*Translation*]

It is a privilege to move such a motion in the House.

[*English*]

It is my great privilege to sponsor this motion, which is the only meaningful legislation to address violence against women that Canada has seen in decades. Now the need for action is urgent. The next steps are clearly laid out by feminist anti-violence advocates across our country. They are asking for a national, coordinated, comprehensive action plan that works in partnership with provincial, territorial, and indigenous governments.

It is my sincere hope that, with this motion, we can resolve together to set Canada on the path toward sustained and substantive equality for women and girls, because we know that without freedom from violence, women cannot achieve equality and, without gender equality, women will always remain vulnerable to violence.

I would like to begin my speech by thanking the advocates, front-line workers, survivors, and community members who have taken time out from their extremely busy schedules and busy lives to meet with me as I travelled from region to region over the past three years. These remarkable people have dedicated themselves to confronting the violence women face every single day, and they deserve honour and gratitude from the House and from all Canadians.

It is due to the extraordinary efforts of this chronically underfunded and under-resourced sector that women find safety, support, and justice. While the needs of women vary quite a bit between regions and communities, the majority of people I met with had a very singular message to deliver to their federal government: violence against women is a crisis in Canada and it is getting worse, not better.

This crisis is fed by systemic gender-based discrimination and women's inequality. Likewise, the way forward for our government is to empower women to address that inequality. To do nothing is to perpetuate it. To do too little is to perpetuate it. To ignore the voices of survivors, family members, evidence-based researchers, and front-line service providers who know what Canada can be doing right now is to willfully neglect the safety of women in our country.

What would a national action plan do to change the landscape of anti-violence services for women? Ann Decter, the director of advocacy and public policies for YWCA Canada says:

Canada needs a national action plan on violence against women that will set national standards for prevention, support services, legal services and access to justice and crucial social policies, such as access to safe, affordable housing. A National Inquiry on Missing and Murdered Indigenous Women needs to be part of the plan. M-444 provides for all of this, and as such, has our full support.

Not only has the federal government not done enough to recognize, treat, and prevent violence against women, but for the past several decades under the Liberals and the Conservatives, the governments have adopted policy that actively places vulnerable women further at risk.

For example, when the Liberals came to power in 1993, they cut off federal investment in new social housing projects. In 1996, the Liberal government announced the end of the national affordable housing program. By the late nineties, it had created a serious housing shortage that has directly resulted in the increased vulnerability of women who must leave situations of domestic violence. Indeed, a lack of affordable housing is the number one reason why women cannot functionally escape the violence they face.

Needless to say, the Conservatives have continued to abandon their responsibility to deal with housing problems, and it is Canadian women who continue to bear the brunt of this burden.

When the Liberal government downloaded legal aid onto the provinces and cut off all earmarked funding, it created conditions in which women now find it nearly impossible to seek justice and safety through the courts.

When the Conservatives elected to forbid funding to any research or advocacy, Canada fell into a state of having little to no data regarding violence against women. This is a very serious problem, and only a national action plan could begin to solve it.

Kate MacInturff, one of Canada's foremost feminist voices writes:

The difficulty of collecting data about violence against women has been a barrier to progress in ending that violence. However, the data that does exist tells us three things very clearly: this problem is big, it comes at a high cost, and we are making little or no progress in putting a stop to it.

It was the Liberals who were at the helm when poverty conditions on first nations grew worse and worse. Under a majority government, funding for first nations education on reserve was cut. The Conservatives have done nothing to fix this gap. The Auditor General reports that schools on reserve are underfunded by 30% compared with schools off reserve.

We now see indigenous women facing extreme rates of violence that correspond directly to extreme rates of poverty, housing shortages, and a lack of economic opportunities. Make no mistake, the systemic and long-standing underfunding of first nations is a form of racial discrimination against indigenous peoples.

Dr. Dawn Harvard, the interim president of the Native Women's Association of Canada wrote to me and said:

It is crucial that a National Action Plan assess the root causes in order to address Violence Against Women.

The fact that many Aboriginal women were killed by someone who shares their ethnicity is something that holds true for most victims of homicide, regardless of their ethnic origin. Therefore, we cannot write off this issue, by saying it is Aboriginal men killing Aboriginal women, and therefore, is not a federal responsibility or there is not a need for an inquiry or any of these kinds of excuses that seems to be inferred.

We also know that there continues to be non-Aboriginal men that are extremely violent toward Aboriginal women, and that Aboriginal women experience more severe forms of violence by these offenders than non-Aboriginal women so there continues to be racialized hatred and devaluation exhibited against Aboriginal women and this needs to be addressed.

Dr. Harvard went on to say:

A National Action Plan can also create a mechanism for investigations into misconduct and discrimination within the criminal justice system and police forces and needs to establish a mechanism for investigating allegations of misconduct or discrimination within the federal, provincial or territorial components of the criminal justice system, and hold accountable those entities who commit acts of misconduct or discrimination.

M-444 is very clear: a national action plan to address violence against women must include a national public inquiry into missing and murdered indigenous women. Almost every governing body in Canada, along with the Assembly of First Nations, the Native Women's Association of Canada, and many indigenous people, are in agreement that a national inquiry, done properly, is necessary to treat the root causes this tragedy. Only the Conservatives disagree, and they alone stand in opposition to real, substantive action.

Meanwhile women continue to disappear and women continue to be killed. Where I'm from, in northern Manitoba, every single community has been affected by the tragedy of missing and murdered indigenous women. The tragic cases of women from our riding, including Lorna Blacksmith, Leah Anderson, and Tina Fontaine, who were murdered in the last few years, have led many Manitobans to speak out and organize. The story and bravery of Rinelle Harper inspired action back home and across the country. For me and for our north, this fight is personal to all of us, and we will not stop until there are no more missing and murdered indigenous women in our country.

While denying the call for a national inquiry and litigating against those who seek to correct funding discrimination against first nations children, this Conservative government repeatedly ignores calls from the UN and other international human rights organizations to take action to address the systemic discrimination, racism, and violence endured by indigenous women and their families.

The relationship between Canada and first nations, Metis, and Inuit peoples is now in a state of crisis. My colleagues in the NDP, including our leader, know there is a different way forward. We are committed

to a national inquiry. We are committed to a national action plan. We are committed to a housing strategy that includes indigenous communities both on and off reserve, and we are committed to forming a nation-to-nation relationship that will take all of us forward.

(1820)

For me, as the member of Parliament for Churchill and the aboriginal affairs critic for the NDP, this is not a theoretical pledge but the first steps toward healing and reconciliation. When we speak about violence against women, it is crucial that we understand the intersectionality that can compound the risk of violence, and advocates across the country know this to be the case every day.

Although violence happens to all women, regardless of class, race, sexuality, or gender identity, it is important to recognize that inequality in all its forms can increase violence in the lives of women. The most effective way to end violence against women is to address the root causes of inequality. Canadian women earn 72% of what men earn and work one-third of minimum wage jobs. We need to address the economic inequality and the feminization of poverty that we are seeing across our country.

Racialized women are often the target of discrimination, stereotyping, and harassment. We need to address racism in Canada.

Many immigrant women are facing isolation and lack of access to anti-violence services. Women are made increasingly vulnerable to abuse when their immigration status is tied to their work visas or their marriage status. We must address the violence faced by immigrants, refugees, and temporary foreign workers who are women.

We must confront transphobia. Earlier today, outside on the lawn of Parliament Hill, trans folks and allies gathered to voice their outrage that the current government will allow Bill C-279 to be destroyed by an unelected Senate. Transgender women face some of the highest rates of violence in the country. Of all marginalized peoples, trans folk immediately require the explicit right to live free of discrimination.

I am proud of the work we have done in the NDP. We have repeatedly brought this bill forward and will continue to do so until this vital piece of human rights legislation is enshrined once and for all.

Disabled women face disproportionate rates of violence. Queer women, women who are lesbians, face disproportionate levels of violence. That intersectional understanding of the violence they face is critical in moving forward with a national action plan.

After speaking to hundreds of women and advocates about this motion, I can say that the one point I heard repeatedly was that anti-violence services cannot continue to function with few or no resources.

The Canadian Network of Women's Shelters & Transition Houses recently published its 2015 shelter voices survey. It found that, on a single day, shelters in Canada welcomed 122 new women residents and 81 child residents. However, on that same day shelters were forced—and are forced—to turn away 302 women and 221 children seeking shelter, due to a lack of resources. It is heartbreaking and infuriating for the service providers. I have been told first-hand from multiple sources that most front-line staff are actively subsidizing the government with free labour.

Let us be clear. This is about the money. Governments choose to prioritize funding, and the violence against women sector is simply underfunded and has been for decades. It has not been prioritized by Liberal or Conservative governments. In the meantime, we are the ones giving voice to the need for a national action plan.

This issue is as personal as it is political for me, my colleagues, and my community. We have seen women, feminists, across the country make history to draw attention to the violence they face on campuses, on social media, in the workplace, and on our streets. Parliament must sit up and pay attention to the conversation women are having on the ground, in classrooms, online, and everywhere. It is our right as women to demand action from the government, and it is our responsibility as parliamentarians to respond and take action.

(1825)

Mrs. Joy Smith (Kildonan—St. Paul, CPC):

Mr. Speaker, I heard over and over again talk about the root causes of inequality. During committee review of Bill C-36, we heard many compelling testimonies from a broad cross-section of people impacted by prostitution and human trafficking, and none more so than aboriginal women and children. There is a clear link between murdered and missing aboriginal women and prostitution and human trafficking.

During its testimony, the Native Women's Association of Canada was clear that it wanted Canada to target the buyers of sexual services, the men who buy sex from vulnerable aboriginal women and youth. In fact, NWAC stated that it wanted the bill to pass to tackle the demand and said that criminalizing pimps and buyers would be a huge step.

When we talk about the root causes of inequality, tackling the demand for prostitution and human trafficking is part of the steps we need to take to end the travesty of murdered and missing women. Why did the members, at every step of the bill, vote against it?

Ms. Niki Ashton:

Mr. Speaker, I want to bring the focus back to the need for a national action plan. A national action plan is necessary because of the reality that too many women, including indigenous women, in Canada face. It has been appalling to see a government seek to make women, including sex workers in our country, more vulnerable through its dangerous legislation.

If the government really wanted to act to put an end to violence against indigenous women, or any women, it would begin by saying yes to calling for a national inquiry. It would begin by investing in housing and eradicating poverty. It would begin by building respectful relationships with indigenous communities and respectful relationships with those who work so hard to empower women across the country.

Sadly, the government is doing nothing. All the while, more Canadian women are placed in more and more difficult and vulnerable situations. It is time to act.

Mr. Kevin Lamoureux (Winnipeg North, Lib.):

Mr. Speaker, violence against women is a very important issue that we all recognize needs to be given a great deal more attention. I am a bit disappointed in a number of the remarks that portray the Liberals and Conservatives as bad, yet the NDP is on a super high horse. The member needs to get off the super high horse and reflect on the province of Manitoba.

If we look at the serious root causes on a per capita base that lead to violence against women, it is no higher in blame on a political party or a government than the Government of Manitoba. Examples of that would be children unnecessarily being put in jail and issues related to CFS.

If we are to come to grips with the issue of violence against women, we not only need to see a strong federal government, we also need to see a government that is committed to working with provinces and other stakeholders to have that national action plan. Would she not acknowledge the importance of that?

Ms. Niki Ashton:

Mr. Speaker, if the member had listened to my speech, it was more of a history lesson of the way previous Liberal governments had served to marginalize indigenous communities in our country.

I invite the member to come and visit the northern part of our province and see schools that are mould infested, schools where people do not have enough textbooks to use, where there are not enough specialized teachers to work with the kids. He should visit houses where there are 17 people to a house.

This did not just start in the last five, six or seven years. This has gone on for decades and it has been Liberal governments that have failed our indigenous peoples.

Let us bring it back to violence. We know that one of the greatest factors in the vulnerability of women is poverty. Therefore, when there are extreme rates of poverty, in fact, third world living conditions that exist in too many first nations, in Manitoba and across the country, then we have the high rates of violence.

I hope the member and his party learn from the kind of leadership that we have shown in the NDP. We need a national action plan and comprehensive investment. We also need to learn from the history, including the history of the Liberals, that has served us all so poorly.

(1830)

Mrs. Joy Smith (Kildonan—St. Paul, CPC):

Mr. Speaker, I am so thankful for this opportunity, because I have such good news for the member across the way.

Over and over again, I have heard her say that we have need for an action plan to address family violence and violent crimes against aboriginal women and girls. It just so happens that in my hand is an action plan to address family violence and violent crimes against aboriginal women and girls. It is an excellent action plan. It addresses a lot of the issues that were brought forward not only in her speech, but in speeches in Parliament throughout the duration of this discussion.

When we talk about an action plan to address family violence, there are many factors to it. I want to go over a few aspects of it, because it is here.

All the members opposite have to do is simply support the people who are trying to implement the action plan. In the plan, there is a five-year action plan to address family violence and violent crimes against aboriginal women and girls, and it is under three pillars.

The first is preventing violence by supporting community level solutions. That talks about housing, schools, counselling for victims and supporting aboriginal victims with appropriate services. It talks about the increased shelters that we have across the country for victims of violence. Protecting aboriginal women and girls by investing in shelters and continuing to improve Canada's law enforcement and justice systems is integral to this action plan for which the member opposite has called. All she has to do is read it.

The action plan is the Government of Canada's response to the recommendations of the Special Committee on Violence Against Indigenous Women. We keep hearing about how we should have a national inquiry. I, too, have visited many reserves and aboriginal communities across the country. I took with me a lot of the reports that had been already been done. Forty reports have been done, examining the issue of missing and murdered aboriginal women. There has been study after study done. We know what the problem is. Through this action plan, we have taken action to improve the situation and the violence against women, particularly aboriginal women.

On top of this, which is so important, is the Victims Bill of Rights Act. Often, when an aboriginal woman, or any woman, has become a victim, she goes into a courtroom and she does not get information. She does not get protection. She is not able to participate against her perpetrator or even have a right to restitution. Under our government, this has all changed. Now women have the right to information about the criminal justice system and the available services and programs. They have a right to protection. They have a right to have their security and privacy considered at all stages of the criminal justice process and to have reasonable measures to protect them from intimidation and retaliation.

I have been in courtrooms, watching victims give testimony as their perpetrators were intimidating them with a cold stare, by shaking their head, or with all of this innuendo in front of them. The victims have a

right to protection against this kind of thing. They have the right to participation. They have a right to convey their views about decisions to be made by criminal justice professionals and have them considered at various stages of the criminal justice process. They have a right to that. They are the victims, and our government has brought that in.

These women have a right to restitution. They have a right to have the court consider making a restitution order for offences where it is easy to calculate the financial side of it. The financial side of it is only a very small part. It is what happens to them, the post-traumatic stress disorder, the fear and all those things.

Our government has addressed all these things in this action plan.

(1835)

The is Canada's action plan. Members across the House can embrace it. They can do something about it. They can find out about the victims' fund and protecting aboriginal girls, about supporting shelters on reserve and the DNA-based missing persons index. There are so many things in this action plan that cover virtually all the questions, queries and demands I heard this evening.

On February 20, the government announced a 10-year \$100 million investment to prevent, detect and combat family violence and child abuse as part of the Government of Canada's commitment to stand up for victims. It is not only people in the House, but it is people like Sheldon Kennedy, who created the Sheldon Kennedy Child Advocacy Centre. Victims are brought in to his advocacy centre, which is right beside the children's hospital. The police are also housed in that unit, as are the social workers and the support systems for those children.

It does not matter whether they are aboriginal children, Polish children or French children, any child who is abused, as well as victims of human trafficking, can be a part of that service. It is one of the best centres I have ever seen, I would dare say, the best in the world.

Under our government, the investment would support victims of violence through a multifaceted approach to better equip health professionals with the information and training they need to support victims of domestic violence.

Today, in my office, I had a victim tell me about her experience going to a hospital and how terrible it was because the health professionals were not equipped with information and training, which they now will be under our government. The health and well-being of victims of violence as will enhanced access to mental health counselling for victims of violence is included in this plan.

Post-traumatic stress disorder is one issue that we see more and more with victims of violence. Under our government, under this very special action plan to combat violence against women, access to mental health counselling for victims of violence is there. It is very important.

There is also the support and enhancement for organizations and partnerships that provide integrated services to victims of violence.

On April 1 of this same year, our government began implementation of its action plan to address family violence. The action plan takes immediate and concrete action to prevent violence, not only to be a reactionary piece of it or a problem-solving piece of it, and to support victims and protect aboriginal women and girls through new and ongoing commitments, totalling approximately \$200 million over five years.

When I hear about a lack of funding, our government has taken giant steps toward stopping human trafficking and violence against women and children. There is new funding of \$25 million over five years beginning April 1 this year. That is really strong. There is ongoing funding of \$158.7 million over five years, beginning in 2015, for shelters and family violence prevention activities. That is very important. It is something that has not been here. It is written out and implemented so clearly.

We talk about the economic security of women. An allocation of \$5 million has been included for dedicated resources through the Status of Women Canada to improve the economic security of aboriginal women and promote their participation in leadership and decision-making.

This is a phenomenal action plan. No longer do members have to call for a national action plan, we have an action plan. It is right here with all the components that can be used, embraced and supported by all members of the House.

(1840)

Hon. Carolyn Bennett (St. Paul's, Lib.):

Mr. Speaker, I am very pleased today to speak in support of the motion put forward by my colleague from the NDP, the member for Churchill, regarding the critical issue of violence against women.

The motion calls for the development of a national action plan to address violence against women and sets out a series of key components that must be included in such a plan. In hearing from the member for Kildonan—St. Paul, it is quite clear that the Conservative government has no idea what an action plan is supposed to look like. I thank the member from the NDP for actually laying out what some of the things might be, including the essential component of partners that would do this with us, instead of somebody sitting in a den somewhere writing an action plan, like clearly happened with the trafficking action plan that is the joke of the world.

As the chair of the Liberal women's caucus and as the Liberal Party's critic for aboriginal affairs, this is an issue of particular relevance to my parliamentary responsibilities, but also has a huge resonance with my previous life as a family doctor at Women's College Hospital, which set up the first sexual assault care centre, and every year on December 6 honours the lives of the women who have been lost in Ontario at the hands of a spouse or former spouse.

This is an issue that cuts across socio-economic status, cultures and religions, and Liberals believe that all must work together to end it. I truly believe this could and should be an issue that cuts across party lines and I am disappointed that the member for Churchill continues to try to turn this into a partisan issue. It cannot be that.

In August 2013, the Minister of Health spoke at a meeting of the Canadian Medical Association, where she announced she would make ending family violence the theme of her tenure. She repeated a similar message at the recent meeting of the CMA in April 2014. The motion offers the minister and her government an opportunity to match those words with real action.

Every year in Canada, violence and abuse drive over 100,000 women and children out of their homes and into shelters. In Canada, women continue to outnumber men nine to one as victims of assault by spouses or partners and girls between the ages of 12 and 15 are at the greatest risk of sexual assault by a family member.

As appalling as these statistics are, the level of family violence faced by indigenous women and girls is even more shocking. It is really important that the government understand that the rate of indigenous women being killed by a spouse or former spouse is less than in the non-indigenous community. Therefore, I have been particularly appalled by the message being given by the Minister of Aboriginal Affairs and Northern Development as though it means that somehow these women who are missing and murdered are less important.

Indigenous women and girls are dramatically more likely to be victims of homicides or to go missing in Canada. Last year's RCMP report identified almost 1,200 indigenous women and girls who have gone missing or been murdered since 1980. Further, while only 4% of women in Canada are indigenous, this demographic accounted for 8% of female homicide victims in 1984 and a staggering 23% by 2012. The

crisis for indigenous women has been getting worse and now almost one in four female homicide victims in Canada is indigenous.

As the Liberal Party of Canada's aboriginal affairs critic and a longtime advocate for such a public inquiry into missing and murdered indigenous women and girls, I would like to speak specifically about this part of the motion we are debating today.

I have my own stand-alone motion calling for a national inquiry that will be debated in the House in the coming weeks and I hope the member for Churchill will help me with that. The Prime Minister's insensitive comments last summer that we should not view this as a sociological phenomenon and his shocking admission during one of his year-end interviews that missing and murdered indigenous women and girls are not high on his radar provide a disturbing and disappointing window into how he views this national disgrace.

The truth is that only a national inquiry would have the credibility, scope and resources to address the systemic problems underlying the violence, provide the accountability to ensure implementation of its recommendations, and bring justice and reconciliation to the victims and their families.

(1845)

The Prime Minister's stubborn refusal to call a national public inquiry is in stark contrast to the overwhelming consensus that one is needed. Grieving families, indigenous leaders, victims' advocates, civil society, the international community, and every provincial and territorial premier have all urged the government to call a national public inquiry. It is time to call that public inquiry now.

What has been the response of the Conservative government to ongoing violence against women? The government consistently dismisses the importance of prevention and refuses to address and adequately resource the programs that are in place to deal with this tragic issue.

The Conservative government campaigns about cracking down on violence against women and girls, citing tough-on-crime measures like eliminating house arrest for sexual assault or toughening penalties for the trafficking of date rape drugs, or as we have heard just now, a DNA databank, which is after the woman is dead. What women and families in this country want to hear is how we are going to prevent and stop this epidemic in both the indigenous and non-indigenous communities. While some of these measures may be positive, they do not replace a comprehensive action plan and amount to little more than tinkering at the margins of a national crisis.

Even more appalling was the government's attempt to hide its inaction by repackaging a laundry list of existing inadequate funding and programs as a new, what the member for Kildonan—St. Paul called “very special”, action plan for family violence and violent crimes against aboriginal women and girls last fall.

Unfortunately, the current government has stubbornly refused to work with its partners, the provinces and territories, civil society and aboriginal leaders and communities, to develop and implement a comprehensive plan to deal with violence against women.

In 2008, the United Nations released a UN Framework for Action, which identified five key outcomes as benchmarks for the campaign to be achieved by all countries by this year, 2015. It is reprehensible that the government has rejected the UN recommendation to adopt and implement a multi-sectoral national plan of action that emphasizes prevention and is adequately resourced.

Unlike Canada's federal government, the national Australian government demonstrated the leadership to work with its partners, state governments and local communities, to develop a comprehensive 12-year national plan to reduce violence against women and their children. Released in 2011, this multi-jurisdictional and comprehensive approach is actually four action plans which represent distinct phases, and each builds on each other over 12 years. They are designed so that the Australian government and civil society can look back at what has been achieved and refocus subsequent action plans on what actions will make the most difference in the future.

This is the kind of long-term, properly resourced and co-operative approach that we must adopt here in Canada.

Today's motion offers an opportunity for all the parties in this House to come together and agree on a sensible and effective path forward. The motion clearly outlines what the necessary components of an effective action plan to end violence against women here in Canada must include.

[*Translation*]

Those elements include initiatives to address socio-economic factors contributing to violence against women; policies to prevent violence against women and policies to respond to survivors of violence; benchmarks for measuring progress based on the collection of data on levels of violence against women over time; independent research on emerging issues that relate to violence against women; a public inquiry; strategies that address the specific needs and vulnerabilities of different communities; participation by community and other organizations; and human and financial resources earmarked specifically to carry out the program of action set by the plan.

(1850)

[*English*]

It is time for the government to replace the rhetoric about violence against women and girls with an effective and comprehensive action. This epidemic of violence must end and the Conservative government, which claims to be tough on crime and to stand up for victims of crime, cannot continue to ignore the ongoing national disgrace of violence against women.

I urge all members to support the motion.

[*Translation*]

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP):

Mr. Speaker, I am pleased to support my colleague from Churchill's Motion No. 444 to develop a national action plan to address violence against women.

I congratulate the member for Churchill on her work and her dedication to fighting violence against women. She and so many others are doing inspiring work to tackle this problem.

The Canadian Network of Women's Shelters & Transition Houses defines violence against women as follows:

Violence against women is a form of gender-based discrimination, a manifestation of historical and systemic inequality between men and women, and the most widespread human rights violation in the world. It refers to any act, intention or threat of physical, sexual or psychological violence that results in the harm or suffering of women and girls, including restrictions on their freedom, safety and full participation in society. It is inflicted by intimate partners, caregivers, family members, guardians, strangers, co-workers, employers...and service providers. It occurs in the home, at work, in institutions and in our communities. [Violence against women affects all of us.] Women's experiences of violence are shaped by multiple forms of discrimination and [unfair] disadvantage, which intersect with race, ethnicity, religion, gender identity, sexual orientation, immigrant and refugee status, age, and disability.

By refusing to address or even recognize the systemic nature of violence against women, the Conservative government's minister is perpetuating the situation. Women are still being subjected to the most violent manifestations of inequality simply because they are women. The federal government could help them, but it does not.

The Conservatives' record on violence against women is simply atrocious. The Conservatives' failure to act is nothing more than negligence, particularly when it comes to the intolerable rates of violence that aboriginal women experience.

Since they have been in power, the Conservatives have been blatantly attacking the equality of women in Canada. They did away with the court challenges program. They cut the budget of Status of Women Canada by 70% and also took the word "equality" out of its mandate. They banned research and advocacy in the programs funded by that organization. They introduced a number of bills and motions against abortion. They passed regressive legislative measures with regard to income equality, measures that even went against the recommendations of experts. They refuse to allocate sufficient funding to combat violence against aboriginal women and conduct a national public inquiry, when everyone in Canada is calling for them to do so. They are blocking the NDP's bill on transgendered rights. They are refusing to allocate funding to development assistance and to abortion and family planning services, even in cases of forced marriage and rape committed as an act of war. They are constantly reducing funding for social programs, which harms all women. They are attacking the unions that protect good paying jobs for women and proposing programs, such as income splitting, that will reduce the number of working women, at the expense of a national child care program that would ensure the financial security of women.

This erosion of equality makes women more vulnerable to violence. Violence against women is systemic and widespread in Canada. It is a sociological phenomenon. The number of violent crimes is decreasing, but the number of rapes and sexual assaults remains stable. Women are 10 times more likely to be victims of sexual crimes and three times more likely to be victims of criminal harassment.

Whether they are at school, at work or at home, this is a reality that all women live with in one way or another, simply because they are women. It is an oppressive and systemic violence that affects half of our population.

Although violence harms all women, those who are dealing with multiple forms of oppression have more obstacles to overcome, and any solutions must recognize and take into account the thousands of oppressive forms that discrimination and marginalization can take.

(1855)

We are living in a time when many disciplines are recognizing the effects of the inequality created by various systemic problems. The more oppression there is, the more vulnerabilities we see.

Aboriginal women, women from visible minorities, older women, LGBTTTQ women, and women with disabilities are the most affected to the extent that we might call them the most targeted populations. The intersectionality of oppression is very clear when we talk about violence against women.

Fully 67% of all Canadians say they personally know at least one woman who was the victim of sexual or physical assault, and in Canada 50% of all women experience at least one incident of physical or sexual violence by age 16.

Canada has no plan to combat violence against women. It is clear that this is a national problem and it is important to point out that most of these crimes are not reported. A national plan of action would provide a framework for consultation and for strengthening the systems that prevent and respond to violence against women. For this plan to work, there will have to be a consultation process with the people, organizations, communities and researchers who have worked tirelessly to put an end to violence against women. The call for a strategy is coming not just from the NDP, but also from women's organizations across the country and even from the UN.

Without a strategy, services are disjointed and lack coordination and consistency. According to the Canadian Network of Women's Shelters & Transition Houses, without a national plan, responses to

violence are often fragmented and inaccessible and can even undermine rather than enhance women's safety.

We need to tackle the underlying problem of inequality, which helps perpetuate this violence. That is why we need a national child care plan, because creating accessible and affordable child care spaces, as Quebec did, would help improve gender equality in Canada.

We need a plan for affordable housing and ongoing commitments to invest in a national housing strategy so that women do not have to choose between staying in an abusive relationship and being homeless.

We need to reduce and eliminate the wage gap and take measures such as making EI more accessible, increasing the minimum wage, creating a national strategy to reduce poverty and dropping the age of eligibility for the GIS back down from 67 to 65. All of these things affect women more directly than men.

Budget cuts made by successive Liberal and Conservative governments have only made matters worse for women in Canada. In 1999, Canada ranked first on the UN gender inequality index, but now we are ranked 23rd.

Meanwhile, every night, 4,600 women and their children are forced to sleep in shelters to escape violence. Many are even turned away because the shelters are already at 100% capacity.

Nearly 2,000 aboriginal women, 1,181 to be precise, disappeared or were murdered between 1980 and 2012.

A national strategy to address violence against women in Canada is absolutely crucial. We need to reduce and eventually eliminate it. This has been an urgent matter for some time now, and we need to deal with it immediately.

[English]

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):

Mr. Speaker, as the member of Parliament for Renfrew—Nipissing—Pembroke, I rise to respond to the motion brought forward by the official opposition regarding missing and murdered aboriginal children.

My riding in eastern Ontario includes the Algonquins of Pikwakanagan and I am proud of the working relationship that I developed with Chief Kirby Whiteduck and his band councillors, Jim Meness, Daniel Kohoko, Ronald Benard, Jerry Lavalley, Cliff Meness, and Sherrylyn Sarazin. It is important to develop positive relations, particularly in areas like economic development, unemployment and the provision of social services.

Rural issues cross all boundaries. Renfrew County residents know how important it is to work together as we share common goals.

Fortunately for our resident aboriginal population, many of the challenges that face urban dwellers, particularly aboriginal women, are not the issues we face in rural Ontario and in rural Renfrew County and the Nipissing District community of South Algonquin in my riding.

The Government of Canada is deeply concerned about the high incidence of violence against aboriginal women and the impact of this violence on families and communities. As a member of the Government of Canada, I share our deep concern about the incidence of missing and murdered aboriginal women and girls.

I am sure there is not a person here today who could begin to fathom the tragic losses that far too many aboriginal families have experienced in the aftermath of violent crime. All parliamentarians are in full agreement that violent crimes committed against aboriginal women and girls must be strongly denounced. Not only must they be denounced, but we must take concrete action to prevent such violence in the first place. We must protect women and girls from violence. We need to ensure that strong law

enforcement and justice systems are in place to support victims and bring those who commit these acts to justice.

These actions are in keeping with the recommendations from the House of Commons Special Committee on Violence Against Indigenous Women. I am pleased to confirm it was our Conservative government that established the special committee on missing and murdered aboriginal women in 2013. The committee conducted hearings into missing and murdered aboriginal women and girls in Canada. It was mandated to propose solutions to address the root causes of violence against aboriginal women and girls. In March 2014, the special committee released its report, "Invisible Women: A Call to Action".

I am encouraged to report that this is precisely what we are doing with the September 2014 release of our Conservative government's action plan to address family violence and violent crimes against aboriginal women and girls. The action plan includes a range of measures totalling nearly \$200 million over five years to address violence against aboriginal women and girls. It is informed by the many studies and reports on this issue which have increased our knowledge and understanding of the nature and causes of these crimes. This includes the intelligence gathered through the RCMP's recent national operational overview.

There have already been over 40 studies related to missing and murdered aboriginal women. Aboriginal organizations and family members have told us what is needed now is action. That is what the action plan to address family violence and violent crimes against aboriginal women and girls is designed to do. It prevents violence by supporting community level solutions, supports aboriginal victims with appropriate services, and protects aboriginal women and girls by investing in shelters and continuing to improve Canada's law enforcement and justice systems. With this action plan, our government uses the best tools at our disposal to prevent violence, support victims, and protect aboriginal women and girls.

(1900)

Of course, a plan alone will not achieve all of the results that we need. Reducing violence requires a collective effort from everyone with a stake in this issue. It requires more than just the actions of the federal government. It requires collaboration. It requires leadership from police, the justice system, aboriginal communities, and organizations. It also requires constant engagement with those aboriginal families that have been torn apart by this violence.

At the February 2015 National Roundtable on Missing and Murdered Indigenous Women and Girls, families courageously shared their stories, and the experiences that they shared were both tragic and enlightening. They highlighted the need for better coordination and better communication, and the need for measurable and tangible actions that will demonstrate progress and results. The roundtable proved very useful in this regard, and all of the participants agreed on further actions to be taken jointly, with a commitment to a second roundtable to take place in 2016. Partners collectively committed to work toward better prevention, safety, policing, and justice measures to address violence against aboriginal women and girls across Canada.

The Aboriginal Affairs and Northern Development Canada plays an important role in addressing, protecting, and preventing family violence in communities. The department funds a variety of programs and services to support better outcomes for aboriginal women, girls, and families, including family violence prevention activities, child and family services, economic security and prosperity through skills and training and economic development, along with housing and education.

The family violence prevention program is one critical component. With an annual budget of \$31.74 million, the program supports the day to day operations of 41 shelters for women and their children, as well as prevention activities, which involve men and boys and women and girls. Approximately 329 communities, or 55% of all first nations, are served by the 41 Aboriginal Affairs and Northern Development Canada funded shelters.

(1905)

In 2013-14, these shelters provided services to over 2,330 children and 2,850 women living on reserve. In areas where there are no shelters on reserve, first nations may access provincial shelters, crisis lines and/or transportation services to nearby shelters. The program also reimburses Alberta and Yukon for shelter services provided to women and children considered ordinary residents on reserve who access provincial shelters.

As of April 1 of this year, an additional \$1.34 million is being made available for family violence prevention activities. The kinds of activities receiving funds include public awareness campaigns, conferences, support groups, and community needs assessments. Over 300 such community-based projects were funded by Aboriginal Affairs and Northern Development Canada in 2012-13. Since 2006, the department has invested \$242.6 million in family violence prevention. These investments have provided shelter services for almost 22,000 children and over 25,500 women.

This is money well spent. The family violence prevention program increases the safety and security of women, children and families on reserve by providing a refuge for victims of violence.

I want to assure my hon. colleagues that our commitment extends to women and girls living off reserve. The department supports important investments through urban aboriginal strategy programming, and the strategy is delivered in partnership with the National Association of Friendship Centres.

I have appreciated the opportunity to discuss the many ways that we prevent violence against aboriginal women and children.

April 29, 2015

Aboriginal Affairs

Hon. Thomas Mulcair (Leader of the Opposition, NDP):

Mr. Speaker, the only time that member has ever been right was last week when he stood in this House and screamed, "Shame on the government".

The government's failures on tax policy show incompetence, but its failure on first nations health care show contempt and neglect. First nations communities in Ontario and Manitoba lack basic health services from their federal government. There is no guaranteed access to clinical care. There are major health and safety problems at nursing stations. Only 1 out of 45 nurses evaluated had been given proper training courses.

This is the responsibility of the federal government. Why such neglect for first nations communities?

Hon. Rona Ambrose (Minister of Health, CPC):

Mr. Speaker, I am pleased to report that Health Canada is well on its way to addressing all of the issues that the Auditor General has raised.

Our number one priority is ensuring aboriginals on first nations reserves have access to health care providers. We are ensuring that we have nurses on reserve. We are encouraging more practitioners, whether they be nurses or doctors, to work on first nations reserves, so we are giving them Canada student loan forgiveness.

We also have a new recruitment and retention strategy that has been very successful. We have over 250 applications. No matter what, if anyone is sick, we will, of course, use our emergency—

The Speaker:

Order. I want to let other members know that we have moved on.

Some members seem to be carrying on conversations from the previous line of questioning. If they need to do so, they can exit the chamber to do that, but not while other members have the floor.

The hon. member for Beauséjour.

Aboriginal Affairs

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusking, NDP):

Mr. Speaker, we still have not received an answer.

Another area in which the Conservatives have proven incompetent is health care services for aboriginal people. As the Auditor General reported, those services leave much to be desired in remote communities in Manitoba and Ontario. Only one of Health Canada's nurses passed all five mandatory training courses. That is one in 45.

Why are the Conservatives abandoning remote communities in northern Ontario and Manitoba?

[English]

Hon. Rona Ambrose (Minister of Health, CPC):

Mr. Speaker, Health Canada supports 734 aboriginal health facilities across the country, including investments of \$30 million annually to ensure that those are maintained, and it has just built another five facilities across the country.

However, most importantly, any aboriginal Canadian living on a first nations reserve, even if it is for a routine appointment, has access at all times to emergency transportation and that is available to anyone at all times should there be any concerns on a first nations reserve.

One of the biggest issues is recruitment and retention. We have launched a recruitment and retention campaign for more nurses and it is going well.

April 30, 2015

Aboriginal Affairs

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):

Mr. Speaker, many aboriginal communities, including Akwesasne in my riding, are worried about the impact Bill C-51 will have, and with good reason.

As we already know, although aboriginal people make up only 4.3% of Canada's population, they make up 23% of federal inmates. Bill C-51, which is overly broad, will only increase this disproportionate representation in our prisons. Furthermore, public safety infrastructure on reserves is underfunded.

Why is the minister so determined to ram Bill C-51 through when it threatens the rights of aboriginal peoples?

Hon. Peter MacKay (Minister of Justice and Attorney General of Canada, CPC):

Mr. Speaker, it is quite the contrary. This is a bill that is very focused. It brings forward practical, pragmatic measures that many of our law enforcement community, and, in fact, many Canadians and communities have been calling for to protect them.

This is a very serious issue. This is not some hypothetical scenario happening around the world or happening in Canada. These are measures designed specifically to protect Canadians in their communities and give law enforcement and our investigative services the ability to protect Canadians in practical ways.

It is clearly stated in the bill that this is not intended to target lawful advocacy protest, dissent or artistic expression. This is a bill that goes after terrorists, and Canadians support it.

May 1, 2015

Aboriginal Affairs

Mr. Kevin Lamoureux (Winnipeg North, Lib.):

Mr. Speaker, Shoal Lake 40 First Nation has had to deal with a boil water advisory for 17 years. Now the ferry connecting the reserve to the outside world has been shut down.

Chief Erwin Redsky says that without the ferry, people on the man-made island have no way to get groceries, bottled water or immediate medical attention, and normal life on the reserve is virtually impossible.

The question for the minister is, what is the minister prepared to do to resolve the state of emergency at the Shoal Lake 40 First Nation?

Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):

Mr. Speaker, our immediate priority is ensuring the health and safety of Shoal Lake residents. Our emergency management team is in contact with the community to determine the needs and identify areas where we can assist. Our government will continue to stand ready and provide any assistance that the community may require.