

Government Orders

For more than 18 months now, I have had the honour of being my party's critic for the status of women. As such, I have had the opportunity to fully understand the importance and impact of violence in our society, and the need to take all necessary steps to stem this phenomenon.

I know that others have said it before me; I am only their spokesperson in this House. Society must pursue a zero tolerance policy on violence. This policy must be implemented through referral to the courts and sanctions. If a bill can make possible the identification and punishment of offenders guilty of serious crimes against persons, if a bill can provide for their confinement, preventing them from reoffending, at least for a while, then it must be passed.

I have one important reservation, however; the minister must undertake to bring forward a complementary bill in the fall to deal with the use of data gathered pursuant to the warrants. Misuse of such data must be avoided at all costs.

Finally, since it is a brand new piece of legislation, at the Bloc's request, I will urge the minister to undertake a review of the bill and its implementation one year after its coming into force. If changes appear to be necessary, the Bloc will have a serious look at them.

Women welcome any measure aimed at protecting them against physical and sexual violence. The same is true of people in general. Ten thousand signatures were collected in favour of this bill. And, as the director of the Montreal Women's Centre, Doris Makhoul, said: "Taking blood samples for DNA testing will not endanger the health of the accused".

Therefore, we support this bill while hoping that the Bloc's reservations will be heard by the minister and dealt with.

[English]

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

(Motion agreed to and bill read the second time.)

The Deputy Speaker: Pursuant to Standing Order 100, I do now leave the chair for the House to go into committee of the whole.

(House in committee on Bill C-104, an act to amend the Criminal Code and the Young Offenders Act (forensic DNA analysis))

The Chairman: Shall clause 1 carry?

Some hon. members: Agreed.

(Clause 1 agreed to.)

On clause 2:

The Chairman: Shall clause 2 carry?

[Translation]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Chairman, we have just passed clause 1 which, I believe, covers sections 487.03, 487.04 and the rest, did we not?

The Chairman: That is right.

• (2010)

Mrs. Venne: Still, I would like to know on what basis the Minister of Justice made his list at section 487.04, even if clause 1 has already been passed, but so rapidly that you did not hear me ask to be recognized. This is the section in which offences warranting DNA testing are listed.

I would just like to know the basis for this list. You can be assured that we will vote for the bill and that I have no intention of prolonging the debate unduly, especially since the minister acceded to our request and eliminated the need for the amendment we were going to put forward. I just wanted some clarification.

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Chairman, what we did literally in assembling the list was review the Criminal Code to examine the offences to determine which of them were of sufficient seriousness either as crimes of personal violence such as murder and sexual assault or other crimes that might on the face look to be property crimes such as break and enter which could be for the purpose of committing a crime of personal violence.

We focused on those crimes in respect of which punishment was provided by the code of roughly five years or longer. We did not limit it to either indictable or summary conviction. Some of the offences here are hybrid. We focused on offences that are of the degree of gravity both in their potential for personal injury and death or in relation to the manner in which they are punished in the code so as to justify this investigative technique.

May I point out as well that in respect of these designated offences it will be necessary that there was a bodily sample left at the scene so that the sample to be taken from the person subject to the warrant can be tested for comparison with the sample at the scene.

Second, the mere fact that it is a designated offence is not sufficient. The applicant for the warrant will also have to satisfy the provincial court judge that it is in the interest of the administration of justice for the warrant to issue, including all the circumstances relating to the offender and the offence.

The fact that the designated offence is involved is not sufficient in itself, although we have selected offences which as I said are in relation to personal injury or death or of such a gravity that such a tool or investigation should be available.