



DEBATES OF THE SENATE

1st SESSION • 41st PARLIAMENT • VOLUME 148 • NUMBER 141

OFFICIAL REPORT
(HANSARD)

Thursday, February 28, 2013

The Honourable NOËL A. KINSELLA
Speaker

CONTENTS

(Daily index of proceedings appears at back of this issue).

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: David Reeves, National Press Building, Room 926, Tel. 613-947-0609

Published by the Senate
Available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, February 28, 2013

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I have the happy duty to call your attention to the presence in the gallery of our former colleague the Very Reverend, the Honourable Dr. Lois Wilson.

On behalf of all honourable senators, I welcome you back to the Senate of Canada.

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

INTERNAL ECONOMY COMMITTEE

PRIMARY AND SECONDARY RESIDENCES

Hon. David Tkachuk: Honourable senators, the Internal Economy Committee is responsible for the payment of expenses incurred by senators while they are doing their job. It is neither in our mandate nor our jurisdiction to make any findings on the constitutional question of residency. There has been some confusion on this matter. In the history of the Senate, the declaration of primary residence is a rather recent administrative form and applies only to the question of submitting expenses.

On June 18, 1998, the Senate adopted a policy that provides that senators who come to Ottawa to carry out their parliamentary functions, and who are more than 100 kilometres from their registered primary residence, are on travel status in Ottawa and may be reimbursed for eligible living expenses in the National Capital Region. This policy follows the recommendation of the 1998 Blais Commission to Review Allowances of Members of Parliament. It was patterned after a similar policy adopted by the House of Commons. The budget set for this purpose for 2012-13 is up to \$22,000.

In December 2012, it was determined that three senators' residency expense claims needed to be reviewed. With the approval of the Internal Economy Committee, the steering committee of the Subcommittee on Agenda and Procedure referred the claims of one senator to Deloitte. A special subcommittee of the Internal Economy Committee, chaired by Senator Beth Marshall, referred the claims of two other senators to Deloitte as well.

Subsequently, to establish primary residency, all senators were asked to submit copies of three documents — a driver's licence, a provincial health card, and relevant information on their income tax return — together with a signed statement of where they vote. Senators' travel patterns to their primary residences were also reviewed. It was felt that these five criteria would provide the Internal Economy Committee with the information necessary to establish a senator's primary residence. Providing a senator has to travel more than 100 kilometres from the NCR to their primary residence, he or she is eligible to claim a secondary residence. The results of the review of the documentation that was submitted were as follows:

All 98 senators responded to the request for information. There were five vacancies and two pending retirements when the requests were sent.

The steering committee of the Internal Economy Committee agreed that if a senator met all four indicators, supported by travel documentation, they were deemed to have been interviewed.

The committee interviewed two senators to obtain additional information. Following these interviews, media reports suggested incorrectly that the residency status of Senator Patterson was in question. Senator Patterson satisfied the committee that his primary residence is in Nunavut. The other senator, Senator Zimmer, also met all requirements.

As a result of this process, no other senators were referred to external auditors.

In order to improve stewardship of Senate operations with respect to primary and secondary declarations, your committee makes the following recommendations:

That accompanying their primary residence declaration, each senator furnish a driver's licence, a health card and a relevant page of their income tax form each and every time the declaration is signed;

That the declaration is signed annually for the purpose of claiming living expenses in the NCR;

That the Standing Committee on Internal Economy, Budgets and Administration instruct management to standardize terminology in the Senate's policy instruments; and

That the Senators' Travel Policy be reviewed to comply with primary residence declarations.

Thank you, honourable senators.

[Translation]

BLACK HISTORY MONTH

DIVERSITY IN THE CANADIAN ARMED FORCES

Hon. Roméo Antonius Dallaire: Honourable senators, Canadian society is multicultural, and there is no turning back. That is an undeniable fact.

The Canadian Armed Forces are a reflection of this cultural diversity, and we are proud of it.

This cultural diversity is celebrated in a visible way in February, both in Canada and the United States, when we honour, Black people's history and their contributions to our society. Here and now, we are fulfilling our duty to remember. Let us celebrate the present and pave the way for a fairer society in the future.

During this month, we celebrate the sacrifices of Black Canadians who, despite racial prejudice, served Canada with integrity and honour. We remember people like the five Carty brothers, who, following in the footsteps of their father, Albert Carty, served in World War II. Five brothers!

Albert, their father, distinguished himself in World War I serving alongside 1,049 Black Canadians in the No. 2 Construction Battalion, which was formed in Pictou, Nova Scotia.

• (1340)

Most of the members of that regiment worked in the forest region of Jura, France. Sergeant Seymour Taylor was among those who fought in the ranks of this battalion. He served during both world wars. Among other honours, he received the Victoria Cross, the British War Medal, the Canadian Volunteer Service Medal, and the National Defence Medal.

We also remember the Black women who, although not allowed to participate in Canada's war effort in the Second World War, formed the Black Cross nurses, modelled on the Red Cross, and worked in various communities providing medical aid and assistance to the less fortunate.

Let us also note the outstanding work of the only Black military chaplain in the entire British Empire, who distinguished himself on the battlefield. Reverend Captain William Andrew White served during the First World War as a member of the No. 2 Construction Battalion. When he returned to Canada, he served as a pastor at Cornwallis Street Baptist Church for 17 years.

These Black soldiers, officers and non-commissioned officers served with distinction, honour and courage and sacrificed their blood, sweat and tears—they and their families—for this country. Canada had a discrimination problem. Sooner or later, one day, we will eliminate this scourge and Canada will become the fair country that we all believe in.

[English]

CHINESE NEW YEAR

Hon. Don Meredith: Honourable senators, I would like to extend my warmest greetings to all those celebrating Chinese New Year. May the year of the snake bring good health and prosperity to all Canadians.

This year also marks the forty-third anniversary of the establishment of diplomatic relations between the People's Republic of China and Canada. As we reflect on this partnership, let us pay tribute to the struggles of historical Chinese immigrants, the accomplishments of current prominent Chinese Canadians, and the strengthening ties between China and Canada.

Early Chinese immigrants into Canada suffered multiple hardships in their struggle to find equality and opportunity in Canada. Implementation of the Chinese Head Tax, the Chinese Immigration Act and the subsequent Exclusion Act deeply scarred the Chinese Canadian community.

Under the initiatives of the Conservative government, a formal apology and compensation was awarded to surviving head-tax payers and widowers in 2006. The Community Historical Recognition Program was also established to educate Canadians about past discriminatory measures.

Chinese communities in Canada have risen above hardship, propelled by change agents such as K. Dock Yip, who was instrumental in facilitating the abolishment of the Chinese Exclusion Act.

In the words of the great Martin Luther King, "It always seems impossible until it is done." Measures to remedy discrimination and injustice and the strength of the Chinese have prevailed, allowing Chinese Canadians to make enormous and invaluable contributions to the economic and cultural roots of this country.

Mahatma Gandhi stated, "The weak can never forgive. Forgiveness is the attribute of the strong."

As the Chinese Canadian population in Canada continues to grow and flourish, the vibrant Chinese culture has been embraced as an integral part of the Canadian mosaic. The influence of Chinese culture is prominent in Canada today. We need to look no further than the Canadian debut of the China Disabled People's Performing Arts Troupe, which recently toured three Canadian cities, donating a portion of its profits to Easter Seals Canada last fall; or the many Chinese films that were in the spotlight at the Montreal World Film Festival; or the paintings of Yu Liang that were displayed at the opening ceremony exhibit of the Mennonite Heritage Centre Gallery in Winnipeg. These events highlight only a few of the rich cultural exchanges Canadians enjoy.

Chinese Canadians not only inject cultural events into Canadian society but influence sports as well through the popularity of activities such as martial arts, dragon boat races and Ping-Pong.

In addition to exporting culture and sports, China exports goods, services and knowledge to Canadians. The signing of the Foreign Investment Promotion and Protection Agreement in September has greatly boosted trade relations between China and Canada. Last year China's Minister of Commerce, Chen Deming, met with Minister Fast in Vancouver to discuss further expansion of trade this past January. Minister Ablonczy consulted with Chinese counterparts on responses to emergency management.

As relationships grow and strengthen between Canada and China, economic stability and strong future prospects allow for significant opportunities for further prosperity and collaboration.

I encourage all honourable senators to take part in the many festivities that celebrate lunar New Year in support of the Chinese community in Canada.

[Translation]

ALBERTA'S CARNAVAL DE SAINT-ISIDORE

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, it was with great pleasure that I attended the 31st annual Carnaval de Saint-Isidore in Alberta, which was held from February 15 to 17 at the Saint-Isidore cultural centre and adjacent outdoor sites.

The Carnaval de Saint-Isidore is a large French-language winter festival that attracts over 3,000 people every year, including groups of students from French-language and French immersion schools.

The carnival's theme this year was: "Lego carnival: come help build a legacy".

I am very pleased to learn that, this spring, a large construction and renovation project will begin at the Saint-Isidore cultural centre. This is very good news that responds to the community's growing needs.

I had often heard about how big this carnival is. When I visited, I was impressed to see the wonderful work being done by about a hundred volunteers, the great decorations and outdoor facilities, the performances by artists who showcase the community's uniqueness, the energy and enthusiasm of participants and a program that was well suited to the participating schools.

The carnival has a huge impact on the community and the entire region. Saint-Isidore is a small, vibrant community in northern Alberta that is committed to attracting partners and organizers who are interested in providing fun, traditional winter activities for all ages.

The carnival is known throughout the province and, over the years, it has become a must-attend event.

The carnival contributes to the development of the community and the entire region. It is a key event for the promotion of the French language and culture in Alberta.

I am proud that this large French-language winter festival is such a success and that it provides the opportunity for people to get together with family and friends and participate in a wide variety of fun activities, while taking advantage of the joys of winter.

I would like to congratulate all the organizers and volunteers whose energy and generosity helped to make the carnival such a great success again this year.

Congratulations and all the best to the Carnaval de Saint-Isidore.

[English]

THE LATE MS. DAURENE E. LEWIS, C.M.

Hon. Jane Cordy: Honourable senators, I speak today in remembrance of a wonderful Nova Scotian, Miss Daurene Lewis. Daurene's ancestors were Black Loyalists who came from the United States in an effort to escape slavery and war and settled in Nova Scotia in 1783. She traces her specific family roots to Rose Fortune, a young girl who settled in Nova Scotia after having escaped the American Revolution.

Daurene's parents insisted that all three of their children receive a proper education. Daurene enrolled at Dalhousie University in order to study nursing. After completing her nursing degree, she moved to Toronto to work but returned to Nova Scotia when her mother took ill.

Her mother was a skilled weaver, and so Daurene learned the skill from her in order to preserve that family tradition. She eventually became a skilled textile artist and opened a weaving and design studio, which also served as a gathering spot for artisans in the community.

Daurene first entered politics when she ran for a seat on the Annapolis Royal town council in 1979. In 1984 she was elected as the first Black female mayor to be elected in Canada. Daurene insisted that her aim was, "to be a good mayor, not a good lady mayor or a good black lady mayor." In 1988 she also became the first Black woman in Nova Scotia to run in a provincial election.

Daurene was a tireless volunteer and served on many provincial boards, including the Premier's Council on the Economy. She was Chair of the Africville Heritage Trust and was instrumental in building a replica of Halifax's historic Africville Church. She had been principal of two Nova Scotia community college campuses in the Halifax region and for the past decade had been vital to their growth and development.

She also completed her Master of Business Administration and served as Executive Director at Mount Saint Vincent University's Centre for Women in Business. In 2002 she was the recipient of the Order of Canada.

Daurene Lewis passed away on January 26 of this year. I am certainly privileged to have known her. When one asked Daurene for her advice, one was always given a well thought out response, whether it was the response one wanted or not.

• (1350)

I will leave honourable senators with this quotation from Daurene Lewis: "If I could teach one thing to the next generation, it would be that no one should accept the status quo."

She certainly did not accept the status quo, and for that we thank her. She made Nova Scotia a better place. I would like to extend my condolences to Daurene's family.

ROUTINE PROCEEDINGS

COASTAL FISHERIES PROTECTION ACT

BILL TO AMEND—EIGHTH REPORT OF FISHERIES AND OCEANS COMMITTEE PRESENTED

Hon. Fabian Manning, Chair of the Standing Senate Committee on Fisheries and Oceans, presented the following report:

Thursday, February 28, 2013

The Standing Senate Committee on Fisheries and Oceans has the honour to present its

EIGHTH REPORT

Your committee, to which was referred Bill S-13, An Act to amend the Coastal Fisheries Protection Act, has, in obedience to the order of reference of Wednesday, November 28, 2012, examined the said bill and now reports the same without amendment.

Respectfully submitted,

FABIAN MANNING
Chair

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator MacDonald, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

INTERPRETATION ACT

TWENTY-FIRST REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Bob Runciman, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, February 28, 2013

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

TWENTY-FIRST REPORT

Your committee, to which was referred Bill S-207, An Act to amend the Interpretation Act (non-derogation of aboriginal and treaty rights), has, in obedience to the order of reference of Thursday, June 7, 2012, examined the said bill and now reports the same with the following amendment:

Clause 1, page 1:

Replace, in the French version, line 6 with the following:

"8.3 Nul texte ne porte atteinte aux droits".

Respectfully submitted,

ROBERT W. RUNCIMAN
Chair

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Runciman, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

NINETEENTH REPORT OF COMMITTEE PRESENTED

Hon. David Tkachuk, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, February 28, 2013

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

NINETEENTH REPORT

This report concerns the payment of allowances to senators whose primary residence is more than 100 kilometers from Parliament Hill.

The Internal Economy Committee is responsible for the payment of expenses incurred by senators while they are doing their job. It is neither in our mandate nor our jurisdiction to make any findings on the constitutional question of residency. There has been some confusion on this matter. In the history of the Senate, the declaration of primary residence is a rather recent administrative form and applies only to the question of submitting expenses.

On June 18, 1998, the Senate adopted a policy that provides that senators who come to Ottawa to carry out their parliamentary functions, and who are more than 100 kilometers from their registered primary residence, are on travel status in Ottawa and may be reimbursed for eligible living expenses in the National Capital Region. This policy followed the recommendation of the 1998 Blais Commission to Review Allowances of Members of Parliament. It was patterned after a similar policy adopted by the House of Commons. The budget set for this purpose for 2012-13 is \$22,000.

In December 2012, it was determined that there were three senators whose use of secondary residence expenses required review. With the approval of the Internal Economy Committee, the Subcommittee on Agenda and Procedure (Steering Committee) referred the claims of one senator to Deloitte. A Special Subcommittee of the Internal Economy Committee chaired by Senator Beth Marshall referred the claims of two other senators to Deloitte as well.

Subsequently, to establish primary residency all senators were asked to submit copies of three documents: a driver's license; a provincial health card; and relevant information on their income tax return, together with a signed statement of where they vote. Senators' travel patterns to their residences were also reviewed. It was felt that these five criteria would provide the Internal Economy Committee with the information necessary to establish a senator's primary residence. Providing a senator has to travel more than 100 km from the NCR to their primary residence, he or she is eligible to claim a secondary residence. The results of the review of the documentation that was submitted is as follows:

- All 98 senators responded to the request for information. There were five vacancies and two pending retirements when the requests were sent.
- The Steering Committee of the Internal Economy Committee agreed that if a senator met all four indicators supported by travel documentation they were deemed to have been interviewed. This resulted in two Senators being interviewed, Senator Zimmer and Senator Patterson. Both explained to the complete satisfaction of the interviewers that their travel claims were in order.
- As a result of this process no other Senators were referred to external auditors.
- It should be noted that the travel claims of a fourth senator were referred to an external auditor. This was not part of this review.

In order to improve stewardship of Senate operations with respect to primary and secondary declarations, your Committee makes the following recommendations:

1. That accompanying their primary residence declaration each senator furnish a driver's licence, a health card and the relevant page of their income tax form each and every time the declaration is signed. This declaration is signed annually for the purpose of claiming living expenses in the NCR;
2. That the Internal Economy Committee instruct management to standardize terminology in the Senate's policy instruments;
3. That the *Senators' Travel Policy* be reviewed to comply with primary residence declarations.

Respectfully submitted,

DAVID TKACHUK
Chair

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

Senator Tkachuk: Honourable senators, with leave of the Senate and notwithstanding rule 5-5, I move that the report be considered later this day.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

(On motion of Senator Tkachuk, with leave of the Senate and notwithstanding rule 5-5, report placed on the Orders of the Day for consideration later this day.)

• (1400)

CANADA NATIONAL PARKS ACT

BILL TO AMEND—SEVENTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE PRESENTED

Hon. Richard Neufeld, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, February 28, 2013

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

SEVENTH REPORT

Your committee, to which was referred Bill C-370, An Act to amend the Canada National Parks Act (St. Lawrence Islands National Park of Canada), has, in obedience to the order of reference of Tuesday, February 26, 2013, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

RICHARD NEUFELD
Chair

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Neufeld, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[*Translation*]

THE SENATE

NOTICE OF MOTION TO AFFIRM VALUES
OF THE COMMONWEALTH

Hon. Hugh Segal: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That whereas the Senate recognizes the values of the Commonwealth of Nations, which include the promotion of democracy, human rights, good governance, the rule of law, individual liberty, egalitarianism, judicial independence and the rights of girls to education—values that the Parliament of Canada has long advanced and defended;

That whereas the Senate recognizes that the Commonwealth is an important association of 54 countries, consisting of 2.4 billion citizens of all faiths and ethnicities, that support each other and work together toward shared goals in democracy and development;

That the Senate take note that the global fight for democracy, the rule of law, religious tolerance and development needs a strong, focused and authoritative Commonwealth;

That the Senate welcome the new Charter of the Commonwealth, which was approved by all Commonwealth Heads of Government in December 2012, and urge its broad circulation in both official languages throughout Canada; and

That the Senate affirm the importance of the Commonwealth to promoting the aforementioned values, which are in the best interest of all nations.

[*English*]

QUESTION PERIOD

PUBLIC SAFETY

CORRECTIONS CANADA—EVENTS SURROUNDING
THE DEATH OF ASHLEY SMITH

Hon. Joan Fraser: Honourable senators, I have a question for the Leader of the Government in the Senate. This has to do with the sequels to the tragic Ashley Smith affair.

As we now know, thanks to testimony before the coroner's inquest, at least one of the guards who were wrongfully fired for obeying orders and refusing to rescue Ms. Smith was later reinstated and allowed to resign. He was offered payment for all the time when he had been fired — not just regular pay but time and a half and, indeed, double time, plus another \$25,000. All he had to do in exchange was just not tell anybody.

In the absence of an explanation, ordinary Canadians could be forgiven for thinking that the considerable sum of money this man received was what ordinary people would call hush money. The *Criminal Code* would have another word.

What has the government done to determine how and why this unusual — not to say alarming — situation arose?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. As she knows, I share everyone's view about what a sad and tragic case this was. Obviously, our thoughts and prayers go out to the family of Ashley Smith.

As we know, the coroner's inquest is still ongoing. The government directed Corrections Canada to cooperate fully with the coroner's inquest. Beyond that, until the process is complete, there is nothing much more I can add as the Leader of the Government in the Senate. However, I will notify the minister's office about the honourable senator's specific question. At the end of the day, and when the inquest is over, either this will be answered through the inquest or we can provide a written response.

Senator Fraser: I thank the minister for that.

The fact is, however, it is now clear that the wrong heads rolled — not only that of the guard whose testimony we know about, but others' as well. We are talking about a lot of public money in addition to the more than \$3.5 million that Corrections Canada spent trying to block the release of vital evidence to the coroner's inquest.

We know that the case of Ashley Smith figured prominently, frequently on a daily basis, in reports that Corrections Canada draws up and that circulate up to the very highest levels of that service.

My question is really this: Why have no heads rolled at the highest level of that service?

Senator LeBreton: I thank the honourable senator for the question.

Obviously, the coroner's inquest is ongoing. Like most of us, I am reading about it, especially Christie Blatchford's accounts, which are always excellent; she is an excellent writer. The government did instruct Corrections Canada to cooperate fully with the coroner's inquest. Until the coroner's inquest has completed its work and reported, there is nothing I can say at this point with regard to what actions will be taken with any of the individuals involved.

Senator Fraser: I appreciate the leader's difficulty given that the inquest is ongoing. However, what we are talking about now are internal administrative matters. It seems pretty clear to me that nothing would have precluded action within the Correctional Service of Canada to discipline those who had so clearly and flagrantly failed in their duty and then tried to cover it up.

I would appreciate, when you go back with my query to the minister, receiving whatever information can be given to us about what was done with those people, some of whom, as I said, probably reside at the very highest levels of the service. Without action of that nature, we cannot believe that Corrections Canada will really have learned anything.

• (1410)

Senator LeBreton: Again, honourable senators, much of this information became known to us through the process of the coroner's inquiry, so I do not think we should predetermine or presuppose what the outcome of the inquiry and its recommendations will be, including what they may say about the actions or inactions of people who were responsible, people who were involved with Corrections Canada.

Again, no comments can be made until we hear the results of the inquiry and the recommendations, because much of this information about these individuals, of course, was brought to light as a result of the inquiry. As I pointed out, the government instructed Corrections Canada to fully cooperate with the inquiry.

ENERGY

NATIONAL ENERGY STRATEGY—CLIMATE CHANGE

Hon. Grant Mitchell: Honourable senators, Premier Redford of Alberta recently visited Washington to make the case to decision makers there to approve the Keystone XL pipeline.

As capable as she is in doing that, and as much as she should be admired for providing leadership on the national energy file and for trying to make that case, she only speaks for Alberta. The international community — certainly the communities of interest in the U.S., the decision makers there — knows that she only speaks for Alberta and that the Prime Minister of Canada speaks for Canada. However, the Prime Minister of Canada is nowhere to be seen — on the national energy strategy or outside this country — selling, among other things, the Keystone project on behalf of the province of Alberta and all Canadians.

Why is it that the Prime Minister would not step up to the plate, accept his responsibility in developing and leading a national energy strategy, and accompany Premier Redford — and perhaps other premiers — to Washington to make the case on behalf of projects like this? Where is he? He is missing in action.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, of course that is flat-out false. The Prime Minister has made his views known publicly in the United States and, in fact, made his views known directly to the President of the United States.

We have an excellent ambassador in the person of Gary Doer. We have excellent ministers who are regularly meeting with their counterparts. Minister Baird was in Washington not long ago meeting with the new Secretary of State. We have had parliamentary delegations, including some of our own colleagues here and from the other place. There is a great deal of work being done in the United States by all levels of government, right up to the Prime Minister, in promoting the Keystone XL pipeline and this work will continue.

Senator Mitchell: The one person missing from that list of all the people who are working in Washington and working with the U.S. is the Prime Minister. It is one thing to send an email; it is another thing to sit down with the President of the United States face to face and make the case.

What is the Prime Minister afraid of? Is he running from this particular effort and this particular exercise publicly so that he will not be tied to it in the event that it is turned down? Believe me; it may well be turned down.

Senator LeBreton: Actually, honourable senators, the one person who was not missing in my answer was the Prime Minister. The Prime Minister has vigorously made the case for the pipeline, directly with the President, in meetings with the President. The Prime Minister has spoken in public forums in the United States and in Canada. He has spoken to the President. The Prime Minister is not missing in action, despite the honourable senator's ridiculous claims.

Of course, it is to be hoped that ultimately the decision will be made to proceed, which I am happy to see is supported by a great number of United States citizens who have commented on public opinion polls concerning this issue.

Senator Mitchell: Of course, if the Prime Minister accompanied the premier to Washington, he would actually have to meet with her, and he certainly does not want to do that, it seems.

Premier Redford made the point that the U.S. is linking Keystone approval to serious climate change action and climate change action results. This is a government that will not even state unequivocally that they accept the science of climate change.

Does the leader not think that it would be very helpful in sending the message about our environmental credibility and our credibility on climate change action, and critical to selling the U.S. on the Keystone project? Does the leader not think it would help if the Prime Minister and perhaps the Minister of Natural Resources stood up and said clearly, definitively and often that they absolutely, unequivocally accept the science of climate change?

Senator LeBreton: That is another absolutely false statement, honourable senators, and statements like that do not help. What the honourable senator says is not true. The Minister of the Environment, the Minister of Natural Resources and the Prime Minister have all made the case, and many other third parties are making the case in the United States, that there is a lot of misinformation, driven by misinformed people in some elements of the media.

With regard to climate change, I will repeat this. It seems that I have to keep repeating this for the honourable senator's edification. We are balancing the need to lower emissions with our need to create jobs and economic growth. Canada's emissions in 2010 were 6.5 per cent below 2005 levels, while Canada's economy grew by 6.3 per cent over the same period.

According to *Canada's Emissions Trend 2012* report, we are now halfway to our target of reducing total greenhouse gas emissions by 17 per cent from 2005 levels by 2020. This shows the significant progress we are making in meeting our Copenhagen commitment.

On February 25, just a few days ago, Minister Kent announced final regulations to improve fuel efficiency and reduce emissions from new on-road heavy-duty vehicles and engines. They will establish progressively more stringent standards for 2014-to-2018-model-year heavy-duty trucks, such as full pick-up trucks and buses.

We are moving forward to reduce emissions on a sector-by-sector basis. For example, we are implementing regulations for coal-fired electricity which will reduce emissions by 214 megatons over the period 2015-2035. We expect that every coal-fired plant in Canada will eventually be closed, with the first plants closing in the next few years. Consultation on regulations will see greenhouse gas emissions from cars and light trucks fall by 50 per cent by 2025. Finally, we will continue to work with our partners, most particularly the United States, and to reduce emissions from other sectors, including oil and gas.

Senator Mitchell: On the one hand, honourable senators, the leader is saying that the Prime Minister, officials and premiers are working diligently in the U.S. to get that message across, and I would presume they have been explaining that very well. It is not

as though the President of the United States gets his information from the media on these things, so they must be getting the message from the Prime Minister, if he is as successful as the leader says he is. Yet, as recently as a week ago, Premier Redford was being told that they are tying climate action to the Keystone approval, implying that, clearly, we have not done enough.

What will we do in Canada, between now and the decision-making time, to prove to the U.S. that we actually do have credibility on the environmental file? What will we do in addition that will prove that we are actually getting results on climate change and emissions reduction so that we will get the social licence so that the president can approve that project?

Senator LeBreton: Honourable senators, we have heard many people, including the minister, saying that the United States officials know full well what we are doing on the environmental file on greenhouse gas emissions. Of course, when we are dealing with our American counterparts, it is the responsibility of all Canadians to reinforce all the things that are being done in this country.

As I mentioned earlier, Ambassador Doer is doing an outstanding job working with the Congress and the Senate in the United States, informing them of Canada's great progress in this area.

There is a great deal of cooperation between the Prime Minister and the President. They have a very good working relationship. We will continue doing what we are doing now — informing, correcting misinformation and working with the Americans with the shared goal of reducing greenhouse gas emissions. We believe that we are living up to our commitment in this regard.

• (1420)

Senator Mitchell: The leader is a member of cabinet. Does she believe in the science of climate change?

Senator LeBreton: Of course I do, and so do people in the government. The Prime Minister has stated that many times.

ABORIGINAL AND NORTHERN AFFAIRS

EDUCATION AND SOCIAL SERVICES

Hon. Jim Munson: Honourable senators, my question is directed to the Leader of the Government in the Senate. Last December, Senator Dyck and I asked why funding for First Nations children living on reserves lags so far behind that of their peers in provincial school systems.

The leader used the word “commendable” when she talked about the government's record. However, according to reports this week, education is not the only underfunded government program affecting children living on reserves. Social assistance is also woefully insufficient and is literally tearing families apart by forcing thousands of young Aboriginal children out of their homes and into foster care.

As the leader might have read, this matter is now before the Canadian Human Rights Commission, where underfunding of services, including education, as well as high rates of Aboriginal children in foster care will be examined over the next 14 weeks.

Shawn Atleo, the Chief of the Assembly of First Nations, testified at the hearing a few days ago. He cited studies indicating that other Canadian children receive 22 per cent more social assistance from the provinces.

Before the leader tells honourable senators that social assistance funding for First Nations children has increased by 25 per cent since 2007, will she explain why her government has spent more than \$3 million during that same time frame fighting this human rights complaint instead of investing more in young Aboriginal children? Would she also describe this record as commendable?

Hon. Marjory LeBreton (Leader of the Government): I absolutely would describe the government's efforts in this regard as commendable, and I believe that the new Minister of Aboriginal Affairs and Northern Development Canada will, as he has stated publicly, work with our First Nations leaders to resolve all of these issues.

Obviously, the best way to resolve these issues is to ensure that all levels of government and the leadership of the First Nations get together and support efforts to improve the lives of Aboriginal families, including children, and to ensure that they get proper education.

Minister Valcourt has already held a number of meetings. Many recommendations have been made to the minister and the government. I thank Senator Munson for repeating that we have increased funding to these services by 25 per cent. We will continue to work with First Nations to ensure that children and families get the support they need. We know the importance of this. I am confident that going forward Minister Valcourt and the government will give these matters the attention that is needed to get the results that are absolutely necessary.

Senator Munson: An increase of 25 per cent is not enough. The provinces are doing more for our children than the federal government is doing for Aboriginal children.

The Leader of the Government in the Senate and Chief Atleo are not on the same page on this issue. The situation is eerily reminiscent of the infamous residential school system which is a scar on our shared history.

The leader's government formally apologized for this four years ago, but this week Mr. Atleo drew this comparison during an interview with *The Globe and Mail*. He said:

While the previous policy was explicit in seeking to remove children and to 'kill the Indian in the child,' the experience of first nations in relation to the child-welfare

system is that, if it's not the explicit intent to kill the Indian in the child and remove children, it certainly has been the experience in our communities.

He added:

They are being deprived of their language, their culture and the places they call home.

Social workers must make every effort to keep children in their family homes. This is according to Mr. Atleo. You can use the word "commendable" and talk about your funding increases, but not very much has changed.

There is simply not enough money to finance the services that would allow this to occur. The figures do not lie. There were 27,000 young Aboriginal children in foster care as of 2006.

In comparative history, this exceeds the number of children entering the residential school system at its peak. This is 2013.

Can the leader undertake that the government will, in addition to spending the 25 per cent increase, reverse this disturbing trend?

Senator LeBreton: Honourable senators, obviously the government is seized of these issues. The previous minister moved these files a considerable way.

I should remind the Honourable Senator Munson that it was our government, the Harper government, that introduced an enhanced prevention-based approach to protect thousands of children living on-reserve. We were the ones that resolved the residential school issue. We have made great strides. That is not to say that there is not a lot of work yet to do. There obviously is.

With regard to education, we have increased transfers to provinces because much of this is administered by provinces. There is obviously a lot of work to do, but any fair person, even you, Senator Munson, would have to acknowledge that on these files this government has made a huge effort to improve the situation with regard to our Aboriginal citizens. Much information has been provided to this chamber, including about the amount of money we have spent building schools. The government has done a host of things that I have put on the record many times.

Is it enough? Obviously there is still a lot to do. Minister Valcourt is the type of person who will advance these files. I am looking forward to his doing so in the interests of not only the Aboriginal peoples but all Canadians.

Senator Munson: I do not know why the leader always has to say "even you," but I guess that is just her way.

The leader is conceding, in the interest of fairness, that the government has not done enough, because she just said there is a lot more to do.

Senator LeBreton: It is just me. I was simply saying that we have done a great deal. This is a growing population, and there are many complex issues. Obviously there is a great deal of work to do. The honourable senator must not read into this that I am conceding that we have not done a great deal, because we have.

[Translation]

SCIENCE AND TECHNOLOGY

SUPPORT FOR RESEARCH AND DEVELOPMENT

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, on February 20, Democracy Watch and the Law Clinic of the University of Victoria, proof in hand, asked the Information Commissioner of Canada for a full investigation into the government's communication policy concerning scientific research. This request is just the latest denunciation of the government's policy concerning federal scientists. The government's policy muzzles Canadian scientists and does not allow the public full and timely access to publicly funded science.

Can the leader tell us if the government will finally put an end to its policy of muzzling federal scientists, which keeps them from doing their work fully and keeps Canadians from having access to the science they funded?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I have answered this before. The government is proud of our scientists and proud to promote the work they do. We have invested a great deal in science and research in this country. That is why we share research material and publish research findings. Our scientists provide thousands of interviews per year regarding their work, and they lecture at conferences all over the world. They are not being muzzled.

• (1430)

Senator Tardif: Honourable senators, clear examples of the muzzling of government scientists were again reported in the media in the last few days. In one case, the government has imposed new confidentiality rules on an Arctic science project assessing ocean circulation. DFO scientists and an American researcher from the University of Delaware have been collaborating on this project since 2003. According to the American researcher, the previous Canada-U.S. agreement for the project signed in 2003 was 11 pages long, contained two sentences on publication and encouraged the sharing of information. The new agreement imposes sweeping new restrictions and, according to the American researcher, could prevent researchers from publishing scientific findings, blogging about their project or sharing information on the project with the media and public, which is encouraged by the U.S. agencies co-funding the project. She added that the new agreement was an affront to academic freedom and a potential muzzle and is refusing to sign it, ending the collaboration on this project.

Honourable senators, this is political control over the communication of scientific results. How are these rules not meant to muzzle researchers with inconvenient findings?

Senator LeBreton: Honourable senators, I am not aware of this article. I do not know the information that the senator has put before the Senate. I doubt very much that they have been muzzled. I will be very happy to take the question as notice and get a written answer.

Senator Tardif: Let us get the facts straight, honourable senators. Government scientists are not allowed to speak to journalists without the consent and supervision of public relations specialists. Delays for interviews are far too long. In some cases, scientists have been told they cannot speak to the media at all, even if their research findings have been published. In fact, scientists from Environment Canada, from Fisheries and Oceans and from Natural Resources have been informed that they cannot speak to the media without prior consent. How is that not muzzling?

Senator LeBreton: Honourable senators, I am afraid I cannot match Senator Tardif as a drama queen. All I can say is that the policy of the government, whether it was the Mulroney government, the Chrétien government, the Martin government or the Harper government, is that ministers are responsible for speaking for their own portfolio, which is often the case when there is government work to be communicated. Having said that, I will resist the dramatic flair. I am totally unaware of the instance of which the honourable senator speaks. I will take her question as notice and provide a written response.

ORDERS OF THE DAY

CANADA-AFRICA PARLIAMENTARY ASSOCIATION

BILATERAL MISSION, JANUARY 19-26, 2013— REPORT TABLED

Leave having been given to revert to Tabling of Reports from Interparliamentary Delegations:

Hon. A. Raynell Andreychuk: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Africa Parliamentary Association respecting its Bilateral Mission to the Republic of Kenya and the Republic of Malawi, January 19 to 26, 2013.

QUESTION OF PRIVILEGE

SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, I am ready to rule on the question of privilege raised by Senator Cools on February 26. The basic concern relates to actions of the Parliamentary Budget Officer, an officer of the Library of Parliament, that may have brought disrepute on Parliament and undermined the control of the houses over the administration of parliamentary affairs. In particular, the Parliamentary Budget Officer has applied to the Federal Court asking it to define his mandate as part of an ongoing disagreement with the executive that he has recently raised at an international conference. The importance of this issue is reflected by the fact that consideration of the question of privilege was, exceptionally, spread over two days, with Senators Carignan, Comeau, Fraser, Mitchell and Tardif all taking part, along with Senator Cools.

[Translation]

Before dealing with the specifics of the issue, it would be helpful to review how the process for dealing with questions of privilege works. The Speaker's role at this initial stage is limited to determining whether there is a *prima facie* case of privilege, that is to say whether a reasonable person could conclude that there may have been a violation of privilege. This ruling does not deal with the substance of the case. If a *prima facie* case of privilege is established, the senator who raised the matter can, under rule 13-7(1), move a motion, which is subject to debate and can be amended.

[English]

In conducting the initial review the Speaker is guided by the four criteria set out in rule 13-3(1), all of which must be met for a *prima facie* case of privilege to be established. I shall now review each of the criteria to see how they relate to this question of privilege.

The first criterion is that the question be raised at the earliest opportunity. The international meeting at which the Parliamentary Budget Officer apparently made remarks that are the subject of this question of privilege was only reported last week in the *Ottawa Citizen*, and Tuesday, February 26 was the first day the Senate sat after that press coverage. Senator Cools therefore raised her question at the earliest opportunity. I also accept Senator Cools' position that when matters escalate, it is necessary and legitimate to look back at the whole picture. As such, I am satisfied that the first criterion has been met.

[Translation]

The second and third criteria can be considered together. They are that the matter "...directly concerns the privileges of the Senate, any of its committees or any Senator" and that it "be raised to correct a grave and serious breach."

[English]

The Parliamentary Budget Officer serves in the Library of Parliament, which is under the direct control of the Parliamentary Librarian, reporting to the two Speakers, who are assisted by the

Standing Joint Committee on the Library of Parliament. As such, the Parliamentary Budget Officer operates under the authority of the two houses and must act within the framework of this organizational structure. In fact, the Senate already took this position on June 16, 2009, when it adopted a report of the joint committee dealing with the mandate of the Parliamentary Budget Officer. Among other things, the report recommended that the officer should "...respect the provisions of the [*Parliament of Canada Act*] establishing his position within the Library of Parliament...."

[Translation]

By asking the courts to decide the question of his mandate, the Parliamentary Budget Officer has disregarded the established authority and organizational structure of which he is a part. The question of his mandate is solely for Parliament to determine. The officer's actions run contrary to the constitutional separation of powers between the branches of government. As a consequence, both the second and third criteria have been fulfilled.

[English]

The final criterion is that a question of privilege "be raised to seek a genuine remedy that the Senate has the power to provide and for which no other parliamentary process is reasonably available." Senator Cools has indicated that she is ready to move a motion. This criterion has, therefore, also been met.

Before concluding, one other point, identified by Senator Fraser, should be addressed. The senator was concerned about dealing with a matter that is before the court, in effect raising the *sub judice* convention.

• (1440)

As noted at pages 627 and 628 of the second edition of *House of Commons Procedure and Practice*:

The *sub judice* convention is first and foremost a voluntary exercise of restraint on the part of the House to protect an accused person, or other party to a court action or judicial inquiry, from any prejudicial effect of public discussion of the issue. Secondly, the convention also exists... 'to maintain a separation and mutual respect between legislative and judicial branches of government'. Thus, the constitutional independence of the judiciary is recognized.

Quite importantly, the text then goes on to note that:

... the *sub judice* convention has never stood in the way of the House considering a *prima facie* matter of privilege vital to the public interest or to the effective operation of the House and its Members.

The *sub judice* convention does not, therefore, prevent the Senate from dealing with this matter.

[Translation]

A prima facie case of privilege has been established. The role of the Speaker, as identified at citation 117(2) of the sixth edition of Beauchesne, "... is limited to deciding the formal question, whether the case conforms with the conditions which alone entitle it to take precedence... and does not extend to deciding the question of substance — whether a breach of privilege has in fact been committed — a question which can only be decided by the House itself."

[English]

Under rule 13-7(1), Senator Cools now has the opportunity to move a motion either calling on the Senate to take some action or referring the case of privilege to the Rules Committee. The motion must be moved at this time, although it will only be taken into consideration at the end of the Orders of the Day or at 8 p.m., whichever comes first. Debate on the motion can last no more than three hours, with each senator limited to speaking once, and for no more than 15 minutes. This debate can be adjourned, and when it concludes the Senate will decide on the motion. The final decision is for the Senate to make.

The ruling is that a prima facie case of privilege has been established.

MOTION TO REFER TO RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT COMMITTEE

Hon. Anne C. Cools: Honourable senators, I move, seconded by the Honourable Senator Comeau:

That this case of privilege, relating to the actions of the Parliamentary Budget Officer, be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration, in particular with respect to the consequences for the Senate, for the Senate Speaker, for the Parliament of Canada and for the country's international relations; and

That the committee present its final report to the Senate no later than March 31, 2013.

The Hon. the Speaker: Honourable senators, this debate will begin at the end of Orders of the Day.

The table should call the first item of Government Business.

NATIONAL STRATEGY FOR CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY (CCSVI) BILL

FIFTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ogilvie, seconded by the Honourable Senator Wallace, for the adoption of the fifteenth report of the Standing Senate Committee on Social Affairs, Science

and Technology (Bill S-204, An Act to establish a national strategy for chronic cerebrospinal venous insufficiency (CCSVI), with a recommendation), presented in the Senate on November 22, 2012.

Hon. Art Eggleton: Honourable senators, I rise to speak on Bill S-204, which is an act to establish a national strategy for chronic cerebrospinal venous insufficiency, known also as CCSVI. I strongly believe this bill, brought forward by Senator Jane Cordy, would address the gaps in the treatment of CCSVI patients in Canada and provide choices for those who suffer from multiple sclerosis.

I want to express my disappointment that my colleagues on the other side on the Social Affairs Committee recommended that the bill not be proceeded with further. Their reasoning, which was laid out in the committee's report, was not what I believe the committee heard.

I am also dismayed we are not able to hear from Canadians suffering from multiple sclerosis or CCSVI patients. These people live in difficult conditions every day and should have their voices heard in front of the committee. It would have informed our decision making. It would have put a human face on this crucial issue. It is very important to understand the impact our decisions have on the people affected, including many other hearings before the committee.

I remember well, and Senator Segal will remember when we were dealing with the question of poverty, housing and homelessness, we went and talked to people in their home communities about the conditions that they were experiencing in poverty. We heard from them. I believe we should be listening to people who are affected. However, in this case the committee would not allow people who have gone through the procedure, or people who were suffering from MS and considering the procedure, to come before the committee.

Honourable senators, I will turn now to the committee's report. Paragraph 3 states:

... in the early stages, some patients were refused medical treatment after having experienced complications resulting from venoplasty performed in other countries. However, it should be noted that provincial health authorities and the colleges of medicine took quick action to ensure that no Canadians would be denied medical treatment.

Well, I have yet to find out what the quick action is. I have no evidence to that effect. Unfortunately, that is not what we heard at the committee and in written testimony. At the committee, Bernhard Juurlink, the director of the National CCSCI Society, told us the story of Mahir Mostic who went to Costa Rica for angioplasty; he came back to Canada and developed thrombotic problems, and doctors refused to treat him. The doctors he approached refused to treat him. He did not have money to go back to Costa Rica immediately so his friends fundraised on his behalf. Then he went back to Costa Rica. Unfortunately, his condition so far advanced, he died in that country. If he had been treated promptly by the health care system in Canada, perhaps he would be alive today.

[The Hon. the Speaker]

Honourable senators, this is not the only case of this happening. The sponsor of the bill, Senator Cordy, has told us stories from Canadians who are still experiencing neglect by doctors in the system post their angioplasty treatment.

• (1450)

We have also received a written submission from Réjane Couture from Quebec. He wrote to us saying:

... had Dr. Zamboni's treatment but no follow-up because my neurologist does not believe in it... I hope that Bill S-204 will change things. I tell myself often that my mother, who had dialysis, was given more care and had more rights than me at no cost. I wonder why there is a difference. I really question the injustice compared with other illnesses and what causes this situation.

Honourable senators, passing Bill S-204 would help ensure that no Canadian would be denied treatment. The bill calls for the Minister of Health to convene a conference of provincial and territorial health ministers for the purpose of establishing a national strategy. The national strategy would ensure that all provinces and territories would provide similar support and resources to CCSVI patients.

In paragraph 7 of the report, the committee states:

... a national registry, such as is proposed by Bill S-204, would be costly and provide little benefit in the understanding of CCSVI and patient outcomes resulting from venoplasty.

Dr. Zivadinov, a renowned expert in this field who has conducted CCSVI clinical trials, disagrees. He stated:

... absolutely, you need a national registry. You need to see how these patients are doing. In short, absolutely yes...

Dr. Laupacis, who raised some concerns about how to set up a registry, said:

A registry would obviously provide useful information, particularly about serious long-term side effects.

The committee's witnesses were clear, honourable senators. They saw the value in a national registry, even though many senators turned a deaf ear to that plea.

Canadians with MS and CCSVI patients deserve the information a registry would provide to help them make informed choices about their care. Health Canada should also be eager to have this data as they move forward.

Going on to paragraph 6 of the committee's report, it states:

On September 28, 2012 the Government of Canada announced that a research team will undertake interventional Phase I/II clinical trials for CCSVI in persons with MS. The experts testifying before your committee indicated that the Canadian trials are amongst the best in the world. These trials render large parts of the bill unnecessary.

Senator Cordy has detailed the government's delays in setting up clinical trials. I do not need to go over that further except to say that even today apparently there are delays. Last October there was supposed to be an identification of patients who were going to go through these clinical trials. Apparently that still has not happened yet. There has been delay after delay after delay. That is not serving well these people who are suffering.

I would like to highlight the limitations of these trials and how many Canadians will be excluded from them. Dr. Beaudet, the head of the Canadian Institute for Health Research, said participants have to be within an hour's drive of the trial site. This is supposed to be for all of Canada. This would place significant restrictions on who can participate in the clinical trials.

Multiple sclerosis patients from most of Ontario and Atlantic Canada, for example, who are willing to fly around the world to get treatment, if that is the only way they can get it, are not even eligible to fly to Montreal, Winnipeg or British Columbia to participate in the clinical trials. I think that is shocking.

Finally, honourable senators, I take issue with the closing paragraph in the committee's report and what was said over and over again at the committee by some senators.

The report states:

... in regards to CCSVI, MS, and health matters generally, the best path forward should be determined by science and medicine, not by Parliament.

I think, plainly and simply, this statement is nonsense. Parliament legislates the framework of science all the time. In the past few years alone our committee has conducted study after study relating to science. We reviewed the government's science strategy. We conducted a review of the health accord. We are currently reviewing the pharmaceutical industry. These reviews looked at or are looking at the government's mechanisms and frameworks that facilitate science in Canada. Bill S-204 would have led to a framework shaping how CCSVI science is conducted, and that is a role for Parliament. That is a role that Parliament has played many times in the past and will continue to do in future.

Honourable senators, let me close by reading you a letter we received from Mrs. Wendy Swanson from Sarnia, Ontario. It describes, better than any of us could, what we are dealing with. Hopefully a change of heart from the other side of the aisle can move Bill S-204 forward. She says:

I support this bill wholeheartedly and from experience as a person with Multiple Sclerosis diagnosed in 1999 when I went blind and lost my strength. In 2001 I was paralyzed

from the chest down and lost bowel and bladder control. I lived in constant pain, was weak and suffered extreme fatigue, heat intolerance, and cognitive dysfunction to the point I was looking into having a babysitter or lifeline installed. I used a wheelchair, walker and cane. I was 40 years old when this all started. I lost 12 years of my life, 6 of which I spent housebound. On January 27, 2010 I travelled to the United States and had angioplasty for CCSVI, a condition I was found to have when I received an Ultrasound in Barrie, Ontario by Dr. Sandy McDonald. No doctor was available in Canada to perform this procedure so at great expense my husband spent his retirement fund and paid for my treatment. On that very day, I got my bladder function back. I felt my lower extremities that very night. I can now enter a pool or bathtub without pain. I can swallow and chew my food properly without choking. I have saliva and do not overheat to the extreme. I can now read a book all the way through without having to stop and start over. I am no longer on my \$1,800 per month Interferon medication. Follow-up care was paid for by my husband. My Doppler reports, MRI reports and my optometrist checkups showed major improvement in lesions and blockages. I went to work at the last election for ten hours a day. I got my life back... Please support this bill.

Thank you.

Hon. Jane Cordy: Will Senator Eggleton take a few questions?

The Hon. the Speaker pro tempore: Senator Eggleton, will you take questions?

Senator Eggleton: Yes.

Senator Cordy: I thank Senator Eggleton for the great job he did in giving a chronological order of what happened at the committee and the report and, in fact, stating that the Conservative senators did not want this bill to develop a national strategy on MS and to allow those who have had the treatment done outside the country to receive care when they returned to Canada. Those senators did not want that to go to clause-by-clause, but rather came forward to the committee with a report that the Liberals voted against. Nonetheless they came forward with a report.

I am part of the committee and certainly, listening to the speech today, one would have to say that the report is misleading with a number of things stated in it that, in fact, we did not hear at the committee. One of the things, of course, was the registry. The report coming from the committee says that the registry would be costly and would not be good, whereas in fact the information that we heard was that the registry would be excellent because we have no made-in-Canada data at this time.

I refer also to the senator's comments about paragraph 6 and the clinical trials of September 28. The report states we do not need this bill because clinical trials are taking place. We know that we have had three announcements of clinical trials: June 2011, spring of last year, and September 29. The clinical trial patient recruitment was supposed to start on October 1, but we know that has not happened. Tomorrow is March 1 and we know that has not happened.

• (1500)

The honourable senator also spoke about the Canadian trials, when they finally do begin, whenever that will be. The three announcements are all we have heard in almost two years. The clinical trials announced by the government were referred to as being pan-Canadian clinical trials.

In the honourable senator's definition of pan-Canadian trials, would he not think that would include his province of Ontario, my province of Nova Scotia — in fact all of Atlantic Canada — and that if trials would be pan-Canadian then they should include MS patients from across the country? The announcement said that the trials would be pan-Canadian.

Senator Eggleton: Absolutely. Pan-Canadian does mean across the country, but if one is saying that they have to be within an hour's drive of the site where the clinical trial is being administered, then obviously many people are eliminated from participating. I think they need to restructure this, setting up more than one site to give people across the country opportunities.

Seventy-five thousand people suffer from multiple sclerosis. Canada has one of the highest rates of any country. On top of that, there is a very high suicide rate. Many people who have MS have lost hope and this is dragging out too long. As the honourable senator pointed out, it has been barely inching along and, at the same time, it does not involve all the people in this country. They should be drawing from all the parts of the country.

The Hon. the Speaker pro tempore: I am sorry to interrupt, but I must advise that the honourable senator's time has expired.

Senator Eggleton: May I have another five minutes?

The Hon. the Speaker pro tempore: Is five minutes more granted to the honourable senator?

An Hon. Senator: Ten minutes.

Senator Comeau: No more than five.

An Hon. Senator: No less than 10.

Senator Cordy: Honourable senators, Senator Eggleton's comment about many MS patients having lost hope is absolutely true. Unfortunately the suicide rate for MS patients is seven times higher than that of the average population in Canada. Indeed, that is because they have lost hope.

We heard from Senator Merchant here in the chamber and at committee that the Premier of Saskatchewan and the Health Minister of Saskatchewan invited MS patients from Saskatchewan to come and meet with them to discuss the entire

issue of MS and the problems and concerns they had and how they felt the Government of Saskatchewan should deal with it. We know that, in fact, Saskatchewan has had clinical trials up and running now for quite a period of time and the MS patients living in Saskatchewan are very fortunate.

However, we do know that the Conservative senators on our committee voted not to allow MS patients to appear before the committee. They gave reasons, but some of them were made behind closed doors so I cannot state what they are. Nonetheless, in public they voted against a motion that I brought forward to allow MS patients to come before the Social Affairs Committee. In fact, I brought forward a motion in the chamber that would allow MS patients to appear before the committee and the Conservatives unanimously voted against allowing MS patients to appear before our committee.

Does the honourable senator not feel that it would have been advantageous for us, as committee members dealing with the bill on developing a national strategy for MS patients, to have heard from people who have MS; to hear whether they were receiving care from their doctors, if they had received the venous angioplasty treatment outside the country; to determine the effects of medication that they were taking; and to determine the attitudes of their specialists? Would it have been advantageous for us to hear from MS patients on the committee?

Senator Eggleton: Honourable senators, if it was good enough for the Premier of Saskatchewan to open his office door and listen to these people, I think the committee should have done the same thing. It would have given them a chance to tell their stories and to give them some sense of hope about things. This is dragging on for far too long.

I have given honourable senators some testimony from people who have successfully gone through this operation. That is not to say that everyone reacts the same way. We know that with any procedure or medication there are different outcomes, but I see a great extent of hope here and a much better success rate than we find in many medications that are prescribed for people, in fact.

I am sorry that this is taking so long, honourable senators, because these people are suffering a lot. We do not want to give them false hope, but we certainly do not want to drag this thing out and not hear their stories. We should hear their stories and move this thing along expeditiously. I hope this debate will help remind the government that this is moving far too slowly.

Hon. Mobina S. B. Jaffer: Honourable senators, I was buoyed by the comment from the Minister of Health when she said that the pilot project and the tests would start. Today, I am dismayed to hear that the tests are not progressing as we had understood. Can the honourable senator clarify that for us, please?

Senator Eggleton: I cannot speak for the government, but my understanding is that the marker that they were supposed to meet last October of having a patient list ready in terms of clinical trials still has not been met and it is now the end of February. Here, again, we are seeing this drag on and on. I think that is most unfortunate.

Senator Jaffer: The honourable senator used to be Chair of the Social Affairs Committee and, as chair and also now as deputy chair, in the past did people who were affected by an issue appear before the committee on other studies?

Senator Eggleton: Absolutely. As I pointed out in my remarks, I referred to the committee dealing with *In From the Margins*, our report on housing, poverty and homelessness. Not only did we have people affected by the issues come before the committee, but we found the most effective way of addressing their issues and hearing their stories was to go to them, and we went to them. We went to shelters; we went to drop-in centres and a number of facilities where people were brought together who were suffering as a result of their socio-economic condition. We were very instructed by that and I think the report, which was passed unanimously in the Senate, was a good report and it was good because we did listen to people.

(On motion of the Senator Cordy, debate adjourned.)

BREAST DENSITY AWARENESS BILL

SECOND READING—MOTION IN AMENDMENT
ADOPTED—SOCIAL AFFAIRS, SCIENCE
AND TECHNOLOGY COMMITTEE AUTHORIZED
TO STUDY SUBJECT MATTER

On the Order:

Resuming debate on the motion of the Honourable Senator Seth, seconded by the Honourable Senator Doyle, for the second reading of Bill C-314, An Act respecting the awareness of screening among women with dense breast tissue;

And on the motion in amendment of the Honourable Senator Seidman, seconded by the Honourable Senator Eaton, that Bill C-314 be not now read a second time but that the subject matter thereof be referred to the Standing Senate Committee on Social Affairs, Science and Technology; and

That the Order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until the committee has tabled its report on the subject matter of the bill.

Hon. Pana Merchant: Honourable senators, Senator Seidman has called for a more serious examination of Bill C-314 with a suggestion that the subject matter be referred to the Standing Senate Committee on Social Affairs, Science and Technology rather than the bill being read a second time and that the bill not appear on the *Order Paper and Notice Paper* until the committee has tabled its report.

Honourable senators, as Liberals, we support an effort whereby the federal government will commit to working with the provinces and territories to increase awareness among women with regard to dense breast tissue screening, detection and enhanced testing.

As I stated in my remarks on October 3, 2012, if we want to make a difference regarding health outcomes of Canadian women with dense breast tissue, then we first need to address the patchwork of unevenness of opportunity and effectiveness of the breast screening situation in Canada and, second, we have to ensure that the four essential components of the cancer screening continuum are in place. The first one is awareness; second, understanding; third appropriate funding by the Government of Canada; and fourth, compliance.

• (1510)

Therefore, we support sending this subject matter to the Standing Senate Committee on Social Affairs, Science and Technology. Once the committee reports back to us, we will hopefully come up with a new, more proactive and action-oriented bill, as proposed by our honourable colleague.

The Hon. the Speaker *pro tempore*: Honourable Senator Merchant, I noticed this matter was standing in the name of Honourable Senator Mercer. Before I call for the question, do you know whether he had intended to speak on this matter?

Hon. Claudette Tardif (Deputy Leader of the Opposition): Your Honour, we did consult, and Senator Mercer has accepted to have Senator Merchant speak and for it to go forward.

Hon. Jane Cordy: Honourable senators, I wanted to ask a question when His Honour stood up. I was starting to rise but I thought he was going to ask something. May I ask a question?

The Hon. the Speaker *pro tempore*: Yes; you still have an opportunity. Will Senator Merchant accept a question?

Senator Merchant: Yes, of course.

Senator Cordy: I think a study respecting the awareness of screening among women with dense breast tissue would be an excellent study for our report.

Does the honourable senator think that we should have women who have breast cancer and who are affected by this appear as witnesses before our committee?

Senator Merchant: Thank you for that question. Yes, I would very much like to have people come before us. When Senator Eggleton was speaking previously about other studies, I was reminded that a very good friend of ours, now deceased, Senator Sparrow from North Battleford, when the committee was doing a study on poverty many years ago, actually went and lived for a whole week on the street to understand the issues that faced people who were suffering from poverty and such issues. At the very least I hope that we will be able to bring people before us who have had the problem that is contained in the subject matter of this bill so that we can thoroughly investigate the whole matter.

Senator Cordy: Is the honourable senator saying that people who are directly affected by a disease or a condition would be the best experts to appear before the committee?

[Senator Merchant]

Senator Merchant: I think they would be very good experts. I think other people can speak on this issue as well, but I think we should hear from people suffering from breast cancer.

The Hon. the Speaker *pro tempore*: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker *pro tempore*: In amendment it was moved by the Honourable Senator Seidman, seconded by the Honourable Senator Eaton:

That Bill C-314 be not now read a second time but that the subject matter thereof be referred to the Standing Senate Committee on Social Affairs, Science and Technology; and

That the Order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until the committee has tabled its report on the subject matter of the bill.

Is it your pleasure, honourable senators, to adopt the motion in amendment?

Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: Carried.

(Motion in amendment agreed to and subject matter of bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

INTERNATIONAL BOUNDARY WATERS TREATY ACT INTERNATIONAL RIVER IMPROVEMENTS ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Doug Finley moved second reading of Bill C-383, An Act to amend the International Boundary Waters Treaty Act and the International River Improvements Act.

He said: Honourable senators, it is a great honour to speak to Bill C-383, the transboundary waters protection act, at second reading. Today the subject is water. It is a somewhat dry subject, but I will do my best not to turn into it the Dead Sea.

Bill C-383 is a bill sponsored in the House of Commons by my good friend Larry Miller, MP. Larry is the Member of Parliament for Bruce—Grey—Owen Sound and he is a wonderful MP. He is extremely hard working and has been called the voice of principle and straightforward talk by MP James Rajotte and the most loved and appreciated person in caucus by no less a figure than MP Dean Del Mastro. On a more lighthearted basis, John Ivison wrote of Larry that he “looks tough enough to go 10 rounds with Chuck Norris and still be able to blow bubbles with beef jerky.” That is not a Scottish aphorism.

Part of the reason it is such an honour to shepherd Larry's bill through the Senate is that he was one of the first candidates I worked with after being appointed the director of political operations for the Conservative Party back in 2004. Larry was a big part of the Conservative Party's initial beachhead into Ontario during the 2004 election, where we expanded our provincial caucus from a mere 2 seats to 24.

After all, this subject is about Canadian sovereignty. Protecting our water is not a partisan issue; it is a Canadian issue — unless your name is Thomas Mulcair, who, as Paul Dewar accurately pointed out during the NDP leadership race, or should I say the *Bloc orange* leadership race, once advocated for bulk exports. In Tom's mind that is all likely water under the bridge.

An Hon. Senator: Oh.

Senator Finley: I know; the puns get worse. I promise that this is the end of my partisan comments, at least for this particular speech, which perhaps makes me feel a bit like a fish out of water.

Bill C-383 passed in the House of Commons by a wide margin, 279 to zero. Larry drafted and introduced this bill in order to strengthen laws that protect our water from bulk exports. It is an issue close to the hearts of the people of Bruce—Grey—Owen Sound, considering they are surrounded by Lake Huron and Georgian Bay. I would like to applaud Larry and his staff for their efforts to move this bill into law.

Normally we Scots prefer to talk about water in terms of how much is perfect in a glass of good malt whiskey. However, in my area of Ontario—South Coast, along the shores of beautiful Lake Erie — and, yes, for those interested I actually do live there — this is an important matter.

Whether we are from dryer or from wetter regions, near lakes or near rivers, from the inner, northern or maritime regions of this country, we know full well the vital role water has played and continues to play for our ecosystems, economy, history and culture.

Canada has about 20 per cent of the world's fresh water and about 7 per cent of the renewable water in the world. We are extremely blessed with access to fresh water. Canadians want to ensure that our water supply is protected and have consistently opposed the idea of bulk water exports.

Bill C-383 expands the protections that the federal government can utilize to prevent such exports from happening. This is an important concept, as the bulk removal of water from this country could threaten Canada's environment and ecosystems that depend on waters remaining in their basins of origin. Sections 91 and 92 of the Constitution provide the division of powers between the federal and provincial governments.

As natural resources fall under provincial jurisdiction, the federal government can only legislate on boundary and transboundary waters, but there are also protections at the provincial level. Provinces have laws, regulations or policies in

place to protect bulk removals from their territories. With the current bulk removal prohibition found under the International Boundary Waters Treaty Act, and the added measures found in Bill C-383, the federal government intends to continue working with the provinces to ensure the protections against the removal of water in bulk remain robust.

• (1520)

How are boundary and transboundary waters defined, one may well ask. Boundary waters, such as the Great Lakes, are currently protected by the International Boundary Waters Treaty Act. These are waters that are along the Canadian border and shared with another country.

Transboundary waters are waterways that flow across international boundaries. Examples would include the Yukon River, which travels through B.C., the Yukon and Alaska; the Columbia River, which travels through B.C., Washington and Oregon; and the Red River, which travels through Minnesota, North Dakota and Manitoba.

This bill strengthens the protections by including transboundary waters under this act. This ensures that all federally regulated waters now have the same prohibitions against bulk water protection. Currently, these waters are covered by regulation, but by enshrining them into the act we are ensuring they are not easily changed.

Larry Miller pointed out during his speech at second reading in the other place that Senators Pat Carney and Lowell Murray were both long-time advocates for this change. The provision in Bill C-383 that moves definitions and expectations into the body of the act comes directly from bills introduced by Senators Carney and Murray.

While the constant media barrage occasionally portrays this chamber in a bad light, they tend to overlook the range and breadth of important ideas that have their genesis in this chamber. I believe I can speak for all of us when I say that we all want to make the Senate a more effective and transparent place. We must continue to be a place that discusses important issues for Canadians, whether the "Laurentian media elites," as John Ibbitson describes them, pay attention to that or not.

Bill C-383 also includes measures that prevent waterways from being redirected into transboundary waters in order to take water out of Canada. This will ensure that such waterways cannot be used to move water out of Canada for the purpose of bulk exportation.

Furthermore, this bill contains strict enforcement clauses and penalties. Violations of this act could lead to fines as high as \$1 million for an individual and up to \$6 million for a first offence by a corporation. These fines are cumulative, which means that each day that a contravention continues would be considered a separate offence, rapidly increasing the amount of fines.

In addition to higher fines, a court must order an offender to pay additional fines if the court determines that the offender obtained any property, benefit or advantage from the commission

of the offence. Courts also must consider increasing fines if the offence caused damage or risk of damage to the environment.

This demonstrates the seriousness of the threat of bulk removals and, I believe, acts as a strong deterrent to violating the terms of this act. These amendments bring the enforcement authorities, fines and sentencing provisions of this act in line with the Environmental Enforcement Act, which came into force a few years ago.

This bill is an important step in protecting this important natural resource. Bill C-383 puts in place measures to strengthen water protection laws, ensuring that our water is not redirected through transboundary waterways for the purpose of moving water out of Canada.

I thoroughly encourage all honourable senators to join me in supporting Bill C-383.

The Hon. the Speaker *pro tempore*: Are there questions or further debate?

(On motion of Senator Tardif, debate adjourned.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

NINETEENTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the nineteenth report of the Standing Committee on Internal Economy, Budgets and Administration, presented earlier this day.

Hon. David Tkachuk moved the adoption of the report.

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

On debate.

Hon. Serge Joyal: Will the honourable chair of the standing committee accept a question?

Senator Tkachuk: Yes.

Senator Joyal: Honourable senators, in reading the report at page 2, I noted that the committee has mentioned two senators, Senators Zimmer and Patterson, who have complied with the various requests that were put to them. However, other senators are mentioned by title and not by name, giving rise to the question of who those senators are.

I am referring specifically to the top of page 2. It states:

[Translation]

... the Subcommittee on Agenda and Procedure...referred the claims of one senator to Deloitte.

[Senator Finley]

[English]

One senator's claims were referred to the accounting firm.

The report continues:

[Translation]

A Special Subcommittee of the Internal Economy Committee chaired by Senator Beth Marshall referred the claims of two other senators to Deloitte as well.

[English]

There are two other senators, as I understand, who have been referred to the accounting firm.

Then, at the bottom of the same page, the last paragraph, it states:

[Translation]

It should be noted that the travel claims of a fourth senator were referred to an external auditor. This was not part of this review.

[English]

Will the honourable senator explain to us why the names have not been mentioned? As we know, the press speculates on the names of senators and I think it is detrimental generally to the reputation of the Senate when there is still doubt and there is a witch hunt in terms of who those four senators are. Unless there are matters of privacy — and I recognize that as being a legitimate concern — if the honourable senator could explain to us why the names are not mentioned, I would certainly be interested in hearing his answer.

Senator Tkachuk: Honourable senators, the senators who were referred to the committee, led by Senator Marshall, are Senators Brazeau and Harb. The senator referred by the audit committee to Deloitte directly is Senator Duffy. The senator referred to on the bottom of the page of the report, to which the honourable senator is referring, the fourth senator, which is not part of the residency issue at all, is Senator Wallin.

Senator Joyal: Thank you. I appreciate the honourable senator's answer.

The Hon. the Speaker *pro tempore*: Is there further debate? Are honourable senators ready for the question?

Hon. Senators: Question.

(Motion agreed to and report adopted.)

• (1530)

UNIVERSITIES AND POST-SECONDARY INSTITUTIONS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cowan, calling the attention of the Senate to the many contributions of Canadian universities and other post-secondary institutions, as well as research institutes, to Canadian innovation and research, and in particular, to those activities they undertake in partnership with the private and not-for-profit sectors, with financial support from domestic and international sources, for the benefit of Canadians and others the world over.

Hon. Hugh Segal: Honourable senators, I am pleased to rise today to speak to the inquiry that my good friend Senator Cowan began on Tuesday.

People going about their daily lives do not often pay attention to that which does not affect them directly, specifically with respect to university research. It is not until someone receives a diagnosis of diabetes that the painstaking work of Banting and Best becomes an important part of one's life; or when sitting in a darkened theatre in complete awe of a Cirque du Soleil performance and discovering that Guy Laliberté graduated from the University of Ottawa; or watching old reruns of "Bonanza" and finding out that Lorne Greene — Pa Cartwright — studied at Queen's University in Kingston.

More needs to be done to recognize the work and accomplishments of our universities and those individuals who dedicate themselves to their research and scholarship. Whether it is pure or applied research — and we need both — it is a vital bridge between town and gown, between scholar and day-to-day life across which evidence-based and life-changing findings traverse regularly.

At the University of Ottawa, my alma mater, much is being accomplished. There is vital research in photonics, with the teams led by Dr. Robert Boyd and Dr. Paul Corkum. Photonics can be described like this: From the bar code to the flat-screen television, advanced laser surgery, telemedicine, precision machine tools and sophisticated security systems, the science of harnessing light to perform useful tasks is having a transformative impact on our daily lives.

There is amazing leadership in health research at the University of Ottawa's Brain and Mind Institute; the Medical Devices Institute; at the anti-cancer virus research project, with research conducted by Dr. John Bell, who received a \$7.4 million grant from the Terry Fox Foundation; with obesity research conducted by Yoni Freedhoff and Michael Rudnicki; with research on

stroke conducted by Dale Corbett; and with research conducted by Blaine Hoshizaki, which aims to create a more efficient sport helmet to prevent concussion in sporting activities.

In the humanities, the research in Internet and e-commerce law by Dr. Michael Geist is of immense value to our day-to-day lives in this digital world.

These are but a few examples of the outstanding life-saving and society and freedom building research at the University of Ottawa which, in the fields of social, legal and scientific policy, is a huge force for good in the city, in our province and across the world. The university's motto, "*deus scientiarum dominus est*," — "God is the master of science" — can also be understood as "The master of science is God," both of which relate to how important research is in our day-to-day lives.

Let me also say a word about Queen's University, which has a long and enviable record of achievement in scholarly work, a record founded on excellence, unbridled curiosity and creativity. Queen's has been home to some of the most distinguished scholars and contributors to Canadian society, including His Excellency the Governor General of Canada, the Honourable David Johnston; the former Governor of the Bank of Canada and current Queen's Chancellor, Dr. David Dodge; Dr. John Meisel, whose contributions to Royal commissions and advisory boards have earned him numerous teaching, research and service awards; Dr. Keith Banting, whose work on income security, social policy and trust in our modern society has been recognized worldwide; Dr. Ron Easteal, whose work on anatomy and plastination has immeasurably advanced medical education worldwide; and Bill Richard, who has worked at the Institute for Military and Veteran Health Research, a leading edge knowledge aggregator, on best practices for the health and rehabilitation of our military and veteran personnel.

Queen's University has repeatedly been at the forefront of major research initiatives. With the End to Bullying project, Dr. Wendy Craig developed an innovative model for knowledge mobilization that culminated in her founding, in 2006, of PREVNet, Promoting Relationships and Eliminating Violence Network, one of the Federal Network Centres of Excellence. PREVNet has grown into a unique collaboration of 65 researchers, 95 graduate students, 27 universities and 52 national partners working together to expand research and knowledge about the devastating practice of bullying. Craig and PREVNet have led over 100 knowledge mobilization projects.

Queen's University also has a long history of leading edge research on issues concerning our environment. One strong example is Professor John P. Smol, the Canada Research Chair in Environmental Change, who spent 25 years reconstructing long-term histories of ecological trends to understand how natural and human-induced stressors impact the environment. He developed innovative techniques to study the complex interactions between a lake's biology and the environment. His sediment analysis techniques have been adopted around the world and have a proven record of impact on resource management and changes in public policy.

Queen's researchers have also developed new possibilities for peace and democracy around the world. One scholar to highlight in this regard is Professor John McGarry, the Canada Research Chair in Nationalism and Democracy and professor in the Department of Political Studies. His work focused on the Northern Ireland conflict, known as "the troubles." As laid out in his *Explaining Northern Ireland* with Brendan O'Leary in 1995, McGarry argued that that conflict was best understood as involving two national communities and that ending the conflict required a bi-national settlement. This was the basis of the Good Friday peace solution worked out some years ago.

McGarry was involved from 2008-09 in a number of peace processes, including in Cyprus, Iraq, Kenya, Philippines, Western Sahara and Zimbabwe. In April 2009, he played an influential role in formulating the United Nations Assistance Mission in Iraq's long-awaited discussion paper on the vexed issue of the city of Kirkuk, over which Arabs and Kurds threatened civil war.

Dr. Ron Watts, former Vice-Chancellor and Principal, is the leading world scholar on federalism today. His advice has helped most Canadian governments of all affiliations, many provinces, Commonwealth allies like India, Pakistan and South Africa, and he was the intellectual father of the Forum of the Federation established in the mid-1990s with Switzerland, Canada, Mexico, Germany, India and many others, inspired by the Right Honourable Jean Chrétien.

In the area of physics, SNOLAB is an international, unique and collaborative facility with a 5,000-square-metre laboratory located two kilometres underground in Vale's Creighton Mine in Sudbury, Ontario. Buried in the hard rock of the Canadian Shield, it has the lowest background noise from cosmic rays, making it possible to measure rare processes that would be otherwise unobservable.

SNOLAB evolved out of the Sudbury Neutrino Observatory created in the 1990s by a consortium of Canadian, U.S. and U.K. institutions. The original goal was to solve the "solar neutrino problem." In 2001, the SNO team published their groundbreaking result, that neutrinos actually have mass, which led to the revision of the Standard Model of Particle Physics and ultimately to an improved understanding of how the universe operates.

The SNO project was made possible through a combination of factors available only in Canada; the ideal subterranean location afforded by the Creighton mine, the loan of 1,000 tonnes of heavy water by Atomic Energy of Canada and the cooperation of Ontario Power Generation.

Significant leadership and scientific direction of SNO and SNOLAB has been facilitated by Dr. Art McDonald, professor of physics, who was the Director of SNO; Dr. Tony Noble, who is the current Director of the SNOLAB Institute; and Dr. Nigel Smith, a SNOLAB director. Other Queen's faculty, including Drs. Mark Chen, Mark Boulay, Wolfgang Rau and Alex Wright, are also key players in SNOLAB's scientific story.

Ideas and proposals outside of astrophysics come to SNOLAB from across the Canadian and international science community. Mining and geology sectors are interested in using neutrinos to probe deep structures in the earth. This is productive, analytical research that can literally produce billions of dollars in productivity and help save millions of lives.

• (1540)

The GeoEngineering Centre at Queen's, collaborating with RMC, is a venture that is drawn from different engineering departments but fundamental to understanding how the earth's core interacts. Hydrogeology, geotechnical, geo-environmental, geomechanics, geosynthetics and geochemistry are all studied in a fashion that allows us to help predict some of the terrors that we sometimes face with respect to the movement of pieces of the earth.

The centre has a worldwide reputation. Faculty collaborate widely, working on projects in the U.S., Mexico, Hong Kong, China, the U.K., Switzerland, Greece, Turkey, New Zealand, Norway, Germany, South Africa, Australia and Antarctica.

Finally, honourable senators, something that I suspect affects us all is the Human Mobility Research Centre. It is a partnership between Queen's University and the Kingston General Hospital and serves as a point where researchers in medicine, engineering, health sciences and information technology collaborate and innovate. HMRC provides shared research space and services for clinicians, orthopedic surgeons, university faculty, students and industry partners.

The HMRC has translated and adapted their computer-assisted technologies for application to a wide range of orthopedic procedures. These advances have resulted in less-invasive surgeries.

HMRC has designed and commissioned the world's first computer-assisted operating suite equipped with an angiography/computed-tomography unit, which uses X-rays to create thin cross-section images through bone and soft tissue and then assembles them into three-dimensional representations. This facility is used daily for the development and evaluation of new surgical procedures.

On May 25 of this past year, HMRC opened up its Human Mobility Research Lab at the Hotel Dieu Hospital, a state-of-the-art facility designed to study human movement in all its complexity. Walking, running, activities of daily living and sporting activities are all studied with respect to flexibility and breadth of expertise. This takes science literally to the step-by-step, quality-of-life issues for millions of Canadians.

Members of this chamber will recall the committee chaired by Senator Kirby, involving Senators Keon and LeBreton and others, and their superb work done with respect to the mentally ill. The statistics surrounding mental health are staggering. For example, one in five Canadians will experience a form of mental illness at some point in their lives. Mood and anxiety disorders impact 22 per cent of the Canadian population. At any given time, almost 3 million Canadians have serious depression. Two in three people suffer in silence, fearing judgment and rejection.

Queen's University is changing the way people think about mental health by working to reduce the stigma associated with mental illness. In February of 2012, Bell Canada announced a world first: the creation of the Bell Canada Mental Health and Anti-Stigma Research Chair. Dr. Heather Stuart of Queen's was named the chair holder. She has been fighting to reduce the stigma associated with mental illness since the 1990s. She has been working to describe and understand the experience of stigma from the inside, with the goal of reducing the stigma and ensuring that those who experience mental illness can get the help they need.

Honourable senators, life is about never giving in, not to pestilence, not to disease, not to intolerance, not to injustice, not to chronic pain and not to the unknown. Ignorance is the ally of oppression and suffering. Asking about scientific and policy questions and, wherever possible, seeking answers, however challenging the research, and challenging the science are ways of piercing the cloud of myth and misunderstanding. Today's longer lifespan and new approaches to life, exercise, survival and the environment and our greater capacity to go for much longer periods without mutual global military destruction, war and pestilence are all because researchers from Pasteur to Marie Curie, from Einstein to Polanyi, from Herzberg to our own Dr. Ogilvie to those few I have mentioned today have used hard, slogging, empirical research to solve the puzzles of science in the interest of a greater humanity. We must never forget that our researchers are part of the front line, the strategic reserve and the future soldiers fighting against ignorance.

Over the years, Canadian governments of all affiliations have done their share. The National Research Council, NSERC, recent innovations of the Vanier Fellowship and the Banting Postdoctoral Fellowships announced in appropriate budgets further this engagement. It is an engagement vital to the infrastructure of civility and humanity, which we all have a duty to strengthen for future generations.

(On motion of Senator Dawson, debate adjourned.)

[Translation]

ADJOURNMENT

MOTION ADOPTED

Leave having been given to revert to Government Notices of Motions:

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, March 5, 2013, at 2 p.m.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF ISSUES PERTAINING TO HUMAN RIGHTS OF FIRST NATIONS BAND MEMBERS WHO RESIDE OFF-RESERVE

Leaving having been given to proceed to Motions, Order No. 139:

Hon. Mobina S. B. Jaffer, pursuant to notice of February 6, 2013, moved:

That notwithstanding the Order of the Senate adopted on March 15, 2012, the date for the final report of the Standing Senate Committee on Human Rights on issues pertaining to the human rights of First Nations band members who reside off-reserve be extended from February 28, 2013 to October 3, 2013.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

• (1550)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AUTHORIZE COMMITTEE TO STUDY CASE OF PRIVILEGE RELATING TO THE ACTIONS OF THE PARLIAMENTARY BUDGET OFFICER—DEBATE ADJOURNED

Hon. Anne C. Cools, pursuant to notice of earlier this day, moved:

That this case of privilege, relating to the actions of the Parliamentary Budget Officer, be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration, in particular with respect to the consequences for the Senate, for the Senate Speaker, for the Parliament of Canada and for the country's international relations; and

That the committee present its final report to the Senate no later than March 31, 2013.

Pursuant to rule 13-7(2), consideration of the motion shall commence when the Senate has completed consideration of the Orders of the Day or no later than 8:00 p.m. today.

She said: Honourable senators, I shall speak for a few minutes with the objective of allowing other senators to speak first but I wish to reserve my right to speak later for the rest of my time.

I wish to say briefly that the purpose of a committee study is essentially to assist the house in its functions. This Senate is asking the committee to study this matter and to give its advice and recommendations to the house. I wish to speak to one issue and then I shall adjourn to speak later for the rest of my time.

Honourable senators, I want to make the point of what I would describe as natural justice and due process. It is important that we uphold the basic common law rights that anyone who has to face any charge or any accusation of any kind has an entitlement to fairness, to due process and to be heard. I want to be clear that we have every confidence that our Rules Committee will afford this Library officer the full opportunity to appear before the committee to answer and to defend himself. I wish also to make the point that any witness before a Senate committee is always afforded the protection of our privileges. We should make sure that we observe those principles.

In any event, I am eager to hear other senators on this matter, and I will adjourn now to continue with the rest of my time.

Hon. Hugh Segal: Honourable senators, I do wish to speak on this matter but I would like more time to prepare. If the item is still on the agenda next week I would look to speak to it at that time. If the honourable senator adjourns the debate in her name I respect her capacity to do so.

The Hon. the Speaker: Honourable senators, there is a total of three hours available for debate on this motion. We began debate a few moments ago and, as it is a debatable motion, it can be adjourned and amended. Senator Segal has indicated he would like to move the adjournment of the debate. That is perfectly in order. I will put that question to the house.

(On motion of Senator Segal, debate adjourned.)

(The Senate adjourned to Tuesday, March 5, 2013 at 2 p.m.)

CONTENTS

Thursday, February 28, 2013

	PAGE		PAGE
Distinguished Visitor in the Gallery		Aboriginal and Northern Affairs	
The Hon. the Speaker.	3353	Education and Social Services.	3360
		Hon. Jim Munson	3360
		Hon. Marjory LeBreton	3361
		Science and Technology	
		Support for Research and Development.	3362
		Hon. Claudette Tardif	3362
		Hon. Marjory LeBreton	3362
SENATORS' STATEMENTS			
Internal Economy Committee		ORDERS OF THE DAY	
Primary and Secondary Residences.		Canada-Africa Parliamentary Association	
Hon. David Tkachuk	3353	Bilateral Mission, January 19-26, 2013—Report Tabled.	3362
		Hon. A. Raynell Andreychuk	3362
Black History Month		Question of Privilege	
Diversity in the Canadian Armed Forces.	3354	Speaker's Ruling.	
Hon. Roméo Antonius Dallaire.	3354	The Hon. the Speaker.	3363
Chinese New Year		Motion to Refer to Rules, Procedures and the Rights of Parliament Committee.	3364
Hon. Don Meredith	3354	Hon. Anne C. Cools.	3364
Alberta's Carnaval de Saint-Isidore		National Strategy for Chronic Cerebrospinal Venous Insufficiency (CCSVI) Bill (Bill S-204)	
Hon. Claudette Tardif	3355	Fifteenth Report of Social Affairs, Science and Technology—Debate Continued.	3364
The Late Ms. Daurene E. Lewis, C.M.		Hon. Art Eggleton	3366
Hon. Jane Cordy	3355	Hon. Jane Cordy	3366
		Hon. Mobina S. B. Jaffer	3367
		Breast Density Awareness Bill	
ROUTINE PROCEEDINGS		Second Reading—Motion in Amendment Adopted—Social Affairs, Science and Technology Committee Authorized to Study Subject Matter.	3367
Coastal Fisheries Protection Act (Bill S-13)		Hon. Pana Merchant	3368
Bill to Amend—Eighth Report of Fisheries and Oceans Committee Presented.	3356	Hon. Claudette Tardif	3368
Hon. Fabian Manning	3356	Hon. Jane Cordy	3368
Interpretation Act (Bill S-207)		International Boundary Waters Treaty Act	
Twenty-first Report of Legal and Constitutional Affairs Committee Presented.	3356	International River Improvements Act (Bill C-373)	
Hon. Bob Runciman	3356	Bill to Amend—Second Reading—Debate Adjourned.	3368
Internal Economy, Budgets and Administration		Hon. Doug Finley	3368
Nineteenth Report of Committee Presented.	3356	Internal Economy, Budgets and Administration	
Canada National Parks Act (Bill C-370)		Nineteenth Report of Committee Adopted.	3370
Bill to Amend—Seventh Report of Energy, the Environment and Natural Resources Committee Presented.	3357	Hon. David Tkachuk	3370
Hon. Richard Neufeld	3357	Hon. Serge Joyal	3370
The Senate		Universities and Post-Secondary Institutions	
Notice of Motion to Affirm Values of the Commonwealth.	3358	Inquiry—Debate Continued.	3371
Hon. Hugh Segal	3358	Hon. Hugh Segal	3371
		Adjournment	
QUESTION PERIOD		Motion Adopted.	3373
Public Safety		Hon. Claude Carignan	3373
Corrections Canada—Events Surrounding the Death of Ashley Smith.	3358	Human Rights	
Hon. Joan Fraser	3358	Committee Authorized to Extend Date of Final Report on Study of Issues Pertaining to Human Rights of First Nations Band Members Who Reside Off-Reserve.	3373
Hon. Marjory LeBreton	3358	Hon. Mobina S. B. Jaffer	3373
Energy		Rules, Procedures and the Rights of Parliament	
National Energy Strategy—Climate Change.	3359	Motion to Authorize Committee to Study Case of Privilege Relating to the Actions of the Parliamentary Budget Officer—Debate Adjourned.	3373
Hon. Grant Mitchell.	3359	Hon. Anne C. Cools.	3373
Hon. Marjory LeBreton	3359	Hon. Hugh Segal	3374

Published by the Senate

Available on the Internet: <http://www.parl.gc.ca>