

Government Orders

concerns that the committee shared and it will be of special concern for us in the future.

Recognizing that concern related to potential fraud, harassment, undue influence, et cetera, we said that we should basically put that opinion aside and say that the greater good is served if more Canadians who are away for short periods of time are able to vote. That was the basic criteria we used.

Unfortunately when the bill came back from the Privy Council, from the government, other clauses that would enable other Canadians to vote had been changed. As a result of the royal commission's recommendations and the committee study, we had recommended that Elections Canada and returning officers proactively go out and help the homeless register to vote. It is not a new concept, but it does require more than the normal method of enumeration in order for that to happen.

The government has denied that request to date, even though it was the recommendation of the royal commission, a recommendation of an all-party committee. Of course, as you would expect, the majority on that committee were Conservative members. An all-party royal commission, again with the majority Conservatives, an all-party committee of the House of Commons, all recommended that Elections Canada take a proactive approach and help the homeless to register to vote. That has not been accepted.

We have just talked about the arguments that this could create fraud. There is more danger, more risk, of letting what may be in excess of a million people, maybe in excess of two million people, who do not happen to have residences at the present time in Canada to vote. If we are going to let that happen, certainly we should let those people who are living in this country and are Canadian citizens, but unfortunately without regular homes or accommodations, vote and we should make those changes in the elections act that would help to ensure that.

In the same vein I do not believe that the government should have restricted the right of prisoners to vote to the extent that it has. Again, previous court decisions, charter challenges basically, the royal commission and the committee that was set up to look into this recommended that more prisoners be allowed to vote. We did not say that mass murderers be allowed to vote; we did not say that people who are accused of terrible crimes be allowed to vote; we put some restrictions on it. The restriction that the government allowed of only people

who are serving less than two years means that only people who are in provincial institutions will be allowed to vote. It is too restrictive. Certainly in court cases that have been held in the past, the courts have ruled that other prisoners be allowed to vote.

• (2015)

That does not prevent Parliament from passing whatever restrictions it may wish. I believe that having prisoners vote in the referendum or in a number of elections until now without any hardship to society, it will be very hard for the courts to interpret a restriction of the magnitude that the federal government has suggested and say that it is acceptable under our charter.

There is another element to this which I think we should consider. A large number of the people who will be prevented from voting under the government's proposal will be native Canadians. Their crimes do not tend to be white collar crimes. Their crimes do not tend to be the ones for which you can use a hot-shot lawyer to get you off or to have your sentence restricted to less than two years.

Native Canadians tend to be the poor in our society. Many of their crimes unfortunately tend to be violence related against members of their own society, their own race. Many of those people are interested in voting. Many of those people are capable of voting. I would like to suggest that the government should go back to the recommendation of the royal commission or of the special committee on electoral reform.

A number of other changes were made to Bill C-114 that were not in the royal commission's report or in the report of the electoral reform committee. One of the changes I find offensive is that the federal government has recommended that only people who are covered by the Canada Labour Code be granted leave in order to seek election.

The royal commission and the all-party committee recommended that all employees be allowed that right. It does not matter whether you come under the Canada Labour Code or under provincial legislation, that right should be guaranteed to you.

When the minister responsible was before the committee about three weeks ago and tried to explain this, he said: "A lot of the businesses covered under provincial legislation are small businesses". If the government is in power long enough, that would be true. The businesses get smaller and smaller and smaller.