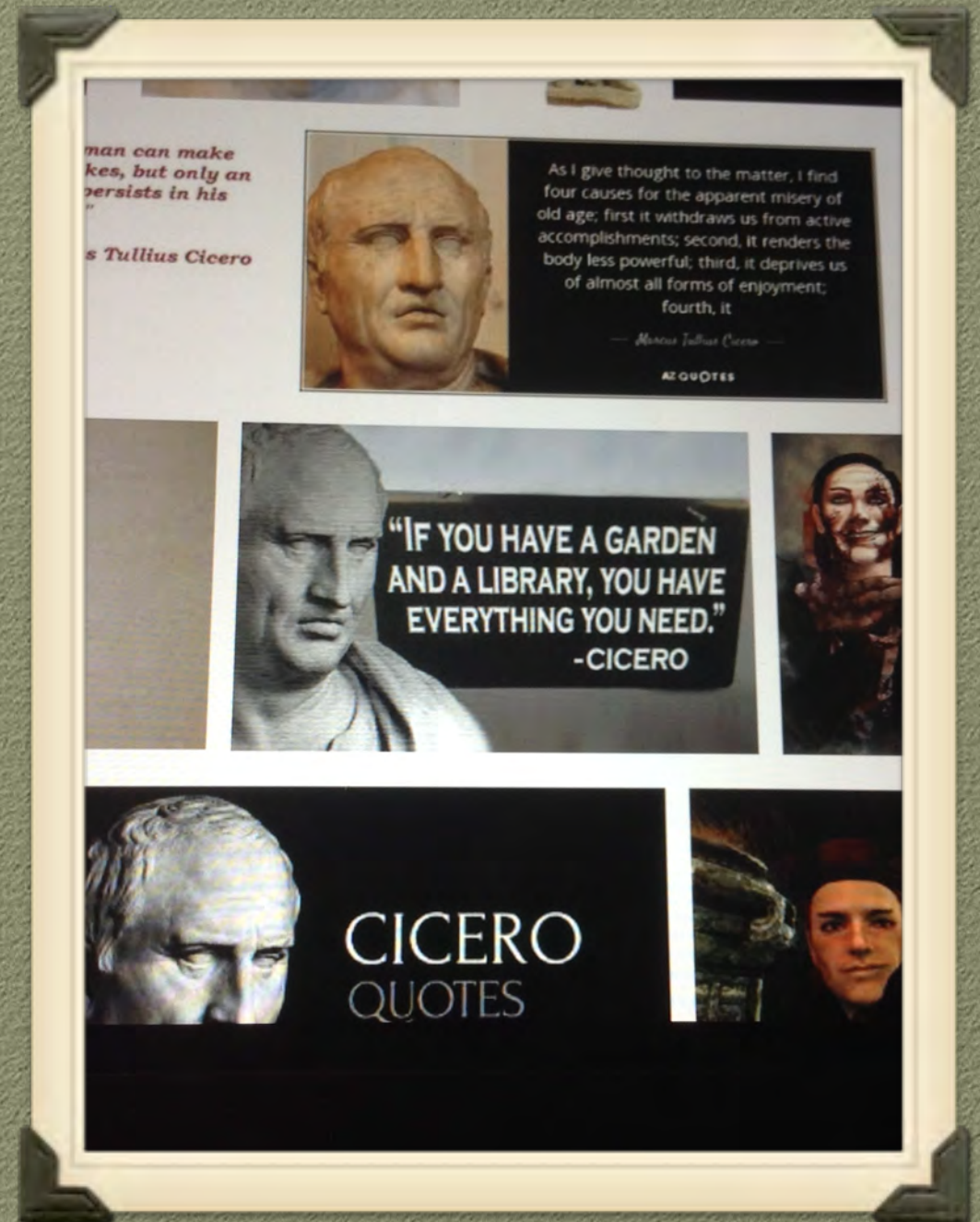


O TEMPORES, O MORES

OH THE TIMES! OH THE
MORALS!

MARCUS TULLIUS
CICERO
ROMAN SENATOR,
ORATOR & WRITER, B106
B.C.E., D.43 B.C.E.



O LEGIS!

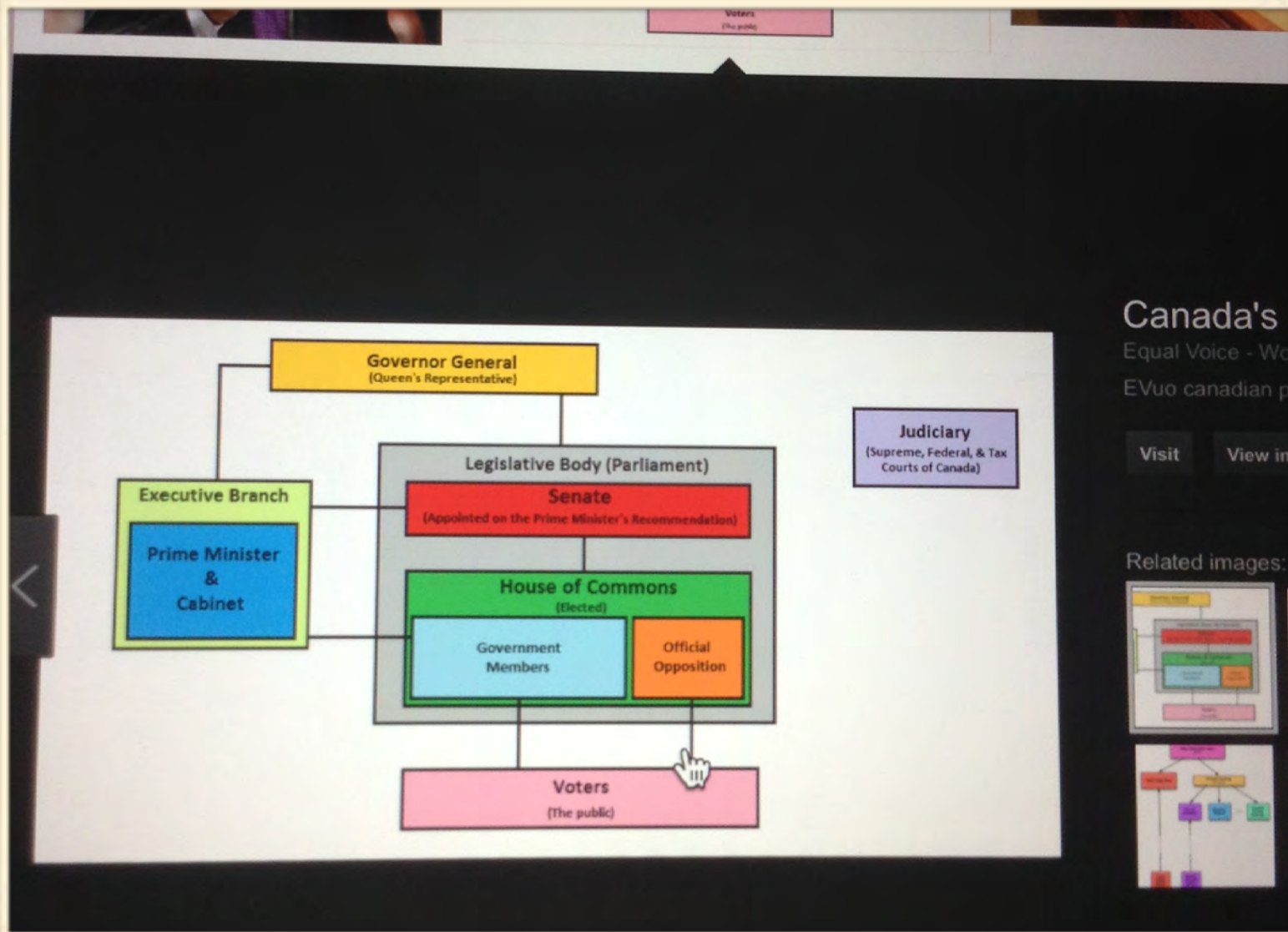
DO CHANGES IN THE LAW TELL US
ANYTHING ABOUT CHANGES IN OUR SOCIETY?

OH THE LAWS!

SR. LINDA K, AS INTRODUCED BY BR.
JOHN B. 09.09.2017 A.D.

LAW DEFINED

- A System of, or a singular enactment that prohibits or allows or enables an individual or collective (group) action
- Two methods of creating legislation : government-sponsored bills, or private members bills.
- One method of creating judgments:
commencement of a civil or criminal court case
resulting in a judicial [or judge's] decision



Canada's

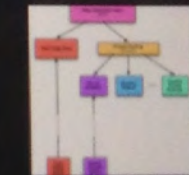
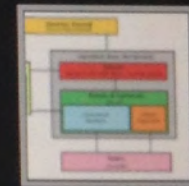
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WHO CREATES THE LAW ?

- Created by the Legislature - House of Commons and Senate federally, or Ontario Legislature provincially . Statutes, and Regulations
- Created by the Judiciary or Judges- who interpret and apply the law to the cases that come before them
- Biblical reference: ...”and you shall keep my statutes, judgments and commandments, for I am the Lord who sanctifies [makes you holy] you”

The Legislative Branch

- In Canada's democracy, the Legislative Branch is composed of:
- The House of Commons
- The Senate



House of Commons



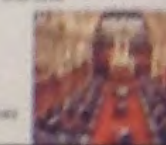
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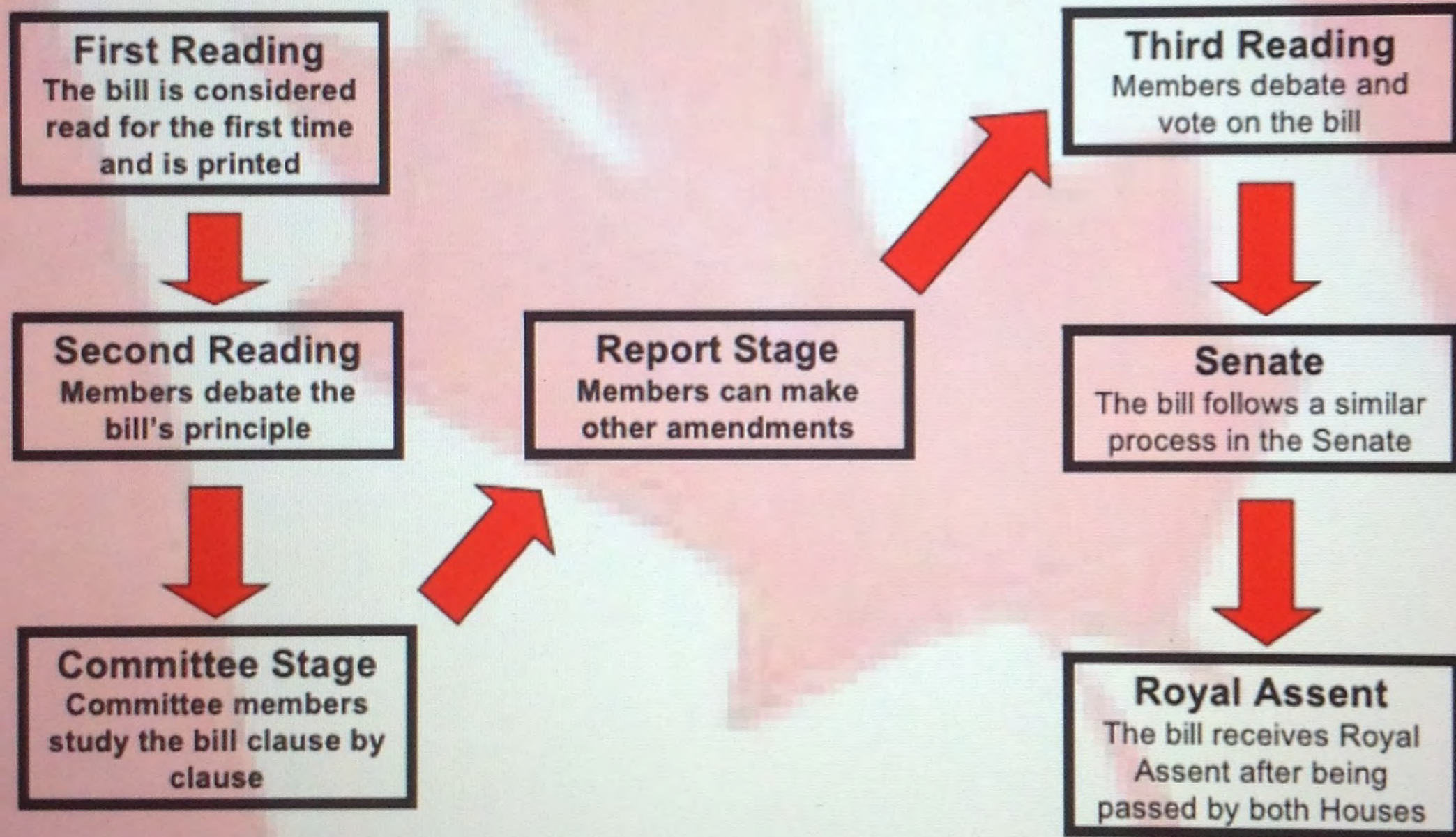
The Legislat
Canada's democracy
Legislative Branch is
composed of:
the House of Commons
the Senate



THE LEGISLATIVE PROCESS

- Federally. The process is the same provincially. Except there is only one Legislature provincially. In Ontario it is called the Legislative Assembly, (often referred to as Queen's Park)

How a Bill Becomes Law

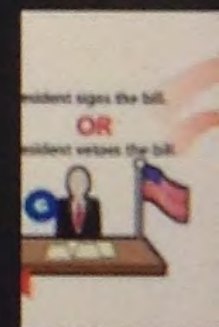
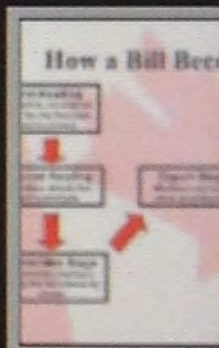


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32nd
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4th
SESSION

PRAYERS

2.00 O'CLOCK P.M.

Mr. McCague delivered to Mr. Speaker a message from the Honourable the Lieutenant Governor signed by his own hand, and the said message was read by Mr. Speaker and is as follows:—

JOHN B. AIRD

The Lieutenant Governor transmits Supplementary Estimates of certain additional sums required for the services of the Province for the year ending the 31st March, 1982 and recommends them to the Legislative Assembly.

Toronto, 15th March, 1982.

(Sessional Paper No. 3. Government Services, Northern Affairs, Treasury and Economics, Attorney General, Environment, Municipal Affairs and Housing, Natural Resources, Transportation and Communication, Colleges and Universities, Community and Social Services, and Health). (Tabled March 15, 1982).

Ordered, That the message, together with the Estimates accompanying the same, be referred to the Committee of Supply.

The following Bills were introduced, read the first time and referred to the Standing Committee on General Government:—

Bill Pr3, An Act respecting the City of Toronto. *Ms. Fish.*

Bill Pr5, An Act respecting the City of Hamilton. *Mr. Charlton.*

Bill Pr18, An Act respecting the Japanese Canadian Cultural Centre of Toronto. *Mr. Cousens.*

The following Bills were introduced and read the first time:—

Bill 22, An Act respecting the Sale of Beer at the Canadian National Exhibition Stadium. *Mr. Samis.*



CANADA

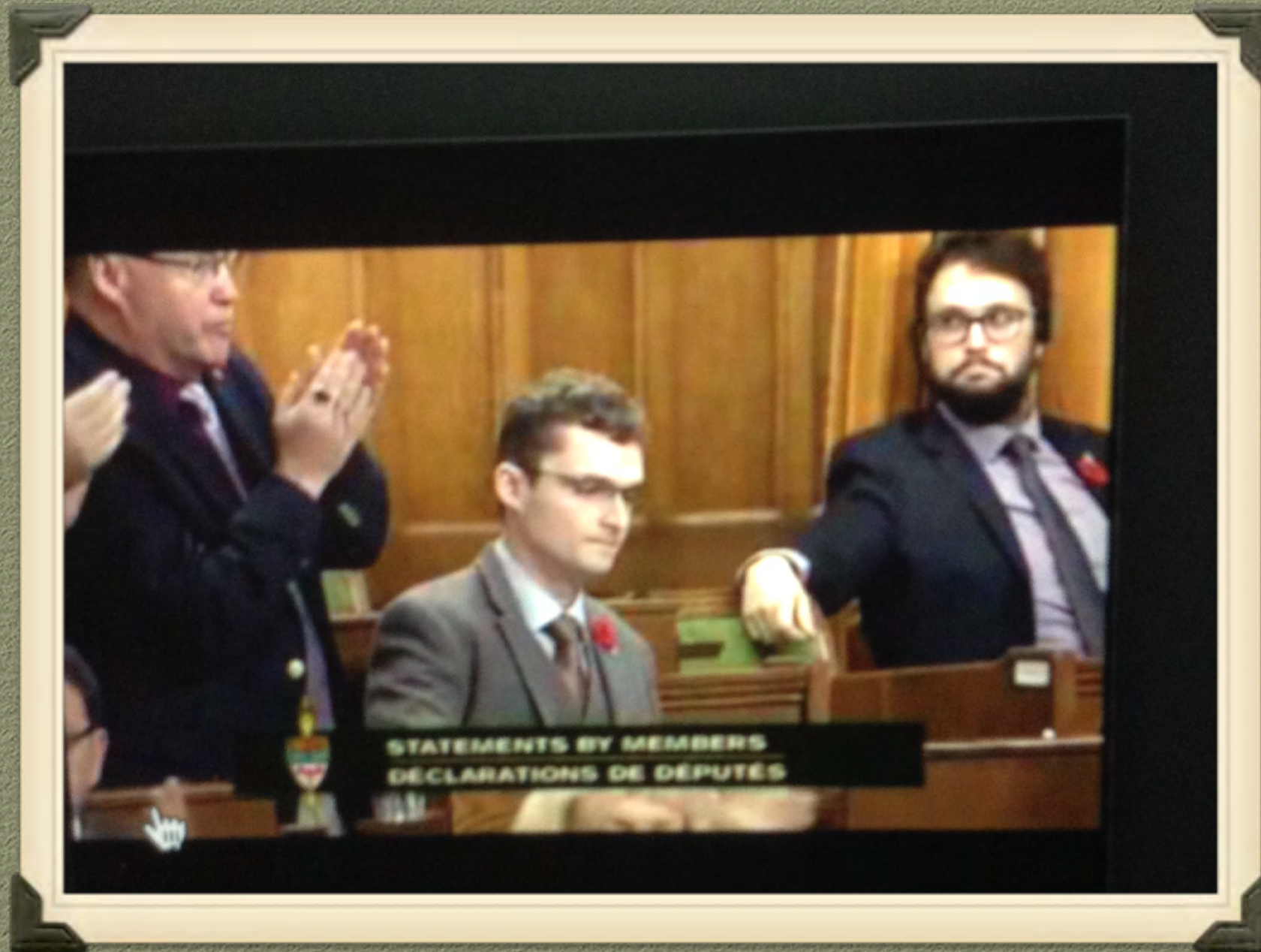
House of Commons Debates

VOLUME 133 • NUMBER 010 • 2nd SESSION • 35th PARLIAMENT

OFFICIAL REPORT
(HANSARD)



Monday, March 11, 1996



IT IS CUSTOMARY TO STAND AND
APPLAUD

WHEN YOU AGREE WITH THE STATEMENT OF A
MEMBER



SOMETIMES DEBATES BECOME HEATED AND PERSONAL

YELLING AND FINGER POINTING ARE NOT UNCOMMON IN THE HOUSE OF
COMMONS AND SENATE



...ation of Justice. The following committees may meet on Thursday mornings: Public Accounts, Procedural Affairs, Regulations and Other Statutory Instruments. The following committee may meet on Thursday afternoons: Members' Services.

And, That no Standing or Select Committee may meet while the House is in Session except in accordance with this schedule or as ordered by the House.

On motion by Mr. Wells,

Ordered, That the Membership on the Standing Committees for the 4th Session be as follows:—

Standing Committee on Administration of Justice

Mr. Breithaupt
Mr. Cureatz
Mr. Elston
Mr. Eves
Mr. Kolyn
Mr. MacQuarrie

Mr. Mitchell
Mr. Renwick
Mr. Spensieri
Mr. Stevenson
Mr. Swart
Mr. Williams

Standing Committee on General Government

Mr. Epp
Mr. Foulds
Mr. Gillies
Mr. Gordon
Mr. Haggerty
Mr. Harris

Mr. Hennessy
Mr. Hodgson
Mr. McKessock
Mr. McLean
Mr. Piché
Mr. Samis

Standing Committee on Members' Services

Mr. Charlton
Mr. Grande
Mr. Johnson
(Wellington-Dufferin-Peel)
Mr. K

Mr. Rotenberg
Mr. Runciman
Mr. Ruprecht
Mr. S

Mr. Cureatz
Mr. Edighoffer
Mr. Epp
Mr. Kells

Mr. Mancini
Mr. McNeil
Mr. Rotenberg
Mr. Treleaven
Mr. Villeneuve
Mr. Watson

Standing Committee on Public Accounts

Mr. Bradley
Mr. Cunningham
Mr. Eves
Mr. Havrot
Mr. Kennedy
Mr. Kolyn
Mr. Philip

Mr. Reid
(Rainy River)
Mr. Sargent
Mrs. Scrivener
Mr. Taylor
(Prince Edward-Lennox)
Mr. Wildman

Standing Committee on Regulations and Other Statutory Instruments

Mr. Cousens
Mr. Di Santo
Mr. Gillies
Mr. Hennessy
Mr. Hodgson
Mr. Kerrio

Mr. Lupusella
Mr. McEwen
Mr. Piché
Mr. Robinson
Mr. Sheppard
Mr. Van Horne

Standing Committee on Resources Development

Mr. Barlow
Mr. Havrot
Mr. Lane
Mr. Laughren
Mr. McNeil
Mr. Reed
(Halton-Burlington)

Mr. Riddell
Mr. Sweeney
Mr. Stokes
Mr. Villeneuve
Mr. Watson
Mr. Wiseman

Standing Committee on Social Development

Mr. Allen
Ms Copps
Mr. Henderson
Mr. Johnston
(Scarborough West)
Mr. Kells
Mr. Kerr

Mr. McGuigan
Mr. Pollock
Mr. Robinson
Mr. Shymko
Mr. Wiseman
Mr. Wrye

Sessional Paper

Ontario International Corporation Annual Report 1983/84. (No. 274) (Tabled November 27th, 1984)

ONE HUNDRED AND THIRD DAY

WEDNESDAY, NOVEMBER 28TH, 1984

The following Committees met:—

Standing Committee on Administration of Justice.

Standing Committee on General Government.

Standing Committee on Resources Development.

Standing Committee on Social Development.

ONE HUNDRED AND FOURTH DAY

THURSDAY, NOVEMBER 29TH, 1984

PRAYERS

2.00 O'CLOCK P.M.

Mr. Speaker addressed the House as follows:—

I regret to inform the House that a vacancy has occurred in the Membership of the House by reason of the death of James A. Renwick, Esquire, Member for the Electoral District of Riverdale.

Tributes were expressed by Mr. Welch, Mr. Peterson, Mr. Rae, and Mr. Davis, to Mr. Renwick's service and contributions to the Province.

The House observed a minute's silence in respect to the memory of Mr. Renwick, late Member for Riverdale.

On motion by Mr. Wells,

Ordered, That out of respect to the memory of the late Member for Riverdale, James A. Renwick, this House stands adjourned until 10.00 o'clock tomorrow morning.

The House then adjourned at 2.30 p.m.

ONE HUNDRED AND FIFTH DAY

FRIDAY, NOVEMBER 30TH, 1984

PRAYERS

10.00 O'CLOCK A.M.

Mr. Barlow from the Standing Committee on Resources Development reported the following Resolution:—

Resolved, That Supply in the following amounts and to defray the expenses of the Ministry of Industry and Trade be granted to Her Majesty for the fiscal year ending March 31st, 1985:—

MINISTRY OF INDUSTRY AND TRADE:

Ministry Administration Program	\$ 10,594,500
Industry Program	13,463,100
Trade Program	21,982,700
Ontario Development Corporations Program	26,220,500
Innovation and Technology Program	5,566,000

Mr. Sheppard from the Standing Committee on Regulations and Other Statutory Instruments presented the Committee's Report which was read as follows and adopted:—

Your Committee begs to report the following Bill without amendment:—

Bill Pr35, An Act to revive Bargnesi Mines Limited.

Your Committee begs to report the following Bill with a certain amendment:—

Bill Pr44, An Act respecting the Town of Cobourg.

Mr. Kells from the Standing Committee on Social Development presented the Committee's Report which was read as follows and adopted:—

Your Committee begs to report the following Bill with certain amendments:—

Bill 93, An Act respecting Public Libraries. *Ordered for Third Reading*.

On motion by Mr. Wells,

Mr. Robinson moved, seconded by Mr. Harris,

That an humble Address be presented to the Honourable the Lieutenant Governor as follows:

To the Honourable John Black Aird, An Officer of the Order of Canada, One of Her Majesty's Counsel Learned in the Law, Bachelor of Arts, Doctor of Laws, Lieutenant Governor of Ontario.

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious Speech Your Honour has addressed to us.

And a debate having ensued, it was, on motion by Mr. Ruston,

Ordered, That the debate be adjourned.

The House then adjourned at 4.50 p.m.

SIXTH DAY

TUESDAY, MARCH 16TH, 1982

PRAYERS

2.00 O'CLOCK P.M.

On motion by Mr. Gregory,

Ordered, That membership on the Standing Committees for this Session be as follows:

Social Development—Boudria, Cooke, Copps, Gillies, Johnston (Scarborough West), Kells, McGuigan, Pollock, Robinson, Sheppard, Shymko, Watson.

Public Accounts—Bradley, Cunningham, Havrot, Kennedy, Kolyn, Philip, Reid (Rainy River), Sargent, Scrivener, Taylor (Prince Edward-Lennox), Wildman, Yakabuski.

Andrews, Fish, Harris, Kolyn, Laughren, McNeil,

...the Ministry of the Environment be granted to Her Majesty for the fiscal year ending March 31st, 1982:—

MINISTRY OF THE ENVIRONMENT:

Ministry Administration Program	\$ 27,000
Environmental Assessment and Planning Program	1,033,000

On motion by Mr. Wells,

Ordered, That, notwithstanding any previous order, the House will meet in the Chamber on Wednesday next at 2.00 p.m. and on Thursday next from 10.00 a.m. until 1.00 p.m. with Routine Proceedings at 2.00 p.m.

The following Bill was introduced and read the first time:—

Bill 196, An Act to amend the Legislative Assembly Act. *Mr. Ruston.*

The following Bills were read the second time and *Ordered for Third Reading*:—

Bill Pr35, An Act respecting Victoria University.

Bill Pr42, An Act respecting the Theological College of the Canadian Reformed Churches.

The following Bills were read the third time and were passed:—

Bill Pr35, An Act respecting Victoria University.

Bill Pr42, An Act respecting the Theological College of the Canadian Reformed Churches.

The House, according to Order, resolved itself into the Committee of Supply,

(In the Committee)

Program of the Lieutenant Governor
And after some time,

\$ 116,200

Mr. Speaker resumed the Chair; and the Chairman reported, That the Committee had come to a certain Resolution also, That the Committee had directed him to ask for leave to sit again.

Ordered, That the Report be received.

Resolved, That the Committee have leave to sit again.

Mr. Speaker informed the House that, in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor had been pleased to assent to the following Bills in his Chambers:—

Bill 7, An Act to revise and extend Protection of Human Rights in Ontario.

Bill 104, An Act to amend the Highway Traffic Act.

Bill 107, An Act to amend the Police Act.

Bill 136, An Act to amend the Milk Act.

Bill 162, An Act to amend the Ministry of Consumer and Commercial Relations Act.

Bill 163, An Act to amend the Personal Property Security Act.

Bill 166, An Act to revise the Motor Vehicle Fuel Tax Act.

Bill 171, An Act respecting certain International Bridges.

Bill 176, An Act to amend the Co-operative Corporations Act.

Bill Pr24, An Act respecting the Greater Niagara General Hospital.

Bill Pr26, An Act to revive Waltham Creative Printing Limited.

Bill Pr35, An Act respecting Victoria University.

Bill Pr38, An Act to incorporate Emmanuel Bible College.

Bill Pr41, An Act to revive The Atlas Hotel Company Limited.

Theological College of the Canadian Reformed



LET'S LOOK AT HOW SOME LAWS HAVE BEEN
CHANGED [AMENDED OR REPEALED] TO
ILLUSTRATE THE PROCESS AND SEE IF THE
CHANGES IN THE LAW TELL US ANYTHING
ABOUT THE CHANGES IN CANADIAN SOCIETY

MINISTERIAL & RELIGIOUS ASSEMBLY PROTECTIONS

Clause 14: Existing text of sections 176 to 178:

176 (1) Every one who

(a) by threats or force, unlawfully obstructs or prevents or endeavours to obstruct or prevent a clergyman or minister from celebrating divine service or performing any other function in connection with his calling, or

(b) knowing that a clergyman or minister is about to perform, is on his way to perform or is returning from the performance of any of the duties or functions mentioned in paragraph (a)

(i) assaults or offers any violence to him, or

(ii) arrests him on a civil process, or under the pretence of executing a civil process,

is guilty of an indictable offence

and liable to imprisonment for a term not exceeding two years.

(2) Every one who wilfully disturbs or interrupts an assemblage of persons met for religious worship or for a moral, social or benevolent purpose is guilty of an offence punishable on summary conviction.

MINISTERIAL & R.A. CONT'D

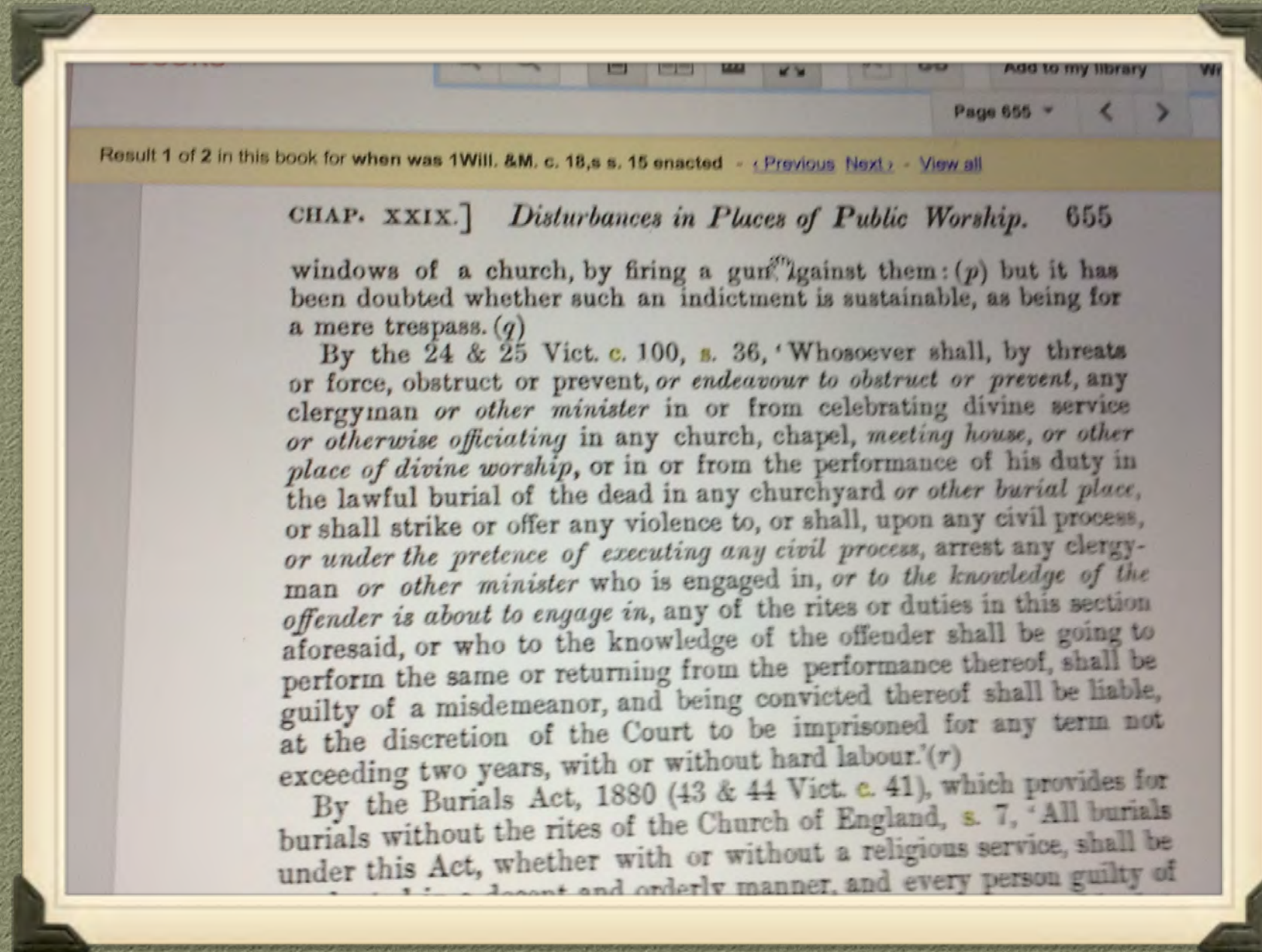
(3) Every one who, at or near a meeting referred to in subsection (2), wilfully does anything that disturbs the order or solemnity of the meeting is guilty of an offence punishable on summary conviction.

177 Every one who, without lawful excuse, the proof of which lies on him, loiters or prowls at night on the property of another person near a dwelling-house situated on that property is guilty of an offence punishable on summary conviction.

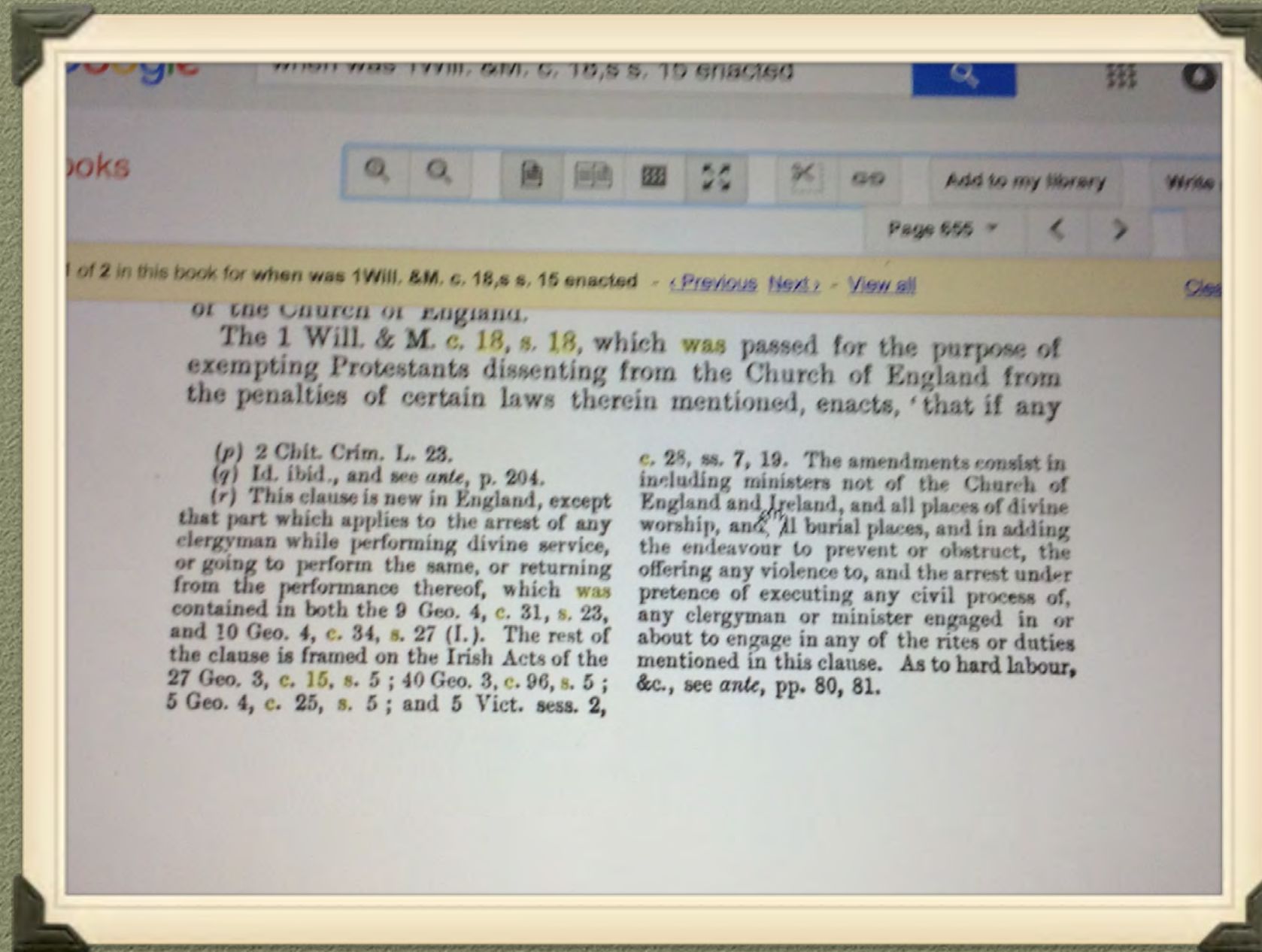
178 Every one other than a peace officer engaged in the discharge of his duty who has in his possession in a public place or who deposits, throws or injects or causes to be deposited, thrown or injected in, into or near any place,

(a) an offensive volatile substance that is likely to alarm, inconvenience, discommode or cause discomfort to any person or to cause damage to property, or

(b) a stink or stench bomb or device from which any substance mentioned in paragraph (a) is or is capable of being liberated, is guilty of an offence punishable on summary conviction.



24 & 25 VICT. C.100, 1861



1 WILL. & M. C.18 PASSED IN
1688

person or persons shall, willingly and of purpose, maliciously or contemptuously, come into any cathedral or parish church, chapel, or other congregation permitted by this Act, and disquiet or disturb the same, or misuse any preacher or teacher; such person or persons, upon proof thereof before any justice of peace, by two or more sufficient witnesses, shall find two sureties to be bound by recognizance in the penal sum of fifty pounds; and in default of such sureties shall be committed to prison, there to remain till the next general or quarter sessions; and upon conviction of the said offence at the said general or quarter sessions, shall suffer the pain and penalty of twenty pounds, to the use of the King.' (s)

Before this statute the Court of King's Bench refused to grant a *certiorari* to remove an indictment at the sessions against a person not behaving himself modestly and reverently at the church during divine service; for, although the offence was punishable by ecclesiastical censures, the Court considered it properly to come within the cognizances of the justices of the peace. (t) An indictment upon the statute, found at the quarter sessions, may be removed by *certiorari* before verdict, notwithstanding the words of the statute, which seem at the first view to confine the cognizance of the offence to the justices in the first instance, and in the next to the quarter sessions. (u)

The oaths taken by a preacher under this Act

**SUMMARY OF PROPOSED
CHANGES IN MINISTERIAL
& R.A. PROTECTIONS**

Bill C-51 – removal of s. 176 has passed second reading and is being considered now by the Standing Committee on Justice & Human Rights. The proposed amendment is:

14 Sections 176 to 178 of the Act are replaced by the following:

Trespassing at night

177 Every person who, without lawful excuse, loiters or prowls at night on the property of another person near a dwelling-house situated on that property is guilty of an offence punishable on summary conviction. [2004, c. 15, s. 108]

DOES THIS LEAVE MINISTERS
VULNERABLE TO VIOLENT
ATTACK, WHILE EN ROUTE TO
PERFORM THEIR DUTIES , ETC.?

No.

There are still ample provisions in the Criminal Code protecting ministers in the performance of their duties, and travel to and from their duties. (All reference are to the Criminal Code) .

s.84- weapons offences, including firearms, and knives

s. 175- causing a disturbance in or near a public place,

(iii) by impeding (interfering with) or molesting other persons - not sure if the molesting is sexual or not as this offence is found in part 5 dealing with Sexual Offences, Public Morals and Disorderly Conduct but in the disorderly conduct section .

s. 244 - causing bodily harm and acts and omissions Causing Danger to a Person- with firearms, air, compressed gas gun or pistol

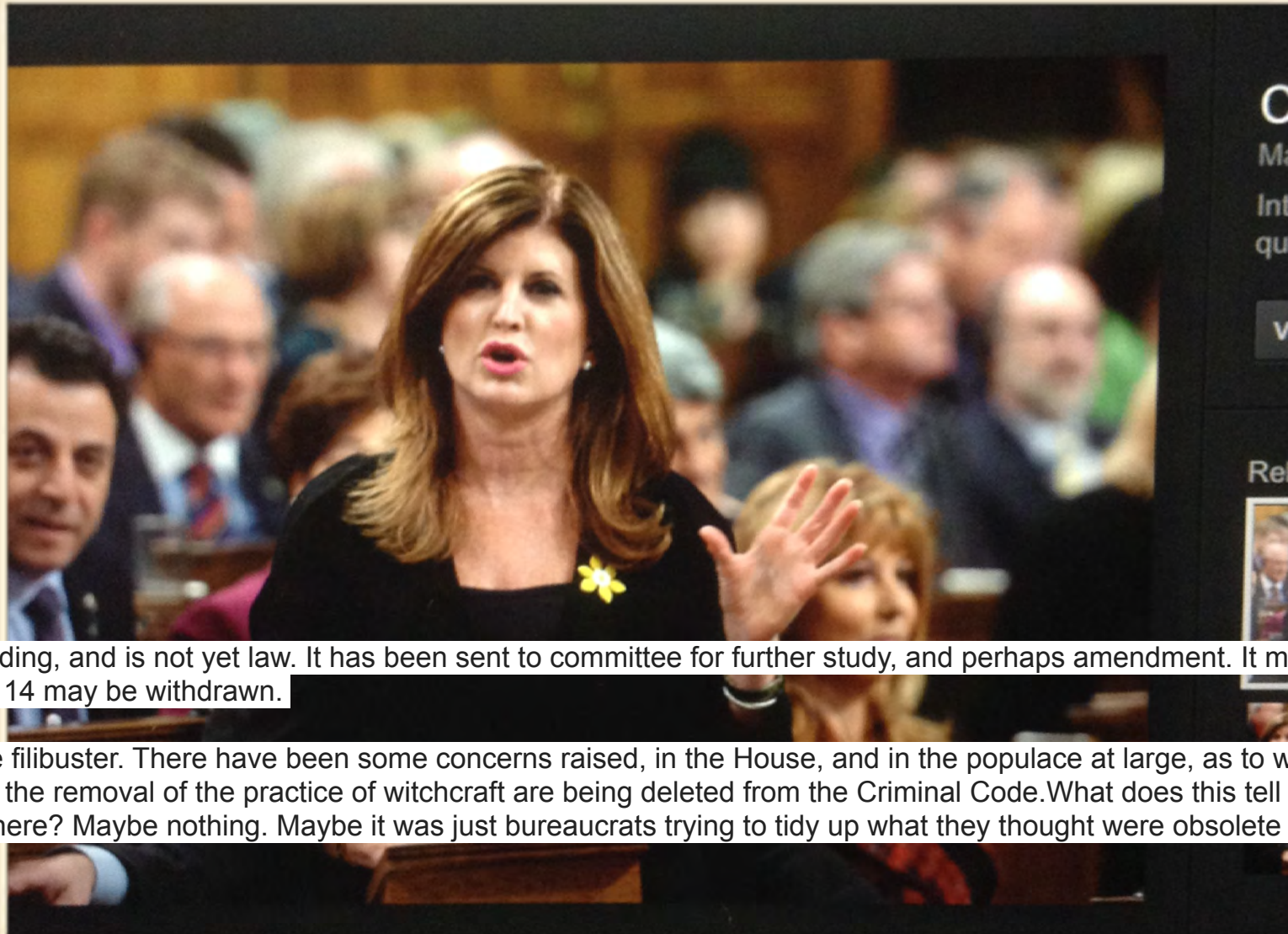
s. 264.1 - assaults section

s.319- advocating genocide against an identifiable group such as a religious organization or sect in the Hate Crimes section. (This I found very interesting as in the Great Controversy EGW said, I believe that the freedom of religion of Sabbath-keepers would be punished by death in the USA.)

But maybe God knew then that Canada would have this kind of protection for religious minorities. Or maybe this protection will be repealed as well.

s. 423 - intimidation.

MAY?



The bill has passed second reading, and is not yet law. It has been sent to committee for further study, and perhaps amendment. It may never become law. It may die on the order paper, be amended, or s. 14 may be withdrawn.

S. 14 has been subject to some filibuster. There have been some concerns raised, in the House, and in the populace at large, as to why the protection of ministers, the prohibition against duelling and the removal of the practice of witchcraft are being deleted from the Criminal Code. What does this tell us about the type of society that the Liberals are trying to establish here? Maybe nothing. Maybe it was just bureaucrats trying to tidy up what they thought were obsolete sections of the Criminal Code.

A couple of the Conservative members have even suggested that these Criminal Code amendments are merely the government's way of not appointing new justices who would make the administration of justice move along more quickly and efficiently and effectively.

HOW DO I KNOW ABOUT THE PROCESS AND THE CONCERNS RAISED IN THE HOUSE OF COMMONS?

WITCHCRAFT

Pretending to practise witchcraft, etc.

365 Every one who fraudulently

- **(a)** pretends to exercise or to use any kind of witchcraft, sorcery, enchantment or conjuration,
 - **(b)** undertakes, for a consideration, to tell fortunes, or
 - **(c)** pretends from his skill in or knowledge of an occult or crafty science to discover where or in what manner anything that is supposed to have been stolen or lost may be found,
- is guilty of an offence punishable on summary conviction.



ARE WE CONCERNED ABOUT THIS PROPOSED AMENDMENT?

IF SO, SHOULD NOT WE PRAY, AS THE M.P.S IN THE HOUSE
OF COMMONS PRAY BEFORE STARTING EVERY SESSION?

**A PRIVATE MEMBER'S
BILL**



There was also a piece of legislation passed as Bill C-305, which increased penalties for vandalism motivated by hate of sacred property & property used by religious institutions, and protection of communal spaces. . Was this a response to the recent burning of the Koran incident? Let's check Hansard to be sure.

According to one of the debates ,StatsCan has reported an uptick in certain hate crimes and crimes motivated against religions.

BILL C-305
AN ACT TO AMEND
THE CRIMINAL
CODE (MISCHIEF)



First Session, Forty-second Parliament,
64-65-66 Elizabeth II, 2015-2016-2017
HOUSE OF COMMONS OF CANADA

BILL C-305

An Act to amend the Criminal Code (mischief)

AS PASSED
BY THE HOUSE OF COMMONS
MAY 10, 2017

421289

SUMMARY

This enactment amends the *Criminal Code* to add to the offence of mischief relating to religious property the act of mischief in relation to property that is used for educational purposes, for administrative, social, cultural or sports activities or events or as a residence for seniors.

Available on the Parliament of Canada Web Site at the following address:
<http://www.parl.gc.ca>

1st Session, 42nd Parliament,
64-65-66 Elizabeth II, 2015-2016-2017
HOUSE OF COMMONS OF CANADA

BILL C-305

An Act to amend the Criminal Code (mischief)

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

R.S., c. C-46

Criminal Code

1 (1) The portion of subsection 430(4.1) of the *Criminal Code* before paragraph (a) is replaced by the following:

Mischief relating to religious property, educational institutions, etc.

(4.1) Everyone who commits mischief in relation to property described in any of paragraphs (4.101)(a) to (d), if the commission of the mischief is motivated by bias, prejudice or hate based on religion, race, colour, national or ethnic origin, age, **sex, sexual orientation** or mental or physical disability,

(2) Section 430 of the Act is amended by adding the following after subsection (4.1):

Definition of *property*

(4.101) For the purposes of subsection (4.1), ***property*** means

(a) a building or structure, or part of a building or structure, that is primarily used for religious worship — including a church, mosque, synagogue or temple —, an object associated with religious worship located in or on the grounds of such a building or structure, or a cemetery;

(b) a building or structure, or part of a building or structure, that is primarily used by an *identifiable group* as defined in subsection 318(4) as an educational institution — including a school, daycare centre, college or university —, or an object associated with that institution located in or on the grounds of such a building or structure;

(c) a building or structure, or part of a building or structure, that is primarily used by an *identifiable group* as defined in subsection 318(4) for administrative, social, cultural or sports activities or events — including a town hall, community centre, playground or arena —, or an object associated with such an activity or event located in or on the grounds of such a building or structure; or

(d) a building or structure, or part of a building or structure, that is primarily used by an *identifiable group* as defined in subsection 318(4) as a residence for seniors or an object associated with that residence located in or on the grounds of such a building or structure.

Coordinating Amendment

Bill C-16

2 If Bill C-16, introduced in the 1st session of the 42nd Parliament and entitled *An Act to amend the Canadian Human Rights Act and the Criminal Code*, receives

royal assent, then, on the first day on which both section 3 of that Act and section 1 of this Act are in force, the portion of subsection 430(4.1) of the *Criminal Code* before paragraph (a) is replaced by the following:

Mischief relating to religious property, educational institutions, etc.

(4.1) Everyone who commits mischief in relation to property described in any of paragraphs (4.101)(a) to (d), if the commission of the mischief is motivated by bias, prejudice or hate based on colour, race, religion, national or ethnic origin, age, sex, **sexual orientation, gender identity or expression** or mental or physical disability,

C-305

An Act to amend the Criminal Code (mischief)

Sponsor

Chandra Arya (Nepean) ([//www.ourcommons.ca/Parliamentarians/en/members/profileredirect?affiliationId=214203](http://www.ourcommons.ca/Parliamentarians/en/members/profileredirect?affiliationId=214203))

Last Stage Completed

Committee Report Presented without Amendment in the Senate (2017-06-21)Progress:  100%

Major Speeches at Second Reading

The Major Speeches are given during the initial round of debate at second reading. The sponsor speaks first, followed by a representative of each of the other recognized parties.

House of Commons

Speeches at Second Reading

Sponsor's speech (//www.ourcommons.ca/DocumentViewer/en/42-1/house/sitting-112/hansard#9253514)	2016-11-22
Chandra Arya (Liberal)	
Response speech (//www.ourcommons.ca/DocumentViewer/en/42-1/house/sitting-112/hansard#9253730)	2016-11-22
Michael Cooper (Conservative)	
Response speech (//www.ourcommons.ca/DocumentViewer/en/42-1/house/sitting-112/hansard#9253799)	2016-11-22
Randall Garrison (NDP)	

Senate

Speeches at Second Reading

Sponsor's speech (https://sencanada.ca/en/content/sen/chamber/421/debates/129db_2017-06-07-e#40)	2017-06-07
Sen. Marc Gold (Independent)	
Response speech (https://sencanada.ca/en/content/sen/chamber/421/debates/131db_2017-06-13-e#65)	2017-06-13
Sen. Linda Frum (Conservative)	

FROM THE SPONSOR'S
SPEECH INTRODUCING THE
PRIVATE MEMBER'S BILL...

crimes is entirely worthy of the House. These provisions will continue to protect the freedom of speech that Canadians currently enjoy, and they will enhance religious freedoms by providing a stronger disincentive to commit hate crimes.

Criminal Code
Private Members'
Business

May 3rd, 2017 /
7:50 p.m.

See context
(/debates/2017/5/3/chandra-arya-7/)



(/politicians/chandra-arya/)

Chandra Arya (/politicians/chandra-arya/) Nepean,
ON

[LINKS & SHARING](#)

AS SPOKEN

Liberal

Mr. Speaker, I would first like to thank my hon. colleague from **Brampton South** (/politicians/sonia-sidhu/) for her support throughout the process. I would also like to thank the hon. member for **Mount Royal** (/politicians/anthony-housefather/), the chair of the Standing Committee on Justice and Human Rights, and all committee members who worked hard and delivered a bill that is more robust.

I am honoured to have received support from many religious and community organizations all across the country, organizations representing the Jewish faith, the Muslim faith, Sikhs, Hindus, and Christian faiths. They were all supportive. LGBTQ groups have also been a strong supporter, and it is my hope that this bill will soon become law and bring some peace of mind. In particular, I would like to recognize the support I received from the Centre for Israel and Jewish Affairs, which worked hard to generate support from various stakeholders.

The consequences of hate crimes are considerable. A manual issued by the Attorney General of Ontario lists the impact of hate crimes on individuals, target groups, vulnerable minority groups, and the community as a whole. It says, on the impact on the community as a whole:

This, perhaps, is the greatest evil of hate crime. Hate crime can end up dividing people in society. In a multicultural society like Canada,

blair-1/)
Scarborough
Southwest
Ontario

Liberal



General of Canada

Mr. Speaker, I am also pleased to join in the second reading debate of Bill C-305 (/bills/42-1/C-305/), an act

to amend the Criminal Code concerning mischief, which was introduced in the House on September 27 by the member for **Nepean** (/politicians/chandra-arya/).

I would like to begin by thanking the member for **Nepean** (/politicians/chandra-arya/) for bringing this important issue before the chamber to give this Parliament an opportunity to speak to it.

I also want to thank and commend the member for **Victoria** (/politicians/murray-rankin/) and the member for **Mégantic—L'Érable** (/politicians/luc-berthold/) for their remarks, which were very timely and appropriate as well.

We have been tragically reminded of the impact that hate in all of its manifestations can have on our society. The horrific attack on the Centre Culturel Islamique de Québec on Sunday night, the hate-inspired acts of terror which occurred that evening taking six of our fellow citizens' lives, injuring so many, and tragically traumatizing a community and a nation must deepen our resolve to confront and prevent hate in all of its manifestations.

In my experience, the issue of hate does not immediately manifest itself in acts of terror and murder, but far more often is expressed in acts of mischief. Our failure as a society to confront and deal appropriately with these acts, to denounce them in our strongest forms, and to resolve them through appropriate serious consequence can have the effect of encouraging them through complacency. We are reminded of the importance of dealing with this issue.

As parliamentarians I believe we could all agree that hate crimes in all of their forms cannot be tolerated in our country. They are a fundamental attack on our values and our principles and on each and every one of our citizens. A crime of hate against any Canadian citizen is a crime of hate against all Canadian citizens.

that hate crime will not be tolerated in Canada.

I would now like to turn briefly to where the current law stands in Canada. Currently, there is a specific hate crime of mischief committed against property primarily used for religious worship which is found in subsection 430(4.1) of the Criminal Code, mischief relating to religious property. It is a hate crime because the offence is only committed when such mischief is committed out of bias, prejudice, or hate based on religion, race, colour, national or ethnic origin. The maximum punishment for this offence is 10 years' imprisonment. Subsection 430(4.1) of the Criminal Code was enacted as part of the Anti-terrorism Act of 2001, which was also known at that time as Bill C-36.

Today, hate crime is restricted to property that is primarily used for religious worship, such as churches, mosques, and synagogues, and also includes cemeteries. However, during the committee hearings on Bill C-36, some witnesses, while approving of the creation of a specific hate crime of mischief, argued that the crime should be broader in scope, and if I may, I will cite some examples.

David Matas, lead counsel for B'nai Brith Canada, in his testimony at that time, argued that sex should be added to the list of hate motivations and also that the crime should be expanded to cover schools, organizational buildings, and cemeteries.

As well, on November 6, 2001, before the same committee, Mr. Ed Morgan, who was at that time chair of the Ontario region of the Canadian Jewish Congress, testified that all religious property should be protected by the hate crime mischief offence. He said:

Not just sanctuaries, not just synagogues or churches, but all religious structures, religious centres, religious schools, religious community centres, cemeteries—which are a particular target for hate crimes and desecration—ought to be covered as well.

He also argued at that time, and again I quote from his testimony:

As a result, subsection 430(4.1) was amended by the House of Commons committee to add cemeteries to the list of properties primarily used for religious worship, but not the other kinds of properties that had been cited in the testimony, such as schools or community centres.

As well, a proposed amendment to add sex as a ground of hate motivation was rejected at that time, because it was seen as not relating logically back to the purpose of the hate crime mischief offence, which was to protect places of religious worship, unlike other hate motivations of race, colour, religion, or ethnic or national origin.

Bill C-305 (/bills/42-1/C-305/) proposes to add to this mischief offence additional kinds of property. These are buildings or structures used for educational purposes, for administrative, social, cultural, or sports activities or events, or as residences for seniors. As well, the list of hate-motivating criteria would be expanded by adding two new ones: sexual orientation and gender identity.

I wholeheartedly support the principles behind the bill that our criminal law should clearly denounce all hate-motivated mischief. However, it does bring forward some questions about the potentially broad scope of the proposed crimes in this section, which were previously discussed during the first hour of second reading by my colleague and the member for **Charlottetown (/politicians/sean-casey/)**.

The private member's bill in its current form could potentially capture numerous unintended buildings and spaces such as sports arenas or coffee shops. These buildings or structures are currently protected by the general offence of mischief. Additionally, in order to ensure consistency with the existing hate speech provisions in the Criminal Code as well as **those amendments proposed under Bill C-16 (/bills/42-1/C-16/)**, gender identity, which is currently before the Senate, we need to look more closely at this proposed legislation.

Therefore, the government will support **Bill C-305 (/bills/42-1/C-305/)**

matter forward. It is a timely piece of legislation. It is work that demands our closest attention.

Criminal Code
Private Members'
Business

February 2nd, 2017
/ 5:40 p.m.

See context
(/debates/2017/2/2/david-
sweet-2/)

Conservative



(/politicians/david-sweet/)

David Sweet (/politicians/david-sweet/) Flamborough
—Glanbrook, ON

LINKS & SHARING

AS SPOKEN

Mr. Speaker, everybody has alluded to the tragic terrorist event that happened in Quebec City just days ago. I hope that you and all of my colleagues in the

chamber will allow me this opportunity to mention the names of those people who are no longer with us: Khaled Belkacemi, Azzedine Soufiane, Aboubaker Thabti, Abdelkrim Hassane, Ibrahima Barry, and Mamadou Tanou Barry.

It is also important to note that five of these six men were fathers.

According to the research, which I hope is accurate, and we have done all we can to find that out, 15 children have now been left without fathers. Therefore, it is poignant that we are debating this bill tonight.

Out the outset of my remarks on Bill C-305 (/bills/42-1/C-305/), I would like to remind the House of the words of Martin Luther King Jr., who said, "Hate cannot drive out hate; only love can do that".

Bill C-305 (/bills/42-1/C-305/) seeks to amend the section of the Criminal Code that applies to hate crimes. As we debate the merits of this bill, we should bear in mind that the antidote for hate is not merely legislation. Indeed, it is love. However, as members of Parliament, we cannot legislate that citizens love one another, although as leaders we often have the opportunity to encourage our constituents to be tolerant, accepting, and compassionate. Furthermore, it is our responsibility to ensure that the legal framework is in place so that those who commit acts motivated by hate are held to proper account.

Last weekend we marked International Holocaust Remembrance Day as

expanded offence.

To summarize, Bill C-305 (/bills/42-1/C-305/) would expand the current hate crime of mischief to clearly denounce additional types of mischief motivated by hatred against certain historically marginalized groups. It would therefore provide additional tools to our criminal justice system to protect Canadians from hate-motivated crime.

I would once again like to thank the sponsor for his outstanding advocacy on this issue, as well as the standing committee for its excellent work on Bill C-305 (/bills/42-1/C-305/). I sincerely hope that the hon. members of this House continue to support Bill C-305 (/bills/42-1/C-305/) in order to more fully protect the diversity of communities in our Canadian society.

Criminal Code
Private Members'
Business

May 3rd, 2017 /
7:40 p.m.

See context

(debates/2017/5/3/racha
harder-1/)

Conservative



(/politicians/rachael-harder/)

Rachael Harder (/politicians/rachael-harder/)
Lethbridge, AB

LINKS & SHARING

AS SPOKEN

Mr. Speaker, it certainly is a privilege to stand in the House and to have the opportunity to speak in support of Bill C-305, an act to amend the Criminal Code

(mischief) (/bills/42-1/C-305/).

I appreciate the opportunity to contribute to the discussion that is already taking place in the House today because I believe this is a very timely issue and it is one that impacts Canadians as a whole.

The bill addresses a current injustice when it comes to sentencing for crimes that are motivated by hate in Canada. Currently, if an individual is convicted of mischief, which is a fancy word for vandalism, against a place of worship, the maximum penalty for that is 10 years. However, if the same individual were to vandalize a religious school, or a religious recreational centre or a religious day care, the punishment for that same crime would only be two years in prison.

The recent and tragic events that took place in Quebec City not too long ago with the Muslim community and then in Toronto with the Jewish community remind us of the severe impact the manifestation of hate can have on the lives of Canadians.

Fundamental human rights and freedoms are infringed upon when hateful acts interfere with the ability of those of diverse faiths, origins and political affiliations to live out their convictions according to need. While race, ethnicity, and religion remain the most common motivators for hate-based crimes, Statistics Canada indicates that such acts of mischief are not limited to these groups. Hate crimes have also been directed toward those of different sexual orientation, those of a different political belief, or those perhaps with a mental or physical disability.

In a country that values both tolerance and respect, the fact that only those crimes which are carried out on religious property are indictable under section 430 of our Criminal Code is unacceptable.

Hate crimes affect a broad range of Canadian citizens, not just those within these religious organizations. A church community may meet in an old movie theatre, or it might even choose a recreational centre or a school. Therefore, it is possible then that hate crimes or vandalism, mischief, could then be committed against these properties.

Parents may also choose to send their children to a day care that is religious in nature because of their beliefs and values. At present, these properties do not benefit from the same protections under the Criminal Code. This is why I support the amendment brought forward today.

To fight to protect religious freedoms is a fight that we in our capacity as parliamentarians have the duty to address and to promote. While the damage of vandalism is generally minimal, the impact hate motivated crimes have on the targeted population is often absolutely devastating.

In 2014, over half of the hate crimes committed in Canada fell into what was known as the mischief category. This was 523 of the 1,170 crimes

committed. That is a huge number. It is clear this legislation

Annual Hate Crime Statistical Report also revealed that Muslims were the target of hate crimes at about half the rate that Jews were, so making up a significant portion of that population being discriminated against.

I find this very concerning. It is again the reason why I am standing in support of this legislation going forward.

Jews make up only 3.8% and Muslims only 8.2% of Toronto's entire population, but these two communities were the victims of more than half of all the hate crimes committed within the city. Across the country, the statistics generally fall into a similar pattern. We see the same thing when we look from one city to the next.

In addition, with members of the Jewish community being the target of most attacks, we also see significant attacks that are brought against Muslims, those who are black, the LGBTQ community, and those with disabilities. These numbers are horrifying. I would argue as well that they are not just horrifying but, together, they are an attack on our identity as Canadians.

Our Canadian identity is based on the idea of many peoples joining together toward a common purpose. Hate crimes against an identifiable group, often minority groups, attack this central principle of unity on which so much of Canada is built.

These crimes are intended to make a community of people feel excluded from being Canadian. Therefore, in order to protect the many diverse communities spread across our vast and beautiful country, we must take action. We must increase the protection that is available to those who find themselves victim to these hate crimes. To do any less would betray Canada's history, the history that we have fought for with respect to having a common and shared identity.

Criminal Code
Private Members'
Business

February 2nd, 2017
/ 5:15 p.m.

See context

(/debates/2017/2/2/murray-rankin-1/)



(/politicians/murray-rankin/)

Murray Rankin (/politicians/murray-rankin/) Victoria, BC

Mr. Speaker, I am pleased to rise in strong support of Bill C-305, (/bills/42-1/C-305/) an act to amend the Criminal Code regarding mischief. I want to thank the

NDP

member for **Nepean** (/politicians/chandra-arya/) for bringing this bill forward.

Bill C-305 (/bills/42-1/C-305/) would make small but significant changes to the way we handle hate-motivated crimes against communal spaces. There are many things we can do to stand up to discrimination and make our communities safer for all of us. This bill is one good step in that direction, so I hope we can all work together to see it debated, improved, and passed into law.

Canada is thought of, at home and abroad, as an inclusive nation, a place that welcomes all people, regardless of culture, language, or religion, with equality and respect. It is a country where diversity is not just accepted but celebrated. We strive to make Canada a nation free from racial intolerance and xenophobia, but recent events remind us that we still have more work to do.

Here in Ottawa, right here in the nation's capital, we have seen mosques, synagogues, and a Jewish community centre vandalized. We have seen discrimination in communities right across Canada, and in Quebec City this weekend, we saw where hatred can lead.

In Canada, racial and ethnic discrimination motivates about half of all police-reported hate crimes. Another quarter of these crimes are driven by prejudice towards religion, and that number, sadly, is rising. In just the last three years, hate crimes against Muslim Canadians have more than doubled. These statistics should not cause us to despair. The

LINKS & SHARING

AS SPOKEN

class, prejudice or hate based on religion, race, colour or national or ethnic origin", it becomes punishable by up to 10 years behind bars. This is only the case, however, when the crime is committed against religious property. It does not apply to other community spaces.

Bill C-305 (/bills/42-1/C-305/) would extend these legal protections to more communal places, including daycare centres, seniors' homes, schools, town halls, and sports arenas, granting them the same protected status as places of religion.

Let us be clear. This is not just some arcane criminal law question. It is about our values. It is about supporting Canadians' right to live without fear of discrimination and to enjoy spaces free from hateful vandalism. It is about making it clear that hate-fuelled vandalism is a hate crime, regardless of where it is committed.

A second benefit of Bill C-305 (/bills/42-1/C-305/) is that it would expand the list of discriminatory motives for hate crimes to include "gender identity" and "sexual orientation".

Ten years ago, New Democrats pioneered legislation calling for the inclusion of gender identity as a prohibited basis for discrimination under federal human rights law. I want to acknowledge the incredible hard work and dedication of my colleague for Esquimalt—Saanich—Sooke (/politicians/randall-garrison/), who advanced the cause this far. I want to thank all members from all parties who have joined that cause along the way. Because of the efforts and advocacy of thousands of Canadians, that cause succeeded in passing Bill C-16 (/bills/42-1/C-16/) recently, which is a milestone in Canada's commitment to inclusion and protection for all.

However, as it stands, the wording of Bill C-305 (/bills/42-1/C-305/) before us today is inconsistent with Bill C-16 (/bills/42-1/C-16/) in that it includes gender identity but does not include gender expression.

Therefore, for the sake of clarity and consistency, I would propose that both be included and protected by this bill.

We know that one in six hate crimes in Canada is motivated by discrimination toward sexual orientation, gender identity, or gender

or expression" would strengthen the bill and affirm our policy of zero tolerance for transphobic discrimination.

These and other amendments can be considered at committee. However, I want to thank, again, the member for **Ottawa West—Nepean (/politicians/anita-vandenbeld/)** for opening the door for much-needed conversation on hate crimes in Canada.

Better laws can counteract these offences. However, changing laws is obviously not enough. We need to teach empathy in our schools, tolerance in our workplaces, and openness and inclusivity in our community centres and spaces. We have a responsibility, now more than ever, to stand up to discrimination. The roots of prejudice are in lack of understanding, and that is within our power to change.

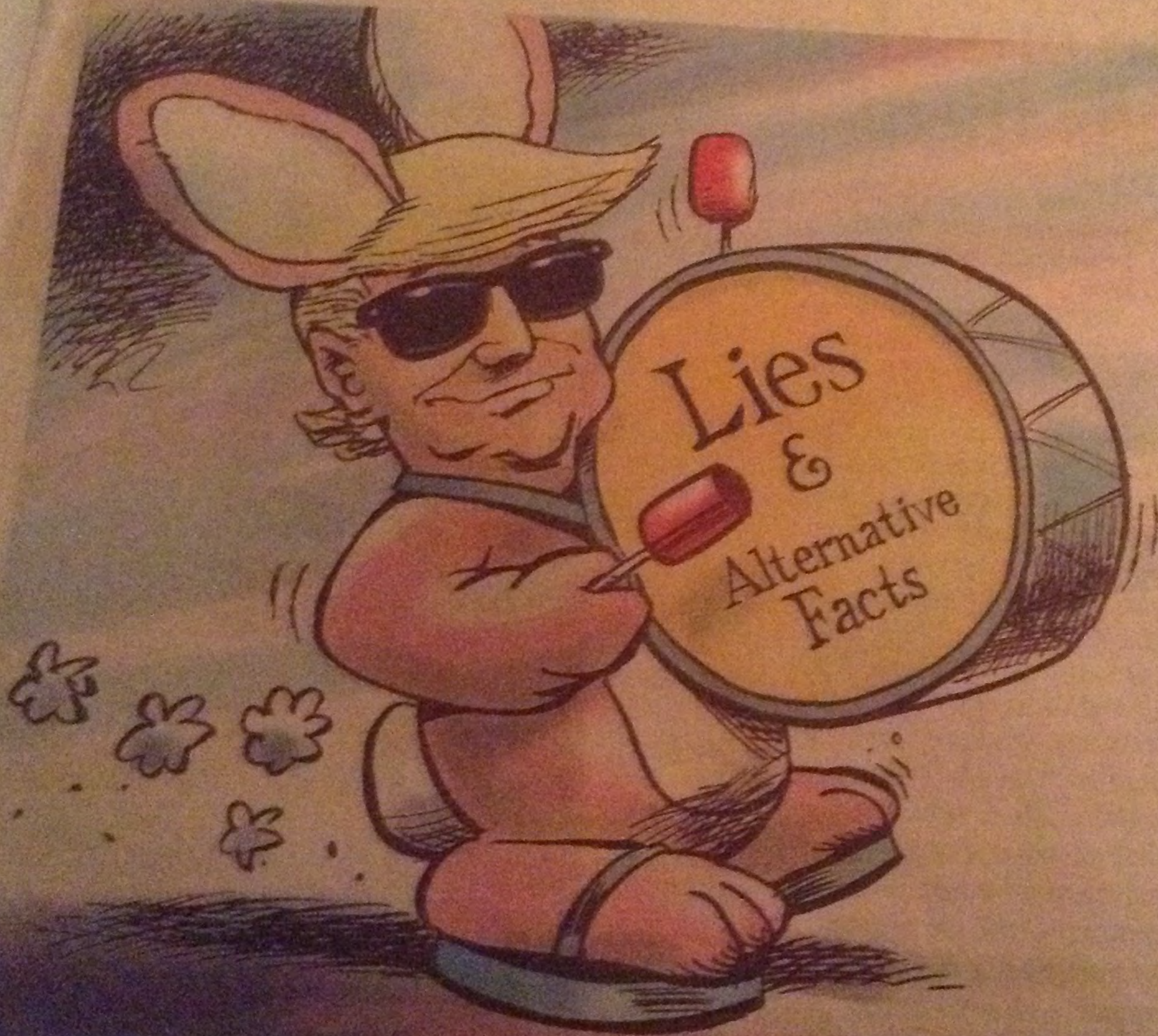
We know that Canada is not immune to the disturbing trends we see south of the border and across Europe. We have seen how playing with the fire of fear and division can spark violence. However, we have also seen acts of great strength. We have seen citizens speaking up for their friends, for their colleagues, or for complete strangers, refusing to let differences divide them. Now is the time when we must look to that strength and reaffirm our commitment to building a safe, resilient, and welcoming Canada for all.

We know what happens when we fail to stand up to those who seek to divide us.

This week, six Canadians were murdered in a mosque, targeted because of their faith. That act of violence shook our country and triggered an outpouring of support for our Muslim friends and neighbours, as Canadians gathered in vigils across the country to remember the victims. However, we cannot ignore that the hatred that led to a gunman in a mosque in Sainte-Foy, Quebec, is not so different from what drives a teenager to spray a swastika on a door in Ottawa or a commuter to hurl racial slurs on a streetcar in Toronto.

It is critical, now more than ever, that we condemn, not only these acts, but also the divisive rhetoric that inspires them.

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David

...ing the possible sentences for those who commit such crimes is entirely worthy of the House. These provisions will continue to protect the freedom of speech that Canadians currently enjoy, and they will enhance religious freedoms by providing a stronger disincentive to commit hate crimes.

Criminal Code
Private Members'
Business

May 3rd, 2017 /
7:50 p.m.

See context

/debates/2017/5/3/chandra-arya-7/

Liberal



[\(/politicians/chandra-arya/\)](#)

Chandra Arya ([/politicians/chandra-arya/](#)) Nepean,
ON

[LINKS & SHARING](#)

AS SPOKEN

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This, perhaps, is the greatest evil of hate crime. Hate crime can end up dividing people in society. In a multicultural society like Canada,

New Canadian law makes vandalism of Jewish buildings a hate crime

Jewish community plays leading role in drafting and lobbying for passage of amendment to criminal code

BY RENEE GHERT-ZAND | May 12, 2017, 4:30 pm |

Canada's House of Commons passed a law on Wednesday which broadens the definition of hate crimes by including acts of vandalism against any Jewish communal property. In Canada, hate crimes are punishable by up to 10 years imprisonment.

According to a newly released Anti-semitism audit by B'nai Brith Canada, 2016 was a record-breaking year, with a 26% increase in anti-Semitic incidents over the prior year. Of the 1,728 anti-Semitic incidents in 2016, 158 (9%) were categorized as vandalism, defined as the posting of graffiti, swastikas, racist emblems and slogans, as well as damage to religious objects such as mezuzahs, desecration of cemeteries and synagogues, and fire-bombing and arson.

The new law, Bill C-305, amends Canada's criminal code by including in the definition of "religious property" Jewish community centers, schools, or other buildings or institutions identifiably associated with the Jewish community.

The criminal code had previously stated that "hate-motivated mischief" relating to religious property applied only to houses of worship such as synagogues, churches, temples and mosques. The new law extends the definition of a religious property to include any institution associated with an identifiable community that is primarily used as an educational institution or for administrative, social, cultural, or sports events, or as a residence for seniors.

Of the 1,728 anti-Semitic

incidents in Canada in

The law provides protection for property-related crimes motivated by hate based not only on religion, but also race, color, national or ethnic origin, sex, sexual

orientation, and mental or physical disability. However, a

UJA Federation of Greater Toronto campaign director and counsel Steven Shulman told The Times of Israel he sees the passage of the new law as the taking of a proactive step "to preserve and promote what is special in Canada" at a time when hate is on the rise worldwide.

'It's a symbol of how high a priority the country gives to harmony and mutual respect'

"It's a symbol of how high a priority the country gives to harmony and mutual respect," he said.

The Centre for Israel and Jewish Affairs (CIJA), the advocacy arm of the Jewish Federations of Canada worked extensively with MPs from all parties and a diversity of partners in other communities to advance the introduction and passage of this legislation to close the

gap in the criminal code.

The bill that was passed in a unanimous vote on Wednesday was initially tabled by Indian-born Hindu Liberal MP Chandra Arya. However, an earlier version of the legislation was drafted by CIJA's general counsel and senior government advisor Richard Marceau back in 2005 when he was an MP.

More recently, CIJA mobilized more than 20 faith and ethnic organizations across a range of communities, including Christian, Muslim, and Sikh representatives, to write to Arya in support of C-305. CIJA also created an action alert, mobilizing members of the Jewish community, as well as several other faith and ethnic communities, to write to their local MPs to encourage them to support the bill.

"The sewing of this was done over some time, and now we are reaping the rewards," Marceau said.

The law comes too late to apply in the case of a teen who was convicted of and is currently being sentenced for a hate-motivated spray painting spree last November in Ottawa. Over the course of a week, the teen painted swastikas and anti-Semitic messages on two synagogues and a rabbi's

home that was also used as a prayer center. He also defaced a mosque, and a church with a black pastor with racist graffiti.

Andrea Freedman, president and CEO of the Jewish Federation of Ottawa has closely followed the case which shook the local community.

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SPECIAL INTEREST GROUPS OR
LOBBIES

WHAT DO YOU THINK ABOUT THIS? ARE YOU
GOING TO DO ANYTHING ABOUT THIS? WHAT?

LET'S READ WHAT
JESUS SAID IN LUKE
17:28-30

AND LET'S READ GEN.

19: 4-29

WITHOUT RELIGION THERE
IS NO MORALITY WITHOUT
MORALITY THERE IS NO
LAW; WITHOUT LAW THERE
IS ANARCHY . LORD
DENNING





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JOURNAL OF THE ONTARIO LEGISLATURE, 32
PARLIAMENT, 1981-1984.