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Speaker: The Honourable Andrew Scheer

PRIVATE MEMBERS' BUSINESS

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Criminal Code

The House resumed from November 3, 2011, consideration of the motion that Bill C-217, An Act to amend the Criminal Code (mischief relating to war memorials), be read the second time and referred to a committee.

The Acting Speaker (Mr. Barry Devolin):

When this matter was last before the House the hon. Parliamentary Secretary to the Minister of Justice had four minutes remaining in her speech. The hon. parliamentary secretary.

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC):

Mr. Speaker, when I last rose on Bill C-217, I stated that my colleagues opposite suggested imprisonment would be automatic, and that is not correct.

The proposed mandatory minimum penalties are graduated and, in my view, appropriate. People convicted of this offence should have no illusions as to the minimum punishment that will be meted out to them. One can only hope that these mandatory minimum sentences will be a further deterrent to the senseless acts of vandalism that are so difficult to comprehend.

I would like, however, to echo the hon. member for Dufferin—Caledon with regard to a possible amendment to the bill. I am concerned that as drafted this legislation would provide for a lesser maximum sentence where prosecuted by indictment than for other mischief offences.

I for one would certainly support an amendment, were it brought forward, that would increase the maximum penalty from five years to ten years in order to ensure consistency in terms of the maximum sentence that could be imposed where the Crown proceeds by way of indictment.

I support the objectives of the bill, denouncing conduct which shows disrespect to fallen Canadian servicemen and women. One only need think of the repatriation ceremonies we have witnessed to condemn this criminal behaviour as requiring special review.

I invite all members of the House to support our veterans and support this legislation.