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(HANSARD)

Wednesday, November 6, 2013

The Honourable NOËL A. KINSELLA
Speaker

CONTENTS

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

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THE SENATE

Wednesday, November 6, 2013

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

NATIONAL PHILANTHROPY DAY

Hon. Terry M. Mercer: Honourable senators, last year, on November 22, Bill S-201, An Act respecting a National Philanthropy Day, received Royal Assent. Canada was the first country in the world to officially recognize this very important day — a day where we honour and thank the thousands of volunteers and donors in this country for the hard work they do and for the effect they have on our society.

National Philanthropy Day occurs every year on November 15. Next Friday, in over 100 communities around the world, tens of thousands of people will say thank you. They will say thank you to the senior who helped serve meals to the homeless. They will say thank you to the child who collects pop cans in order for a friend to afford a new wheelchair. They will say thank you to the company that has donated millions of dollars to help fund new research into curing cancer. Events will include award ceremonies, luncheons and seminars where people will be recognized for their work in improving their communities and making the world a better place.

Honourable senators, according to statistics, almost half of Canadians volunteer, giving over 2 billion hours of their time annually. That is the equivalent of over 1 million full-time jobs. The fact remains clear that without volunteers we definitely would not have the society we have today.

Two weeks ago I had the honour of accepting an honorary degree from my alma mater, Saint Mary's University in Halifax. During my address to the graduates, I challenged them to volunteer for their church, synagogue, mosque, food bank, community centre, hospital foundation or their local schools.

The needs are endless and fortunately there are millions of people willing to help by giving their money, talent and time to solve some of society's biggest problems. I challenge all of you here to do more of the same. Share your talents with the world because your community does need your time and your energy.

Honourable senators, philanthropy is simply love of mankind. Albert Einstein once said, "It is every man's obligation to put back into the world at least the equivalent of what he takes out of it." I encourage all honourable senators to join in a celebration in their communities next Friday to thank the volunteers who give back to the world.

ACADIA UNIVERSITY

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I am delighted to rise today to bring to your attention a very important date in history. November 15, 2013, will mark the one hundred and seventy-fifth anniversary of the founding of Acadia University, a university which I attended and am honoured to have served as president for 10 years.

Acadia University, originally known as Acadia College, was born out of a growing desire on the part of Nova Scotia Baptist leaders for access to higher education. Acadia was perhaps the first institution in the Commonwealth to be founded on the principle that no religious test would be applied to either students or faculty.

Acadia College opened its doors with two faculty members and a total of 21 students. Acadia College became Acadia University in 1891.

Acadia graduated its first female student in 1884. Before the end of the 20th century, women constituted more than 50 per cent of the student body. In fact, two Atlantic universities were first and second in that regard.

Acadia was also one of the first institutions in the Commonwealth to admit students of African heritage, in 1893. Many of the province's most influential African Nova Scotian community leaders throughout the 20th century were Acadia graduates, including our own Senator Donald Oliver.

In 1996, Acadia pioneered the use of mobile computing technology in classrooms through the integrated use of laptop computers. The Acadia Advantage Program was a revolutionary academic initiative that equipped all faculty and students with laptop computers and a fully wired campus. In 1999 the Acadia Advantage Program was inducted into the Smithsonian Institute as the world's leading example of the application of technology to the learning environment.

Acadia faces the 21st century with confidence. In today's ever-changing post-secondary environment, Acadia's task is to ensure that it can continue to provide specialized, high-quality education, maintaining the high standards and rich educational experience that have characterized its first 175 years.

I am confident that the university will approach this challenge on solid footing. With approximately 3,600 undergraduate students and a beautiful campus, Acadia provides a great place to grow. It has remained at or near the top of major Canadian university rankings in its category for more than 20 years, and 6 of its 10 varsity sports teams were ranked in the top 10 in Canada.

last year. Acadia has more CIS Academic All-Canadians per capita than any university in Canada, and three of our current colleagues — Senators Oliver, White and I — all hold Acadia degrees.

The all-round, high-quality student experience is a significant reason why Acadia attracts students from every province and territory in Canada and from more than 50 countries worldwide.

Honourable colleagues, I invite you to join me in congratulating Acadia University — an exceptional primarily undergraduate institution — on the occasion of its one hundred and seventy-fifth anniversary.

[Translation]

FOOD BANKS CANADA

Hon. Fernand Robichaud: Honourable senators, the 2012-13 Food Banks Canada annual report released last month indicates that more than 880,000 Canadians including 250,000 children use food banks every month. Five years ago, food banks helped about 625,000 people every month. In other words, since the 2008 recession, there has been a 30 per cent increase in food bank use.

People turn to food banks for support because they cannot afford to buy enough food. We also learned that 12 per cent of those who use food banks are the working poor, people working for minimum wage who cannot meet their basic needs.

• (1410)

Furthermore, 11 per cent of those who use food banks are from Aboriginal communities, and another 11 per cent are new immigrants. The increased use of food banks is directly related to the growing number of jobs that pay very low wages.

Since 2006, the number of workers earning minimum wage has spiked: in 2006, some 607,000 workers were making minimum wage, and now that number is 1,042,000, an increase of 72 per cent.

Affordable housing and workforce training are two possible solutions that would help reduce the dependence of the working poor on food banks. More money needs to be invested to support the less fortunate in our society. Failing to invest to reduce poverty is actually extremely costly. The cost of poverty in Canada is estimated to be between \$72 billion and \$86 billion a year.

In our communities, food banks are there to make up for the shortfalls in public services. At the Vestiaire Saint-Joseph in Shediac, although the number of clients has leveled off, rising food prices have meant that fundraising is necessary in order to purchase the basic foods needed to meet the demand.

Of course, the generosity and commitment of many volunteers are what allow these food banks to operate smoothly and effectively.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable Senators, I wish to draw your attention to the presence in the Governor General's gallery of Senator Sean D. Barrett, from the Senate of Ireland, the land of saints and scholars, where the people of Ireland have voted recently to maintain their bicameral Parliament. As the people of Ireland, Senator Barrett is wise, and is accompanied by his gracious wife, Dr. Maev O'Brien, and their daughter, Ms. Melissa Barrett.

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

Hon. Senators: Hear, hear!

CANADA-UKRAINE PARLIAMENTARY PROGRAM

Hon. Denise Batters: Honourable senators, last week I had the pleasure to meet with members of the Canada-Ukraine Parliamentary Program. These young Ukrainian university students have interned in members' and ministers' offices on Parliament Hill since September. During their time in Ottawa, the interns met with government officials, deputy ministers, embassies and ambassadors. In addition, they performed volunteer work with the Shepherds of Good Hope, the Terry Fox Run and the blood cancer walk. In the midst of all that, they even had time to defeat the House of Commons' soccer team in a matchup last week. This year's interns will be returning to Ukraine next week; and I invited them to be here with us today.

Honourable senators, I am proud to say that all Conservative senators from Saskatchewan have Ukrainian roots. I am proud to be of 100 per cent Ukrainian stock. I attended Ukrainian school, studied Ukrainian dance for 13 years and still attend the Ukrainian Catholic Church. I was also honoured to serve as an ambassador for Saskatchewan's Ukrainian community in my role as Miss Kiev in 1989.

I am honoured to be sitting in the Senate Chamber as a descendent of ancestors who left their homes and lives in Ukraine to forge a new path of freedom in an unknown world. When I met with these young Ukrainian interns last week, during a rather stressful week in the Senate to say the least, it brightened my day so much that I have instructed my staff to send in the Ukrainians the next time I am in need of inspiration. Because their energy and idealism is inspiring, honourable senators, they remind me of how I felt as an eager young summer student working in a minister's office in the Saskatchewan legislature in the early 1990s.

Through this internship program, these bright and politically engaged young Ukrainians have the opportunity to witness democracy first-hand. Their internship may even prompt some of them to become political or government leaders in Ukraine and around the world.

On behalf of all senators, I offer best wishes to this year's Canada-Ukraine parliamentary interns. We wish you the best of luck in your future endeavours. May your energy, your optimism and your talents help to guide Ukraine toward a strong and democratic future.

SASKATCHEWAN ROUGHRIDERS

Hon. Denise Batters: Honourable senators, Rider Nation would never forgive me if I neglected to mention this: On Sunday, our beloved Saskatchewan Roughriders will take on Senator Braley's B.C. Lions in the CFL's western semi-final. I can't wait to be at the game in Regina, cheering on the Big Green Machine. Of course, this is the first step on the path to the holy grail. On November 24, Regina will host the Grey Cup. When the Roughriders win that game, the magnitude of our victory celebrations will shut down our city for a month.

Honourable senators, I have just one further but very important point: Go, Riders, go!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the interns from Ukraine. I invite them to note that in the far corner of the Senate Chamber is an image of St. Andrew, patron saint of Ukraine. For the Leader of the Opposition, Senator Comeau and other senators from Nova Scotia, St. Andrew happens to have a relationship with their province.

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

Hon. Senators: Hear, hear!

HONOURABLE JOYCE FAIRBAIRN, P.C.

Hon. Jim Munson: Honourable senators, I do not have any notes to speak from, but perhaps I may leave it to Senator Mercer to help me along. The last couple of weeks have been a test of friendships, a test in terms of loyalty and a test of the Senate. It has been a very emotional roller-coaster ride for all honourable senators, who voted the way they felt they should vote yesterday.

I am thinking of another person whose birthday is today: former Senator Joyce Fairbairn, who turns 74 today. Senator Fairbairn is having her struggles, as we all know, with the very difficult dementia of Alzheimer's. I was thinking about that this morning as I spoke in caucus about what is good about the Senate, what matters about the Senate, and why we are all thinking of Senator Fairbairn wearing her red outfits each day and sitting beside Senator Robichaud.

I can't let this day go by without thinking about Joyce and what we stand for in the Senate; about her work in literacy across the country and her work with the Prime Minister; about her role as

an honorary blood chief; and about her work for the farmers of the West. As well, she was the first woman to serve as Leader of the Government in the Senate.

Times have been so tough that perhaps we sometimes forget about the goodness that happens here and the good people that have been here and will be here. Perhaps we could stop for a moment as we go about our work and think about our families and our Senate family. We may have differences of opinion, but we have to remain respectful. The respectful part of it for me comes from the spirit and ideal of Senator Joyce Fairbairn, who is 74 today. My thoughts are with her, her family and her caregivers in Lethbridge, Alberta. All of our thoughts should be there to motivate us into a positive place of exchange on where we go from here as a Senate.

To Senator Joyce Fairbairn, thank you.

MS. MARGARET MILLER

Hon. Marjory LeBreton: Honourable senators, I rise today to congratulate and pay tribute to Margaret Miller, who was elected to the Legislature of Nova Scotia on October 8 as the MLA for Hants East. Margaret handily defeated the NDP Minister of Agriculture, John MacDonell. It is fitting and appropriate that Margaret has been chosen by her peers to serve as Deputy Speaker of the Nova Scotia Legislature.

I congratulate her for choosing to continue to serve the public in such a meaningful way. Margaret Miller is an outstanding citizen of Nova Scotia and an outstanding citizen of Canada.

• (1420)

Margaret faced a terrible tragedy in her and her family's life when her son, Bruce, a strapping 26-year-old police officer from Springhill, Nova Scotia, was killed in May 2004 by a drunk driver speeding along at 187 kilometres an hour, who hit head-on the vehicle Bruce was in. The drunk driver had a blood-alcohol level of 0.243, three times the legal limit.

Margaret focused her grief on trying to prevent other families from suffering from such a senseless tragedy. She became very active in Mothers Against Drunk Driving and served as MADD Canada's national president from 2007 to 2010.

Now Margaret moves on to yet another career in public service where she undoubtedly will represent her constituents with the same dedication and enthusiasm as she has always demonstrated in her commitment to MADD. And I have no doubt that she will also continue to add a strong voice to educating the public, young and older, about the horrors of driving while impaired by alcohol or drugs.

Congratulations, Margaret, and thank you for all you have done and will do.

THE SENATE

Hon. Joan Fraser (Deputy Leader of the Opposition): Colleagues, Senator Munson and I did not collude on this, but I, too, thought that after the stormy times we have been through, it might be worth striking a rather different note. So I thought I would read to you some extracts from an article by Jessica Barrett, published on November 2 in *The Edmonton Journal*.

I will only use partial quotes, because I will not have time for the whole thing. She wrote:

. . . something remarkable has occurred in the midst of the Senate scandal. For the first time . . . Canadians are paying attention to the upper chamber. . . . Even seasoned journalists are suddenly alert to the activities and intricacies of the beleaguered institution. Herewith: 10 things the scandal has taught Canadians about the Senate.

1. THERE IS A SENATE

This, I would agree, many people tend to forget.

2. IT'S LESS PARTISAN AND MORE INDEPENDENT

Sometimes, the Senate carries out part of its intended purpose as an independent agent of sober second thought. For example, the debate over the fate of its embattled members has highlighted differences of opinion even within the same party that we rarely see in the House of Commons.

Wait a minute. Was that No. 2?

Senator Tkachuk: I think that was No. 2.

Senator Fraser: No. 3 seems to be missing.

4. SENATORS ARE FREER WITH THE PRESS THAN THEIR MP COUNTERPARTS

In the pleasant-surprises camp, press scrums with senators are a world apart from those held with MPs. On the whole, senators don't read prepared party lines, and seem game to return phone calls or explain complex procedure and debate protocol . . .

5. THEY DEBATE IN A DIFFERENT FREQUENCY

. . . Senate debates boast a level of civility and seriousness markedly absent in the House of Commons. Last week, for instance, the Senate diverted from the scandal to debate whether Communications Security Establishment Canada . . . had sufficient oversight. It was a serious discussion, not a point-scoring verbal brawl as it might have been in the Commons.

6. SENATE BUSINESS HAS REAL-WORLD IMPLICATIONS

Then Ms. Barrett goes on to recall the Kirby report on mental health, the recent report on rail safety, various contributions by individual senators, et cetera.

7. SOME SENATORS ARE CHAMPIONS FOR GOOD CAUSES

She refers in particular to Senator Roméo Dallaire's fight for the plight of child soldiers and Senator Munson's work on autism.

No. 8 is not news to us, though it may be to Canadians:

. . . [senators] must own property, valued at \$4,000 or more.

9. IT'S NOT EASY BEING A SENATOR RIGHT NOW

This is definitely not news to us.

10. THE SENATE FACES AN UNCERTAIN FUTURE

It seems to me that it is actually worth noticing when people notice us, and when they notice us, it seems to me that if they're actually paying attention to us, as distinct from rumour and reports of scandal, they find that we look better than they thought. And we should treasure that and carry it forward.

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

CANADIAN COMMISSION ON MENTAL HEALTH AND JUSTICE BILL

FIRST READING

Hon. James S. Cowan (Leader of the Opposition) introduced Bill S-208, An Act to establish the Canadian Commission on Mental Health and Justice.

(Bill read first time.)

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

(On motion of Senator Cowan, bill placed on the Orders of the Day for second reading two days hence.)

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Mobina S. B. Jaffer introduced Bill S-209, An Act to amend the Criminal Code (exception to mandatory minimum sentences for manslaughter and criminal negligence causing death).

(Bill read first time.)

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

(On motion of Senator Jaffer, bill placed on the Orders of the Day for second reading two days hence.)

PARLAMERICAS

MEETING OF THE BOARD OF DIRECTORS AND PLENARY ASSEMBLY, AUGUST 20-24, 2013— REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation respecting its participation at the Thirty-second ParlAmericas Meeting of the Board of Directors and the Tenth Plenary Assembly, held in San José, Costa Rica, from August 20 to 24, 2013.

CANADIAN NATO PARLIAMENTARY ASSOCIATION

VISIT OF THE DEFENCE AND SECURITY COMMITTEE, FEBRUARY 1-5, 2012—REPORT TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association respecting its participation at the Visit of the Defence and Security Committee, held in Washington, D.C. and Dayton, Ohio, U.S.A., from February 1 to 5, 2012.

MEETING OF THE STANDING COMMITTEE, MARCH 31, 2012—REPORT TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association respecting its participation at the Meeting of the Standing Committee, held in Ljubljana, Slovenia, on March 31, 2012.

JOINT VISIT OF THE ROSE-ROTH SEMINAR AND THE MEDITERRANEAN AND MIDDLE EAST SPECIAL GROUP, MAY 11-13, 2012—REPORT TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary

Association respecting its participation at the Joint Visit of the Seventy-ninth Rose-Roth Seminar and the Mediterranean and Middle East Special Group, held in Marseilles, France, from May 11 to 13, 2012.

ROSE-ROTH JOINT SEMINAR OF THE MEDITERRANEAN AND MIDDLE EAST SPECIAL GROUP AND THE SUBCOMMITTEE ON EAST-WEST ECONOMIC CO-OPERATION AND CONVERGENCE, APRIL 3-5, 2013— REPORT TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association respecting its participation at the Rose-Roth Joint Seminar of the Mediterranean and Middle East Special Group and the Subcommittee on East-West Economic Co-operation and Convergence, held in Marrakech, Morocco, from April 3 to 5, 2013.

MEETING OF THE STANDING COMMITTEE AND THE SECRETARIES OF DELEGATION, MARCH 22-24, 2013— REPORT TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association respecting its participation at the Meeting of the Standing Committee and the Secretaries of Delegation, held in Copenhagen, Denmark, from March 22 to 24, 2013.

2013 SPRING SESSION, MAY 17-20, 2013— REPORT TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association respecting its participation at the 2013 Spring Session, held in Luxembourg, from May 17 to 20, 2013.

[Translation]

THE SENATE

NOTICE OF MOTION TO AWARD HONOURARY CITIZENSHIP TO MS. ASIA BIBI

Hon. Céline Hervieux-Payette: Honourable senators, pursuant to rule 5-8(1), I give notice that, at the next sitting of the Senate, I will move:

That, the Senate of Canada calls on the Government of Pakistan to immediately release Ms. Asia Bibi, a Christian woman who is being arbitrarily detained due to her religious beliefs;

That, the Senate of Canada declare its intention to request that Ms. Asia Bibi be granted Honourary Canadian Citizenship, and declare its intention to request that Canada grant her and her family asylum, if she so requests; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

• (1430)

[English]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO AUTHORIZE COMMITTEE STUDY CHANGES TO SENATE'S RULES AND PRACTICES THAT WILL HELP ENSURE SENATE PROCEEDINGS INVOLVING DISCIPLINE OF SENATORS AND OTHERS FOLLOW STANDARDS OF DUE PROCESS

Hon. Elaine McCoy: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to examine and report on changes to the Senate's Rules and practices that, while recognizing the independence of parliamentary bodies, will help ensure that Senate proceedings involving the discipline of senators and other individuals follow standards of due process and are generally in keeping with other rights, notably those normally protected by the *Canadian Bill of Rights* and the *Canadian Charter of Rights and Freedoms*; and

That the committee submit its final report to the Senate no later than November 30, 2014.

Some **Hon. Senators:** Hear, hear.

CANADIAN CHILDREN IN CARE

NOTICE OF INQUIRY

Hon. Elizabeth Hubley: Honourable senators, I give notice that, two days hence:

I shall call the attention of the Senate to Canadian children in care, foster families, and the child welfare system.

QUESTION PERIOD

TRANSPORTATION

RAIL SAFETY

Hon. Terry M. Mercer: Honourable senators, in the wake of the several rail accidents that have occurred in the past while, rail safety has become quite a concern. Indeed, there was another

train derailment just days ago, in Yellowhood County, about 180 kilometres west of Edmonton. We know that if I or any member of the public would like to know exactly what a railway company's safety plans are, you cannot ask Transport Canada to see them because they are not available. You have to go directly to the company. And guess what? The companies believe it is confidential information and will not release it.

Would the Leader of the Government in the Senate kindly explain why Transport Canada, who audits these safety plans, cannot release the information to the public?

[Translation]

Hon. Claude Carignan (Leader of the Government): Honourable Senator Mercer, as you know, incidents happen. First responders are quick to arrive on the scene and we thank them for that.

Transport Canada monitors the situation and remains in close contact with the local representatives during these types of incidents or accidents. The appropriate authorities conduct investigations to determine the cause of these accidents.

Rail safety is very important to the Minister of Transport, Lisa Raitt, and to the department. They want to ensure that the rail safety regulations that are in place to keep the public safe and protected are enforced. If the rules were broken, then Transport Canada will immediately apply the necessary sanctions. If a company does not classify its goods properly, it may be prosecuted under the Transportation of Dangerous Goods Act.

Concrete actions are taken and when there is an incident or accident, the appropriate investigations are conducted. When recommendations are made, the Minister of Transport and Transport Canada ensure that those recommendations are carried out.

[English]

Senator Mercer: First of all, we do know that the Railway Safety Act requires that the rail companies must develop a safety management system. Secondly, we know it must include things like risk assessment, rules and procedures, and then Transport Canada audits these plans to ensure compliance. The challenge I see is that each plan is different and Transport Canada does not have one set of rules that the rail companies must follow.

Would the leader not agree that one set of rules that all companies must follow would ensure better safety practices rather than a mishmash of different plans?

[Translation]

Senator Carignan: I do not think there is a mishmash of different plans. There may be different regulations that apply in different sectors in order to ensure some sort of cohesiveness. You know full well that in some cases, in municipalities for instance, there may be risk coverage plans. Provinces have fire response plans in the event of hazardous materials spills or if there is an environmental impact, and Transport Canada is responsible for rail safety regulations.

As I already said, as far as the federal Department of Transport's responsibility is concerned, we are ensuring that the regulations are being followed and if not, then the necessary penalties are imposed on the organization responsible.

[English]

Senator Mercer: Well, what we have here is a typical case of deregulation. How does the Canadian public know that the rail company is following their safety plan? We could ask Transport Canada, but oh no, they can't tell us. We could ask the company, but oh no, they can't tell us either. How is this protecting the safety of Canadians?

And I draw your attention, leader, to the fact that Bill C-4 was tabled here in the last couple of days — 306 pages, an omnibus bill. You would think that an omnibus bill being tabled in this house, after the accident that happened in Lac-Mégantic, would have something in there to do with rail safety. Now, there is a part in there about transport that the Transport Committee has been asked to pre-study. And what is it about? It's about bridges. Bridges are part of rail safety, I'm sure, but there's nothing specifically there about rail safety.

When is the government going to get serious about fixing what's wrong with rail safety in this country?

[Translation]

Senator Carignan: Following the tragedy in Lac-Mégantic, meaningful action was taken by the Minister of Transport, Lisa Raitt. For example, more inspectors were hired and more than \$100 million was invested in rail safety. We are cracking down on offenders by imposing stiff fines and penalties, and we are requiring rail companies to submit environmental management plans. We are offering protection to employees who raise safety concerns and are requiring each rail company to designate an official who is legally responsible for safety.

Meetings have been held with municipal officials and, as the minister already said, the safety and security of Canadians is our government's priority. The minister met with municipal and rail company officials to discuss dangerous goods. They agreed that first responders must have information about the types of dangerous goods being transported through our communities. We expect the parties to agree on a system that works for everyone.

We are looking to see if other measures are required to make transporting goods safer so that Canadians are as safe as possible. We want to reduce the risk as much as we can. Unfortunately, there will always be some risk.

• (1440)

FOREIGN AFFAIRS

NATIONAL ACTION PLAN ON WOMEN, PEACE AND SECURITY

Hon. Mobina S. B. Jaffer: My question, which I provided in advance, is for the Leader of the Government in the Senate.

[Senator Carignan]

[English]

This is a question on the national action plan on women, peace and security. By way of background, United Nations Security Council Resolution 1325 was adopted unanimously by the United Nations Security Council on August 31, 2000. Canada played an instrumental role in the success of this resolution, and as all senators know, this resolution was developed to protect and empower women in conflict zones.

In 2004, the Security Council urged all member states to develop a national action plan to identify clear priorities and coordinate interdepartmental cooperation and allocate resources to implement Resolution 1325 at a national level.

In October 2010, our government launched Canada's national action plan. A national action plan means little without concrete and effective implementation.

In Canada's national action plan, the Department of Foreign Affairs, Trade and Development committed to publishing an annual report on Canada's progress in implementing Security Council resolutions with respect to women, peace and security, and to make the report publicly available.

Leader, since 2011 not one national action plan has been tabled by our government. I asked this question in June, and I have been patiently waiting for an answer; so I ask you again: When will Canada's national action plan on women, peace and security be tabled?

[Translation]

Hon. Claude Carignan (Leader of the Government): Thank you for your question and especially for giving notice.

Our implementation of United Nations resolutions on women, peace and security attests to Canada's long-standing support for human rights and the participation and well-being of women and girls.

In developing the action plan, the government consulted experts on peace and security in civil society in order to develop concrete objectives, actions and indicators that will guide government departments and agencies in their future activities.

We have taken a three-pronged approach to implementing the action plan: first, establish departmental and interdepartmental structures and processes in order to manage implementation; second, engage Canada at the national level and abroad by promoting the program for women, peace and security; and third, create programs to promote the theme of women, peace and security in fragile countries and those affected by conflict.

We implemented gender-based analysis training, which is given on a regular basis to all officers who are members of the Stabilization and Reconstruction Task Force, and more targeted training for officers chosen to develop internal expertise.

We also offer this training to officers working in other areas of the Department of Foreign Affairs and International Trade and in other government departments in order to promote a government-wide approach to implementing the action plan.

With regard to your more specific questions, I will be sure to pass your concerns on to the Minister of Foreign Affairs, Mr. Baird, but I think that, from the additional information I just gave you in this answer, you can see that our government feels strongly about human rights, particularly when it comes to the well-being of women and girls. We will be sure to take practical measures in developing this action plan.

[English]

Senator Jaffer: Leader, I appreciate your speaking to Minister Baird, and I appreciate your response, but your response had nothing to do with the national action plan.

Let me tell you what happened in June. The Human Rights Committee has regularly asked Foreign Affairs when the national action plan will be tabled. We again asked officials to appear before us. On May 6, 2013, the Human Rights Committee heard from Marie Gervais-Vidricaire, director general, Stabilization and Reconstruction Task Force at Foreign Affairs, Trade and Development Canada.

Ms. Gervais-Vidricaire said to us:

The government will table in Parliament, before the House rises this spring, the Canadian National Action Plan's annual report for the fiscal year 2011-12. . . . We believe that this will be of interest to Canadians and to the international community. The report is in its final stages, and we would be happy to provide the committee with a copy once it has been tabled.

Leader of the Senate, if I had known that this report was not going to be tabled, I would have had more questions of Ms. Gervais-Vidricaire. I believed her, and I have no reason to believe that the plan is not ready. What I want to know is when will it be ready and when will it be tabled?

[Translation]

Senator Carignan: As I explained, we are in the process of developing the action plan and consulting experts in the area of peace and security in civil society in order to finalize the objectives, actions and indicators.

We have targeted and taken action in three areas: the establishment of structures and processes within the departments; Canada's commitment to promoting these programs both within the country and abroad; and programs focusing on women, peace and security.

With regard to the exact date that the plan will be tabled and follow-up action taken, I will pass your comments on to Minister Baird.

[English]

Senator Jaffer: I appreciate your following it up. While you are following it up, could you please convey to Mr. Baird that Canada was a leader when it came to Resolution 1325; we don't have a presence now.

I was in Istanbul a few weeks ago, and everybody was asking me, where is Canada? Where is Canada's national plan?

Could you please tell Mr. Baird that the women of the world expect Canada to lead in these issues, and Canada has disappeared.

[Translation]

Senator Carignan: I imagine that they are also satisfied if they expect Canada to be a leader. They are surely satisfied with the leadership of the Government of Canada and the country in standing up for human rights and the participation and well-being of women and girls, which is demonstrated in the ongoing implementation of the UN Security Council resolutions on women, peace and security.

[English]

PUBLIC SAFETY

ROYAL CANADIAN MOUNTED POLICE— POST-TRAUMATIC STRESS DISORDER SERVICES

Hon. Grant Mitchell: Colleagues, Constable Adrian Gulay committed suicide in August; he was 45 years old. This was the culmination of PTSD that he contracted as a result of a police action where he was sprayed by blood from a suspect who was severely cut and happened to have hepatitis C.

His wife, Linda Perchaluk, of Roblin, Manitoba, says: "I would phone and fax and email and they" — the RCMP — "would just tell me they couldn't do anything more."

When two RCMP officers came to her door the morning after Constable Gulay died, she confronted them:

I said, "Where the hell were you a year ago? You come here now to tell me he is dead? I have been begging for help for this long and now you come? Get out, because I don't want to see you."

Is the RCMP incapable of providing adequate PTSD services, support and therapy for somebody like Constable Gulay because of the cutbacks of this government which simply have undercut the ability of the RCMP to provide services of that nature?

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator Mitchell, as far as mental health services and programs are concerned, RCMP members with operational stress injuries have access to clinics that are operated by Veterans Affairs Canada. Each clinic has a team comprised of psychiatrists, psychologists, social workers, nurses, mental health nurses and other clinical specialists.

The services are offered by clinics that follow best practices, and the services are personalized to meet the needs of each individual. The team also works closely with local health care providers and

organizations to ensure adequate follow-up when needed. A client may be directed to a treatment centre, depending on his needs. If there is an issue with drug or alcohol addiction, for example, the centres also offer specialized treatment.

RCMP members also have access to an internal peer support program that is part of the member and employee assistance program. This is a confidential voluntary program that provides support to RCMP employees and their families when they need help with personal, social, health or work issues. The service is confidential and delivered with compassion by referral agents who have special training. They volunteer their services. There is therefore complete health support, especially in mental health, for RCMP officers who have health needs as a result of post-traumatic stress.

• (1450)

[English]

Senator Mitchell: First of all, the RCMP doesn't qualify because they haven't signed the New Veterans Charter yet, so a lot of what you are talking about wouldn't apply at all.

In a sense, you're directly contradicting this constable's wife. What do you say to her when she makes the point that the RCMP failed to coordinate her husband's recovery? She added that the force did not listen to her, despite her increasingly desperate contacts with the detachment, with his doctors and with headquarters. Is this just not another case — we see it over and over again; we saw it yesterday and the day before — of you and your government stating a bunch of words on the one hand, but neglecting the relationship between those words and the lack of results when you're confronted with a really significant human problem that is affecting Canadians' lives so severely as in this case?

[Translation]

Senator Carignan: Senator, you are referring to a particular case that I would rather not comment on. It is very dangerous to take a specific situation and hold it as an example.

The programs and mental health services I have listed are available to members of the RCMP. They have access to these clinics for operational and post-operational stress injuries. Services are provided by professionals in accordance with the highest standards of mental health care. The goal is to ensure that people who have needs can use these services and recover as well and as quickly as possible.

[English]

Senator Mitchell: Well, we all hope, but the government has the advantage of not having just a hope. They can actually do something, and they're not doing enough, clearly.

It's also true that PTSD, in cases like this, has a huge impact on families, and that's recognized in the military where some therapy — not enough services — is provided for families. That is not the case with the RCMP.

[Senator Carignan]

Why is it that services provided to some extent for families in the military aren't provided for families in the RCMP? What's the difference?

[Translation]

Senator Carignan: RCMP members have access to operational stress injury clinics run by Veterans Affairs Canada. Each clinic has a team of psychiatrists, psychologists, social workers, nurses and other clinical specialists. I think this list shows that they have all the professionals needed to provide proper care to RCMP members with post-traumatic stress, especially when their injuries affect their mental health.

These are high-quality services; they are also delivered by clinics that operate according to best practices tailored to individual needs. If RCMP members need this type of service, it is there for them.

[English]

Senator Mitchell: With due respect, Senator Carignan, I think you're kind of making this up because it's so divorced from the reality of what is in fact happening.

Much has been said — I've said much, as have many others — about a culture of harassment in the RCMP that has resulted in many cases of PTSD. It may well be that there is a culture of leadership neglect in cases like this.

But I'm beginning to wonder. Could you answer me: Is there maybe a culture of neglect in your government as well, or gross negligence?

[Translation]

Senator Carignan: I will not comment on gross negligence considering that you chose to vote against our motions and settle for the status quo instead of assuming your responsibilities.

As I said, harassment in the RCMP is a very serious issue and one that our government takes seriously. That is why we worked with Commissioner Paulson on drafting Bill C-42 — which received Royal Assent in June — in order to restore pride in Canada's national police force. It is imperative that all members of the RCMP be able to take on the normal, everyday challenges of their work without worrying about harassment or ill treatment by colleagues or superiors. I think that Bill C-42 goes a long way toward preventing harassment.

Hon. Roméo Antonius Dallaire: I am not sure where you get your information. I would suggest that you go back to your source and ensure that the information that people write on your cue cards and that you blindly read to us sometimes is accurate. The studies we have done and the information that is out there do not jibe with what you are saying. Our information reflects certain future opportunities that some hope to create, not a capacity that currently exists within the RCMP.

Can you tell us how many clinics exist and what type of budget is in place to allow them to operate and fulfill the needs within the RCMP? Did you obtain this data from the commissioner?

Senator Carignan: There are a number of clinics. Services are provided according to best practices and are tailored to individual needs. The team also works closely with local health care agencies and providers in order to ensure proper aftercare. You can appreciate that it is extremely difficult to give you an exact number of clinics, given the various stakeholders and service providers involved.

[English]

VETERANS AFFAIRS

GOVERNMENT RELATIONSHIP WITH VETERANS

Hon. Wilfred P. Moore: Honourable senators, my question is for the Leader of the Government in the Senate.

Leader, would you agree that the people of Canada, as represented by the Crown, have a special obligation to those who have served in the Canadian Armed Forces?

[Translation]

Hon. Claude Carignan (Leader of the Government): Of course, the government has a moral obligation. We are ensuring that, when they return to Canada, we welcome back the men and women of this country who have gone overseas to defend Canadian values in the best way we know how and that we help them to have the smoothest transition possible back to civilian life. We are ensuring that, when they are overseas, they have the best equipment possible to carry out their mission. That is why, when budgets are available to give them the best equipment, whether overseas or during their transition back home, we expect your party to support those measures, not to oppose them.

• (1500)

[English]

Senator Moore: I have a supplementary question. I'm pleased to hear you mention that moral obligation, so I have to ask, leader, why did your government argue that no such special obligation exists between Canadians and our vets in July of this year in the British Columbia court case?

Senator Mercer: Say one thing, do another. Typical.

[Translation]

Senator Carignan: I cannot comment on a case that is before the courts. However, I can say that our government has made substantial investments to support Canada's veterans, including nearly \$5 billion in new funding. That money has helped us

provide improved financial benefits, world-class rehabilitation programs and tuition fees in order to ease veterans' transition to civilian life.

Since our government came to power in 2006, we have made steady progress when it comes to helping veterans and their families, and we will continue in that direction.

[English]

Senator Moore: As you are probably aware, leader, that case revolved around the New Veterans Charter, under which veterans receive substantially less pensions than otherwise, so they had to go to court to try to get their just due in recognition of their service and sacrifices.

In that case, Mr. Justice Gordon Weatherill dismissed the federal government's case to try to stop the vets from pursuing their claims, saying that the case is "... about promises the Canadian government made to men and women injured in service to their country and whether it is obliged to fulfill those promises." The vets won their case, yet your government is now appealing that decision.

I'm going to refer to something else and I want to put a question to you. In a recent article by Murray Brewster, a writer who always seems to be writing in favour of — he is in their corner — our troops and our vets, I want to quote Sir Robert Borden on the eve of the Battle of Vimy Ridge in 1917. He said:

You can go into this action feeling assured of this, and as the head of the government I give you this assurance: That you need not fear that the government and the country will fail to show just appreciation of your service to the country and Empire in what you are about to do and what you have already done.

The government and the country will consider it their first duty to see that a proper appreciation of your effort and of your courage is brought to the notice of people at home. . . that no man, whether he goes back or whether he remains in Flanders, will have just cause to reproach the government for having broken faith with the men who won and the men who died.

What do you think that means, leader?

Senator Day: Well said.

[Translation]

Senator Carignan: You have enough experience, given that you have been here longer than I have. As I said earlier, as the government representative in the Senate, I simply cannot comment on any cases currently before the courts.

[English]

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE ADJOURNED

The Senate proceeded to consideration of His Excellency the Governor General's Speech from the Throne at the Opening of the Second Session of the Forty-first Parliament.

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I move, seconded by the Honourable Senator Carignan, P.C.:

That the following Address be presented to His Excellency the Governor General of Canada:

To His Excellency the Right Honourable David Johnston, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

Honourable senators, I'm extremely pleased to rise in the Senate today in support of the government's latest Speech from the Throne.

Two and a half years ago, Canadians elected our government with clear instructions: Successfully navigate the global economy, create jobs, create growth, keep taxes as low as possible and keep our families safe by getting tough on criminals who terrorize our cities and neighbourhoods.

Honourable senators, during the past couple of years, the world economy faced a serious crisis of confidence, and we have made some very tough decisions. I am pleased to say that our government made the right decisions at the right moments for Canadian businesses, Canadian families and communities.

The results are very clear: Debt is low and deficits are falling. Businesses are creating new and better jobs, and Canadians are working today more than ever before.

Under the strong and experienced leadership of our great Prime Minister, Canada has weathered the economic storm exceptionally well, and the world has marvelled at our performance. Both the International Monetary Fund and the

Organisation for Economic Co-operation and Development expect Canada to be among the strongest growing economies in the G7 over this year and next year. For the sixth year in a row, the World Economic Forum has rated Canada's banking system as being the world's soundest.

Senator Munson: Jean Chrétien thanks you.

Senator Martin: Real gross domestic product is significantly above pre-recession levels, the best performance in the G7.

In addition, three credit rating agencies — Moody's, Fitch and Standard & Poor's — have reaffirmed their top rating for Canada, and it is expected that Canada will maintain its Triple-A rating in the years ahead. These are the facts, honourable senators.

Since the depth of the recession, over 1 million net new jobs have been created, an outstanding achievement for Canada and the best record in the G7. In fact, we are not only leading the G7 in job creation, but also on the strength of our balance sheet and in political stability.

Canadians gave our Conservative government a very strong message to keep their taxes low, and I am pleased to report today that this is exactly what we have done and will continue to do.

Dan Kelly, President of the Canadian Federation of Independent Business, said:

At a time when the economic recovery is still quite fragile, it's important that governments focus on balancing their budgets and not hitting entrepreneurs with payroll tax hikes
.....

I could not agree more. Despite the repeated wishes of the opposition, we have lowered taxes, not just for business, but for families and, indeed, for all Canadians.

For example, we have cut the GST from 7 per cent to 6 per cent to 5 per cent. We have established the \$5,000 tax credit for first-time home buyers. We have reduced the lowest personal income tax rate and have increased the basic personal exemption. We have introduced income splitting and pension splitting for seniors. Overall, the federal tax burden is at its lowest level in 50 years.

As a result of our government's low tax plan, in 2013, the average family now pays \$3,200 less in taxes than it paid in the past.

Not only are we delivering on our promise to keep taxes low, we are also delivering on our commitment to balance the budget. Last year's deficit was less than forecast, and our government is on track to balance the budget in 2015.

• (1510)

Canadians repeatedly told us that the economy and good jobs remain their foremost preoccupations and priorities. There are many steps we are taking to create jobs, many steps that are promoting growth, and many steps that are helping to realize long-term prosperity for Canadians.

Thanks to our strong leadership, Canada is universally recognized for its resilience to the global recession and recovery, its low tax environment, its highly educated and skilled labour force, its tough-on-crime attitude and policies, its natural resource endowments, and a financial sector that is the envy of the entire world.

Thank you, honourable senators.

(On motion of Senator Cowan, debate adjourned.)

BUSINESS OF THE SENATE

MOTION TO CHANGE COMMENCEMENT TIME ON WEDNESDAYS AND THURSDAYS AND TO EFFECT WEDNESDAY ADJOURNMENTS— DEBATE ADJOURNED

Hon. Yonah Martin (Deputy Leader of the Government),
pursuant to notice of October 24, 2013, moved:

That, for the remainder of the current session,

- (a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule 3-1(1);
- (b) when the Senate sits on a Wednesday, it stand adjourned at the later of 4 p.m. or the end of Government Business, but no later than the time otherwise provided in the Rules, unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned;
- (c) when the Senate sits past 4 p.m. on a Wednesday, committees scheduled to meet be authorized to hold meetings for the purpose of receiving and publishing evidence, even if the Senate is then sitting, with the application of rule 12-18(1) being suspended in relation thereto; and
- (d) when a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, if required, immediately prior to any adjournment but no later than the time provided in paragraph (b), to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

She said: I'll keep my remarks brief, honourable senators. I know that this motion has been on the Order Paper for a number of weeks. As we continue our work in the chamber, and with the importance of the government legislation and other items on the Order Paper that honourable senators have introduced, I know that what we need to do is ensure that we are efficient in this chamber so that we can address these motions, these bills, and all of the items in a timely manner.

This motion does look at varying the normal sitting times on Wednesdays and Thursdays for the balance of the current session by meeting a half-hour earlier. It adds to the time that we have in the chamber. The motion also does allow for the Senate

committees, on Wednesdays, to meet, even on certain occasions when we would be continuing in the chamber with Government Business. It is so that we can do the work concurrently.

Again, it really does speak to the importance of the work that we will do in the chamber and the work that committees do. It really looks at how we can efficiently use that time.

This motion, which will change the normal sitting times for the balance of this current session, is one that I wish for all senators to adopt today.

Thank you.

[Translation]

Hon. Claudette Tardif: Honourable senators, I rise today to oppose this motion, and I will focus on a few points in my speech.

For a long time, this chamber has unanimously supported the parts of this motion that would allow the Senate to sit a half-hour earlier, as usual, on Wednesdays and Thursdays, which would mean that the Senate would adjourn at 4 p.m. on Wednesdays.

What worries me is that in the last session, something was added to say that every Wednesday, the Senate will continue to sit until Government Business is exhausted, regardless of the circumstances, and without regard for the senators who will be forced to choose between their responsibilities in the Senate and their responsibilities in committee. This provision clearly suggests that Government Business is more important than other Senate business. While it is true that Government Business takes priority in determining the order of our work, it is not stated anywhere in the *Rules of the Senate* that Government Business is more important than other Senate business. There is no reason to say that one aspect of our work is more important than all of the others. That is why, when we sit, we go through all of the items on the *Order Paper and Notice Paper* unless the Senate decides otherwise under special circumstances.

Furthermore, it has been a long-standing practice that committees do not sit at the same time as the Senate, except in exceptional circumstances. This allows the Senate committees to make more definite plans for their Wednesday afternoon business. This also reaffirms an important principle that differentiates the Senate from the other place. Senators should not have to choose between attending a committee meeting and participating in Senate debates.

I said this last session and I will say it again today: forcing us to make such a choice is unfair and is not in the best interests of the legislative process. Canadians expect the Senate to be the chamber of objective sober second thought. They do not expect the Senate to simply rubber stamp measures.

During the last session, this chamber voted in favour of a motion similar to the one before us today. The senators in the Liberal minority said that they were prepared to discuss an exception to the rule with the government on a case-by-case basis in order to allow the Senate to sit on Wednesdays until the end of Government Business, even if it meant sitting past 4 p.m. The senators on the other side of the chamber decided that it was

necessary to establish a general rule for the entire session. Senators Carignan and Comeau indicated that the motion in question did not set any new permanent rules since the change would apply only until the end of the session and that things would return to normal when a new session began.

Honourable senators, a new session has begun and we are once again faced with this same motion. This chamber has every right to adopt such a motion under the *Rules of the Senate*. However, if this exception to the rule is adopted session after session, over time it will become difficult to continue calling it an exception. The exception will become the norm and will represent a significant change in the Senate's existing order of business, which in my opinion undermines the important principle that senators should not have to choose between attending committee meetings and being present in the Senate.

The motion before us today undermines another well-established practice of this chamber. Changes to the existing order of business usually require the unanimous consent of senators. In fact, since the 1990s, when the Liberals held a majority in this chamber, changes or adjustments to the Senate's normal sitting schedule have always been made in a spirit of cooperation. In every case, there was one constant: changes to our sitting schedule were unanimously approved by all senators. Unfortunately, however, that is no longer the case. Unanimous consent is no longer required.

This schedule is particularly unfair for the minority in the Senate because of the decrease in its membership. As I argued earlier, I believe that this schedule is a matter of concern for all honourable senators, who attribute as much importance to the legislative work of the Senate as they do to that of committees.

• (1520)

Senators will no doubt agree that Parliament benefits greatly from the work of senators in the Senate and in the committees. Therefore, I oppose the motion.

[English]

Hon. Grant Mitchell: Honourable senators, I, too, rise to disagree with this motion. This motion has implications at many different levels. I think we're all struck — or most of my colleagues on this side are — by the incrementalism of this government and how they change things in very subtle and surreptitious ways that ultimately have a huge impact.

I was reading a little while ago that the government has, for example, changed the criteria under which a municipality would qualify for federal funding for water-processing projects within their municipal boundaries. The change is that, in order to get federal money, you now have to have a private partnership. This is one of those surreptitious, sneaky ways that the government fundamentally makes changes to get greater private sector involvement, even though it will perhaps push up costs and even though it's not a federal decision to encroach upon a municipal jurisdiction in that way. That's what they do.

[Senator Tardif]

We have seen the same kinds of subtle changes, in a dangerous way, over the last several weeks. The government tried to change a non-government motion to a government motion. By what can only be determined to be a very good ruling by the Speaker, that was prohibited.

We saw last night that, in an unprecedented move, a single motion was split into three. It wasn't that any of us over here were opposed to splitting it up and having it voted on in three separate votes. We understood the concerns of members across the way that that should be done and the concerns that we would have had as well. However, that never would have had to arise if the government had anticipated it. I think it was simply a mistake. They thought they could bring it in all at once, jamming it through, and they forgot that many of their caucus members had been asking to have it done separately. So, surreptitiously, they change again.

This motion is particularly significant to me in the context of something that occurred last week where we saw the New Democrats attacking — well, they are attacking the Senate all the time, but there was an article where they were, among many other attacks, diminishing the Senate by saying that we only sat 88 days last year. What they forget and neglect to point out is, first, that there are three times as many of them as there are of us, so one would expect that they should be sitting at least three times as often if they were to work as hard.

Second, they neglect to point out that their committees sit during their legislative session. Our committees don't, so it's a very significant difference for all kinds of reasons. We do, in fact, sit longer days. We sit at night. We often sit earlier in the morning to supplement our sittings in the Senate Chamber rather than to conflict with them.

So, in keeping with the point made by my colleague Senator Tardif, this is not an insignificant change by any means. It now puts directly into precedent the idea that, in a much more structured way, committees will be able to sit at the same time as the session. Clearly, I am not an expert in the rules, but it might even be elevated to a level of privilege. It is my privilege to sit here and listen to debates in this session, but that privilege will be encroached upon because it will be conflicted with in a structured way. Not in an exceptional way, not in a way where we have consent, which sometimes happens for various reasons like somebody travelling a great distance or the minister being available when the Tuesday night session in the Senate is running longer than normal, but in a structured way.

This is not just another minor change. This is quite a fundamental change to the way that this chamber operates, to the privilege that we have to participate in all debates and not to be concerned with that conflict, as they do on that side. That is a tremendous advantage in the Senate and for the people of Canada that all of their senators can participate in all debates. This has changed, and it has been changed in a very surreptitious way, with the first step last year and now this step.

The Manning Centre has named this, if I'm not mistaken, the Wilberforce technique. Wilberforce was a parliamentarian in Britain and he used this interesting technique, which, under the circumstances, was extremely laudable. As I understand it — and I'm not a historian — he couldn't get Britain to outlaw slavery, so

he got a trade agreement negotiated somehow with France that made it impossible to trade with countries that supported slavery. Ergo, it was outlawed.

Now, Mr. Manning has actually coined the phrase the “Wilberforce technique,” in which you consciously do things surreptitiously to get your agenda in place because you can’t go through the front door. That is, in many respects, what I fear is the root of this. That is reflected in this, and there are profound consequences.

While I can see that perhaps, under certain circumstances, there is a pressure and a need to get more government work done after four o’clock on a Wednesday, that should be done with unanimous consent. Even more disconcerting to me is the fact that the first move last year was to make it automatic, at the government’s discretion, and now we see the next step — as surreptitious and sneaky as it is — to begin to impose a conflict between committee sessions and Senate debates.

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I must say I’m deeply concerned about this discussion. There may obviously be issues of contention here, but I want to rise and urge the parties to resolve this matter in a fashion that allows those committees that normally sit at 4:15 on Wednesday afternoons to have the reasonable opportunity to sit as often as is possible and in a manner that doesn’t, in any way, obstruct or interfere with any serious business of this Senate.

It’s already difficult enough for committees to deal with the important issues with which we are charged with by this chamber, with the intent of bringing back the results of our deliberations to this very chamber. Wednesday afternoon there are committees that have a very heavy workload that are normally scheduled to sit at 4:15.

I’m not going to get into the argument over individual points that perhaps the two sides feel very strongly about, but I want them to keep focused on the importance of these committees being able to have some reasonable expectation of sitting during that time, with the issue and the complication of bringing in their witnesses and so on.

I understand what I have heard so far. I simply urge the parties to resolve this.

Senator Mitchell: I have a question. I am not sure whether you’re agreeing with us or not, but I think probably not under the circumstances. You are saying that, somehow, it has to be worked out, but if I take your argument, senator, to its logical conclusion, then committees that don’t sit on Wednesday evenings but sit on Tuesday evenings would have every bit as much pressure — and they do — to deliver on the demands placed before them by the Senate.

Are you saying that, once we approve Wednesday conflict sittings, that would become a precedent for Tuesday evening conflict sittings? How do you distinguish one from the other? Are you saying that the committee that meets on Wednesday evening is more important than the Energy and Environment Committee that sits on Tuesday evening, that we don’t work as hard, that we don’t have as many pressures, that the demands made on that

committee — of which I’m a member — by this Senate Chamber are less important than the demands that would be made on a Wednesday evening committee?

Are you now starting down that slippery slope and trying to grab something? I hope you are trying to grab something, because you’re slipping down that slope to where Tuesday evening will end up in the same place.

Senator Ogilvie: Honourable senators, that remark is almost as ridiculous as many that I have heard come from you on a number of occasions.

Some Hon. Senators: Oh, oh!

• (1530)

Senator Ogilvie: I am getting the full force from Senator Mercer and others now, so I’m sure that I could include them.

Honourable senators, the idea that I would be distinguishing between the committees of the Senate is preposterous in the extreme. I happen to be very aware of committees that sit on Wednesday afternoon; those are the ones I am involved with. I would expect that senators sitting on other committees would have the absolute right to request the same sort of issue if, in fact, they feel that it would benefit their committees to do so. I’m simply speaking from an area that I understand well and have participated in. I would not go so far as to interfere in other committees that I am not a part of and that sit at other times.

Senator Mitchell: Why wouldn’t you just handle it the same way we handle it Tuesday evening? If a particularly pressing issue arises, we can get unanimous consent from the Senate to hold a committee meeting on Tuesday. Why don’t you just do that on Wednesday? What would be the difference?

Senator Ogilvie: Honourable senators, if my remarks have inspired other committees, I am delighted with that; but I’m sticking to my point based on what I understand clearly and have experience with. If it is an issue more broadly than that, I leave it to the parties to resolve. I was speaking to the two sides and I find it a very inefficient operation of the Senate to move things forward in any event. I would hope that we would find ways to see to it. I have heard from people on both sides of the chamber that committee work is one of the most important things we do. I simply encourage the parties to ensure that we can do that in a relatively reasonable way.

Senator Mitchell: Maybe people see committee work as one of the most important things we do here in part because of all the great feedback we get from people in the Canadian public who see us do that work on television. Perhaps the value of the work in the Senate chamber would be seen to be much greater in Canadians’ eyes if they could see it. That’s why maybe you should argue that we televise the Senate chamber.

Senator Ogilvie: Honourable senators, I think Senator Mitchell should be supporting my point because it obviously would give him more television time.

[Translation]

Hon. Céline Hervieux-Payette: Honourable senators, I would like to participate in this important discussion since on Wednesday I will be attending a committee meeting at 4:15 p.m. and then a Standing Senate Committee on National Finance meeting that same evening. I have about 30 minutes between the two committees, and we leave the Hill at about 9 p.m. every Wednesday evening.

However, given the small numbers, I do not think there has been extensive consultation about the new policy. On our side, there was never any conflict on whether a committee should consider a pressing matter and sit at the same time. There was a time when there were far fewer Conservatives than Liberals.

That is why I think we could at least apply a similar rule. Becoming the majority does not mean you have to oppress the minority. I think the committees do high-quality work precisely because this work can take place over several months. I would remind you that the Standing Senate Committee on Banking, Trade and Commerce took almost a year to complete its work on money laundering.

Some committees have taken over a year to complete their work. It is not a matter of expediting work. Taking a year to consider issues more thoroughly and being aware that we are here to spend more time on a sober second look than our colleagues in the House of Commons constitutes the very purpose of our institution.

To my knowledge, I have never heard of reports released by the House of Commons following an in-depth study of some issue for a year and a half. Given the role we play in the Senate and the fact that our institution is under close scrutiny, I think we need a consensus on whether we agree to establish a general rule that people have to serve in two places at once or do this in exceptional circumstances.

I would invite the Deputy Leader of the Government to rethink that idea. I would also ask the Speaker of the Senate to study the issue. This is a very important issue. I believe that the work of the chamber and that of committees are of equal importance.

The government drafts budgets that are 300, 400 or 500 pages long, so the National Finance Committee will conduct a pre-budget study. I hardly need to point out that it is the only committee that has taken an in-depth look at the budgets since the Conservative government came to power.

It used to be that the studies would take place after the report was passed. Now we are forced to study budgets beforehand so that we can look at them in detail. That is the very essence of our work. I would invite the Deputy Leader of the Government to rethink this issue, discuss it again with our leader and ensure that a chamber such as ours is responsible for looking at issues in depth in order to make the best possible recommendations in the interests of Canadians.

If you look at how other democracies function, you will see that this is not the way to go. Democratic parliaments do not act like companies that are competing with other companies to launch a new product.

The Senate is not launching a new tablet or telephone. It needs to study issues and find solutions, and it cannot do that by modelling itself after the private sector. In my opinion, being expeditious means approving measures as quickly as possible, and the best measures are those that have been studied carefully.

Honourable senators, Your Honour and Madam Deputy Leader of the Government, I urge you to come to an agreement. I agree with Senator Ogilvie, who suggested that you discuss this. We need to come to a consensus, and I do not believe that the heavy hand of the majority should be imposed in this instance.

Hon. Maria Chaput: I would like to speak to this motion, since we went through the same thing last year.

I am a member of the Standing Senate Committee on National Finance, and last year a similar motion was adopted. The committee had permission to sit when the Senate was in session, and I thought it was a terrible idea.

I was not in the Senate to listen to the debates and to know what was going on. I would leave the Senate, hurry to committee and then return to the Senate. I did not feel that I was doing my job as a senator because I was half in the chamber and half in committee.

I agree that we need to find a solution and I agree that there is a lot of work to be done. My question will not be popular, but I will ask it nonetheless. During periods that are very busy, why not sit on Fridays? I will leave you with that suggestion, but honestly, I do not think that committees should sit at the same time as the chamber, because we do not do a good job. We are not fulfilling our roles as senators.

[English]

Hon. Anne C. Cools: Honourable senators, I would like to remind colleagues who are relatively new to this place of the reasons for the four o'clock adjournment rule on Wednesdays.

I would first like to commend Senator Martin for item (a) in her motion, this is in accordance with our Rules as it says "notwithstanding rule 3-1(1)." Colleagues, when a rule is "notwithstood," that is suspended, the rule or the part of the rule suspended must be identified in the motion. We have observed that for the last two or three weeks, the government suspension motions before us had ousted every Senate rule. The expression "notwithstanding" ousted all Senate rules." I am still convinced that suspending rules is very poor ground to found any action on; and I will return to that at some point in time.

I want to thank Senator Martin for being more careful this time and for being more in accord with the Rules. I want to let her know that I noticed it.

• (1540)

Colleagues, this 4 p.m. rule has been in position for quite some time. Years ago, we had a situation here where, because the House of Commons used to allow, or still does allow, committees to meet concurrently with the house. We had a situation where several times in a day we heard their quorum bells ringing because so many members were in committees that there was no quorum in the chamber. Senators were very careful in the articulation of these rules to avoid that situation or a similar situation.

For very good reason, the Senate — senators — and I remember who they are — wanted to establish an agreed-upon time that would be guaranteed and uninterrupted, and would not require their presence here in the Senate. For that reason, the 4 p.m. rule was settled upon, after much discussion and agreement between the two sides of the house.

Honourable senators, I would submit that no cause has been put before us — no reason has been put before us — as to why this rule should be altered or qualified, or made conditional. If the intention is to allow senators to be released from sitting duty in the Senate for a time so that committees can function fully and with the full attention of senators rather than this business of back and forth between the Senate and committees, I think those reasons are valid. I think Senator Martin should honour and respect those reasons.

Honourable senators, the other point I want to make is this business of throwing the term “Government Business” around as a way of encroaching on senators’ rights and privileges. I wish to raise strong objection to this. Senator Martin’s motion says:

(b) when the Senate sits on a Wednesday, it stand adjourned at the later of 4 p.m. or the end of Government Business, but no later

Honourable senators, this is contrary to the reason the 4 p.m. termination time for sittings was created. It was especially meant to prevent this sort of thing. I do not think that to say “unless” or “until” is good rule-making. I do not think that this is consistent with the intention of the Rules. The rule for the 4 p.m. time was to allow senators guaranteed —and uninterrupted time.

I would invite Senator Martin either to amend this motion — to delete the section or withdraw it — but she must find a solution to this problem. It is an extremely huge problem.

Senator Martin, you’re new to this. I do not think you will find that these sudden, instant decisions — named “government business” — will find much support, and far less affection or respect. The government does not own this place, and there’s business other than government business.

Honourable senators, all of these terms are very recent. I will reiterate: They were all premised on the presence of a minister of the Crown in this chamber. Senator Martin, it is not clear the power or the authority on which you are relying when you move these motions that expand and encroach on every other rule in the name of government business.

Colleagues, I wish to make that point, and I shall make that point often. Government business is something moved in this place by a minister of the Crown. I repeat, by a minister of the Crown.

Honourable senators, when I came to the Senate, we had three ministers. There were three. The government has to learn that it cannot rise and fall at the same time. If they do not have a minister of the Crown in this place, they cannot demand the privileges accorded to ministers of the Crown. We must deal with this instead of ignoring it. I find it undesirable that members here listen, ignore, and then rise and vote as if nothing was said.

Colleagues, I would ask Senator Martin to think twice and think hard on this matter. This is unnecessary. The government supporters control the agenda as it is. There is no need for additional powers. We really have to wonder why. Why the encroachment, more and more.

Honourable senators, that is the essential point I wish to make. For years, the Senate has been reluctant to deviate from the four o’clock time on Wednesdays. I think that we should continue that way.

Honourable senators, my last point is that the government, on a daily basis, is expanding its own privileges in this place. We must deal with that fact. It is undesirable, improper and unconstitutional. I thought that the suspension of those motions we voted on yesterday were infamy. I really do believe that they were unmerciful and unjust. Colleagues, I say to Senator Martin: One cannot, on a daily basis, create these innovations. I do not like it, and I would submit that most senators do not like it. But I will tell you so, whereas other people will not. It is unworthy and undesirable, and it is unparliamentary.

Hon. Joan Fraser (Deputy Leader of the Opposition): I move the adjournment of the debate.

The Hon. the Speaker: It is moved by the Honourable Senator Fraser, seconded by the Honourable Senator Jaffer, that further debate on this item continue at the next sitting of the Senate.

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

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “yeas” have it.

And two honourable senators having risen:

The Hon. the Speaker: As two senators are standing, the request is for a standing vote on this adjournment of the debate motion. Two senators rose, so what are the whips telling us?

Hon. Jim Munson: A one-hour bell.

An Hon. Senator: It's an adjournment. You can't do that.

The Hon. the Speaker: The vote will take place at quarter to five.

Call in the senators.

• (1640)

The Hon. the Speaker: Honourable senators, in this job sometimes there is good news and sometimes there is bad news. However, there is good news, honourable senators, because I am informed that the Deputy Leader of the Government and the Deputy Leader of the Opposition have reached an agreement that would obviate the taking of the standing vote and that there would be agreement that the adjournment motion moved by Senator Fraser, seconded by Senator Jaffer, be adopted, but it requires unanimous consent not to take the standing vote.

Is there unanimous consent that it is not necessary?

Hon. Senators: Agreed.

(On motion of Senator Fraser, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Bob Runciman moved second reading of Bill C-217, An Act to amend the Criminal Code (mischief relating to war memorials).

He said: Honourable senators, I rise today to speak in support of Bill C-217, An Act to amend the Criminal Code, which involves mischief relating to war memorials.

I rose almost one year ago to speak in favour of this same piece of legislation, just a few days before Canadians gathered at cenotaphs from coast to coast to honour our veterans. That bill passed second reading and was referred to committee but died with the end of the parliamentary session.

Bill C-217 would amend section 430 of the Criminal Code by adding specific penalties for committing mischief in relation to a war memorial, cenotaph or other structure honouring or remembering those who have served in the Armed Forces or died as a result of war.

For a first offence, this bill would create a minimum penalty of a fine of not less than \$1,000; for a second offence, a jail term of not less than 14 days; and for each subsequent offence, a jail term of not less than 30 days.

The maximum penalty for a summary conviction would be 18 months in jail and for an offence prosecuted by indictment, a prison term not exceeding five years.

• (1650)

Bill C-217, by creating a specific offence for mischief in relation to a war memorial, builds upon existing provisions of the Criminal Code, a section that already separates certain kinds of wilful damage. Mischief in relation to a place of religious worship and mischief in relation to cultural property, for example, are already distinguished from normal vandalism through section 430. That's what this bill does, honourable senators.

Now, why is it needed? Well, some senators may recall that last year at this time I recounted a series of despicable acts committed against war memorials in Canada in recent years.

Three days after I spoke in this chamber, last year, the Victory Peace War Memorial in Coronation Park in Toronto was vandalized, on Remembrance Day no less. Written in black marker across the monument were insulting remarks with religious overtones that I won't repeat. It was on Remembrance Day, the very day we gather to honour those who have given their lives to ensure that all Canadians of every race, colour or religion can live in a free, democratic society.

A month later, in December of 2012, graffiti vandals defaced two Second World War memorials at Dieppe Gardens, in Windsor, Ontario. This was the second act of vandalism in four months involving these particular memorials.

In April of this year, vandals in Calgary defaced Poppy Plaza, the city's new monument to Canada's war dead. This, too, was a repeat occurrence following a similar act just before Remembrance Day in 2011.

In August, some sick individual defecated at the Manotick Cenotaph, leaving rolls of soiled toilet paper, among other things, behind.

In September, the ornamental crossed rifles and bronze plaque affixed to the cenotaph in Murrayville, British Columbia, were pried off and stolen.

Just last month in Dartmouth, Nova Scotia, someone painted a swastika on a war memorial. I don't need to tell you, honourable senators, how deeply offensive the swastika is to generations of Canadians. Nearly 50,000 Canadians died fighting Nazism in World War II.

The examples I've cited are just some of the incidents that have taken place in the last year. It is by no means a comprehensive list.

I don't buy the argument that desecration of war memorials is most often the thoughtless act of a drunken teenager. Too often these incidents take place around Remembrance Day; too often the vandalism requires considerable effort; and too often the message left behind is a deeply offensive political statement.

I ask you, honourable senators, what kind of coward makes his point by showing up in the dead of night to defile a monument that honours people who died defending Canadian values, values such as free speech?

On the few occasions when these people are caught, they suffer few consequences. Charges were withdrawn against the man found urinating on the National War Memorial in Ottawa in 2006; two others caught doing the same thing weren't even charged. The same thing happened in Kirkland Lake, Ontario, where a charge was dropped against someone who urinated on the memorial wall in that city.

Will Bill C-217 stop this kind of behaviour? Probably not. Because these crimes take place under cover of darkness, most of the perpetrators are never brought to justice.

But, honourable senators, our criminal laws are an expression of society's abhorrence of certain behaviour. Bill C-217 won't stop these acts, but it may make some of the would-be perpetrators think twice if they realize there will be consequences if they are caught. This bill imposes a meaningful but proportionate penalty for conduct Canadians view as disgraceful and unacceptable.

Honourable senators, I ask you to join me in supporting Bill C-217.

Hon. Larry W. Campbell: Will the honourable senator take a question?

Senator, in your previous life you were the chief law enforcement officer in Ontario, so I support your bill. If I had my way, I would bring in an amendment that the minimum would be at least a day in jail.

But perhaps you can answer this for me: Is there any way we can put into that bill that if somebody is charged under this act there cannot be any deal, there is no staying of charges, it goes forward and the cards fall where they may? I wasn't aware of the stay with regard to the one in Ottawa, and it deeply disturbs me.

Could you tell me if that is possible under the law? I'm not a lawyer.

Senator Runciman: Well, this is a private member's bill, passed by the house. It was brought in by Mr. David Tilson, who is an Ontario member of Parliament. You're talking about plea bargaining with respect to this kind of an issue. I think that, certainly, it's something that the committee could consider as an observation. I don't think at this stage we could look at an amendment dealing with that. There's nothing to prohibit the committee from considering it, and the committee will make that decision, but I think we can make the recommendation to the Minister of Justice that he consider that in future amendments to the Criminal Code.

Senator Campbell: Thank you, senator.

Hon. Serge Joyal: Would the honourable senator accept another question?

Senator Runciman, I listened to you carefully when you defined the scope of the bill, and Senator Robichaud has given me the text of clause 4.11, which reads:

Everyone who commits mischief in relation to property that is a building, structure or part thereof that primarily serves as a monument to honour persons who were killed or died as a consequence of a war, including a war memorial or cenotaph, or an object associated with honouring or remembering those persons that is located in or on the grounds of such a building or structure, or a cemetery . . .

My preoccupation is about the cemetery. Cemeteries abroad where Canadians are buried are sometimes declared Canadian territory. Would this bill cover those cemeteries, from the First or Second World War or other wars, where dead Canadian soldiers would have been buried in those grounds?

Senator Runciman: That's an excellent question that I am unable to respond to. I would assume, if it has been designated as Canadian territory, and I'm not familiar with those processes, but if that's the case, I would think that would be possible, but it's certainly something we can raise at committee. You serve on the committee, and I think that's an excellent point to raise during committee hearings.

Senator Joyal: Thank you.

The Hon. the Speaker: Senator Dallaire, on debate.

Hon. Roméo Antonius Dallaire: Colleagues, I am the critic for this bill, which I generally support, and I will speak accordingly in a couple weeks when I give my full presentation.

The thing that burns me in this, however, comes from the sponsor's describing that this may deter a couple of people from doing this but probably won't solve the problem. In saying that, we also are demanding that there be minimum sentences, again taking away from our judges their sense of responsibility to the community by imposing these things because we feel that maybe they don't do their job properly.

I will argue that there is a more fundamental requirement in regard to respect for our heritage, our history and those who have paid the ultimate price, and that is in the school system, the communities and the political leadership at all levels. And this bill, although useful, doesn't come anywhere near to meeting the requirements that I believe we should have in a responsible nation like ours.

Also, as was just raised, I have a problem with "were killed or died as a consequence of war." These monuments represent also those who have survived and are still living, and they use these as a rallying point for them, so we should maybe play a bit with that.

• (1700)

My last point is we haven't been at war all that often. As an example, the Peacekeeping Monument over here is not a monument to war; it is a monument to peacekeeping. So we're

going to have to fiddle with that. The aim is limited but right. The question is, let's make sure that what we're trying to achieve is hitting all the bases.

I would like to move the adjournment in my name for the rest of my time.

(On motion of Senator Dallaire, debate adjourned.)

[Translation]

POPE JOHN PAUL II DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Suzanne Fortin-Duplessis moved second reading of Bill C-266, An Act to Establish Pope John Paul II Day.

She said: Honourable senators, I am delighted to speak to you today about Bill C-266, which calls on the government to designate the second day of April in each and every year as Pope John Paul II Day.

In our multi-faith and multicultural country, some may wonder why we should honour one religious leader in particular. Pope John Paul II's influence went well beyond the Catholic faith. He believed strongly that people of different faiths should work together. He was a tireless advocate for interfaith dialogue, international cooperation and peace.

He advocated for constructive and positive exchanges between people from different belief systems and encouraged cooperation. He expressed his commitment to this cause through his words and his actions. He was the first pope to go to the Wailing Wall in Jerusalem. This symbolic and holy gesture contributed to bringing people together and changing the relationship between the Vatican and Israel.

In an interview during the Pope's visit, Prime Minister Ehud Barak said:

The real importance of the Pope's visit to the region is bringing back to people's minds that this is the place where the whole count began, 2,000 years ago, and to bring his message of peace and tolerance among human beings. . . . It's a monumental turning point in the relationship between the Christian world and the Jewish world.

In the speech he delivered at the welcoming ceremony in Israel as part of the jubilee pilgrimage in March 2000, the Pope said:

I pray that my visit will serve to encourage an increase of interreligious dialogue that will lead Jews, Christians and Muslims to seek in their respective beliefs, and in the universal brotherhood that unites all the members of the human family, the motivation and the perseverance to work for the peace and justice which the peoples of the Holy Land do not yet have, and for which they yearn so deeply.

In a gesture that clearly demonstrated its esteem for the pope, Israel issued a stamp that depicts Pope John Paul II placing a note between the stones of Jerusalem's Western Wall. It was the first time that a non-Jewish religious leader appeared on an Israeli stamp. According to New Jersey philatelist Leonard Cohen, an expert on Israeli stamps, "Israel putting the pope on a stamp will have tremendous historical significance."

Pope John Paul II tried to improve Jewish-Catholic relations and establish formal diplomatic relations with Israel. However, he did not just address Jewish-Catholic relations when he made the connection between faiths and encouraged reconciliation. He also addressed Muslims and visited Al-Aqsa Mosque, the third-holiest site in Islam.

At the request of King Hassan II, Pope John Paul II visited Morocco. This is significant because he was the first pope to visit an officially Muslim country at the invitation of its religious leader. Pope John Paul II addressed thousands of young Muslims in the stadium in Casablanca and delivered a message of peace and cooperation.

Pope John Paul II believed in the importance of bringing people together. He initiated the first World Day of Prayer to promote peace, which took place in Assisi, Italy, in 1986. This gathering was different than all others that had taken place before it. Indeed, at the Pope's invitation, religious leaders from the Jewish, Buddhist, Shinto, Muslim, Zoroastrian, Hindu and Unitarian faiths, as well as traditional African and North American Aboriginal spiritual leaders, came together, side by side, at the Saint Francis Basilica and prayed together for world peace.

Canada is proud of its diversity. Here we continue to build an inclusive society that appreciates differences and promotes a feeling of belonging. Pope John Paul II lived according to those principles and defended them.

Many religions are practiced in Canada, and peace reigns here. There is mutual respect among the members of various religions, and Christians, Muslims, Jews, Buddhists, Sikhs and others coexist with traditional Aboriginal spirituality, as well as many cultures and people with very different pasts. Canada's policies and practices dealing with multiculturalism and freedom of expression are in line with comments made by Pope John Paul II in 1994 at the World Conference of Religions for Peace. He said:

Everyone, Christians and followers of other religions, must work together in order to build a world of peace, solidarity and justice.

Pope John Paul II defended not only his faith, but also justice, equality and respect for human rights around the globe. He called on people of various religions to focus on what united them with others, rather than what divided them. He worked tirelessly for peace and reconciliation.

Pope John Paul II stood up for peace and supported diversity on the world stage. This devoted man also defended peace during his meetings with renowned politicians, and he spoke at many world organization meetings, including the United Nations

General Assembly and the UNESCO General Assembly. He worked to promote peace in his dealings with various countries, encouraging them to negotiate and find common ground.

The pope loved meeting people, and he was an excellent speaker. During his pontificate, he made 200 trips abroad and visited 129 countries, including Canada. He made three visits to our country, the first in 1984, the second in 1987 and the third in 2002.

His visits earned a page in Canada's history and left an indelible mark on Canada and Canadians. During his third and last visit to Canada in 2002, over 350,000 pilgrims, including 200,000 young people from 150 countries throughout the world, participated in the 17th World Youth Day festivities in Toronto. The pope also celebrated a mass attended by over 800,000 people. The crowds he drew show the high regard that Canadians had for him.

• (1710)

Through his writings, major speeches and personal visits, Pope John Paul II opened the door to dialogue, advanced relations between people of different faiths and advocated for world peace. He worked to inspire representatives of all religions to show more understanding and respect for each other. Although Pope John Paul II is no longer with us, his legacy of cooperation and peace remains, and that is why we should honour his life and his work by designating a special day for him. I believe that by establishing Pope John Paul II Day, we would help Canadians remember the pope's commitment to uphold the principles of peace and cooperation, and we would strengthen the Canadian values associated with an inclusive society.

The legacy of John Paul II continues to affect us today. Every year, on October 22, Catholics around the world celebrate the feast day of Pope John Paul II, as proclaimed by former Pope Benedict XVI. Traditionally, the feast day of Pope John Paul II would be celebrated on April 2, the date of his death. However, since that date usually falls during Holy Week, the Vatican decided to mark his feast day on October 22, the anniversary of his papal inauguration in 1978.

In September 2013, Pope Francis announced that he would canonize two of his predecessors, Pope John Paul II and Pope John XXIII, in a ceremony to be held on April 27, 2014. This event will be an important date for all those who have been touched by the life and the teachings of these two popes. This date — the Sunday after Easter — marks the Feast of Divine Mercy, a celebration that was established by John Paul II himself.

Pope Francis made this announcement following a meeting with cardinals and those who supported the canonization of the two popes. At the meeting, brief biographies of the two candidates for sainthood were read. Cardinal Angelo Amato, prefect of the Congregation for the Causes of Saints, highlighted the "service to peace" and the impact both popes had "inside and outside the Christian community" at times of great cultural, political and religious transformation.

For these reasons, I encourage you to support Bill C-266, which asks the government to designate April 2 each year as a day to honour Pope John Paul II.

Thank you very much honourable senators for taking the time to listen to a short biography of Pope John Paul II.

(On motion of Senator Cordy, debate adjourned.)

[English]

THE SENATE

MOTIONS TO SUSPEND THE HONOURABLE SENATOR PATRICK BRAZEAU, THE HONOURABLE SENATOR WALLIN AND THE HONOURABLE SENATOR DUFFY—MAIN MOTIONS, MOTION IN AMENDMENT AND SUBSIDIARY MOTIONS WITHDRAWN

On the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Fortin-Duplessis:

That, notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament, the Senate order a suspension for the Honourable Senator Brazeau for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this order is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:

- (a) Senator Brazeau, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- (b) Senator Brazeau's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of the suspension; and
- (c) Senator Brazeau shall not receive any other benefit from the Senate during the duration of the suspension;

That, notwithstanding the provisions of this suspension motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of Senator Brazeau's office and personnel for the duration of the suspension;

And on the motion in amendment of the Honourable Senator McCoy, seconded by the Honourable Senator Cools, that the motion be amended by:

- (1) by deleting the first paragraph and replacing it with the following:

That, pursuant to rules 15-2(1) and 15-2(2), and in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament,

that the Senate order a leave of absence for the Honourable Senator Brazeau to last until the RCMP have concluded their investigations into these matters; and

- (2) that the second paragraph be deleted and be replaced with the following words:

That concurrent with the RCMP investigation, the Speaker, the Government Leader and the Opposition Leader should engage in regular consultations (with each other), with the goal of identifying an appropriate course of action for the Senate to take with respect to Senator Brazeau, when the outcome of the RCMP investigation is known.

And on the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Poirier:

That, notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament, the Senate order a suspension for the Honourable Senator Wallin for sufficient cause, considering her gross negligence in the management of her parliamentary resources, until such time as this order is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:

- (a) Senator Wallin, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- (b) Senator Wallin's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of the suspension; and
- (c) Senator Wallin shall not receive any other benefit from the Senate during the duration of the suspension;

That, notwithstanding the provisions of this suspension motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of Senator Wallin's office and personnel for the duration of the suspension;

And on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Fraser:

That this motion be referred to our Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report;

That Senator Wallin be invited to appear; and in light of the public interest in this matter, pursuant to rule 14-7(2), proceedings be televised.

And on the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Poirier:

That, notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament, the Senate order a suspension for the Honourable Senator Duffy for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this order is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:

- (a) Senator Duffy, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- (b) Senator Duffy's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of the suspension; and
- (c) Senator Duffy shall not receive any other benefit from the Senate during the duration of the suspension;

That, notwithstanding the provisions of this suspension motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of Senator Duffy's office and personnel for the duration of the suspension;

And on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Munson:

That this motion be referred to our Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report;

That Senator Duffy be invited to appear; and in light of the public interest in this matter, pursuant to rule 14-7(2), proceedings be televised.

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, if I may, with leave of the Senate, with the government motion that was adopted last evening, I would like to withdraw Motions Nos. 2, 3 and 4 at this time.

The Hon. the Speaker: Senator McCoy.

Hon. Elaine McCoy: Maybe it is a point of clarification, considering that Motion No. 2 stands on the Order Paper with my amendment on it, which we have not spoken to yet.

It is my understanding that, once an order has been passed in the Senate, speaking to a subject, it supersedes any other order. Even if everybody in this chamber decided they wanted this order, with the other order standing, it would be superseded and, therefore, cannot proceed. Would you confirm that?

Hon. Joan Fraser (Deputy Leader of the Opposition): If Your Honour is not prepared to rule immediately, I'll speak.

The Hon. the Speaker: Honourable senators, the Deputy Leader of the Government has requested leave to withdraw Motions Nos. 2, 3 and 4 of Other Business. If the Senate agrees to the request, the motions will no longer appear on the Order Paper.

Before I ask whether there is leave, I would just like to explicate that it is true that Rule 5-10(1) speaks of the senator who moved a motion asking for leave to withdraw it, but I also note, honourable senators, that Rule 5-7(k) envisions a motion moved without leave to discharge an order.

Rather than moving a formal motion, Senator Martin has asked for general agreement to withdraw the motions, and this is

a simple approach. Motions Nos. 2, 3 and 4 deal with the suspensions of three senators. The Senate decided the issue yesterday.

If these motions remain on the Order Paper, they could give rise to a point of order relating to the same question rule. The same question rule is that we have, on the Order Paper, two questions that are asking the same thing. They remain there until a decision is taken. A decision has been taken on one of them, so, therefore, the first ones should fall off the Order Paper. This is the simplest way.

Honourable senators, is there agreement that these be considered withdrawn?

Hon. Senators: Agreed.

(Motions withdrawn.)

(The Senate adjourned until tomorrow at 2 p.m.)

TABLE OF CONTENTS

Wednesday, November 6, 2013

	PAGE		PAGE
SENATORS' STATEMENTS		Meeting of the Standing Committee and the Secretaries of Delegation, March 22-24, 2013—Report Tabled.	
National Philanthropy Day		Hon. Joseph A. Day	418
Hon. Terry M. Mercer	414	2013 Spring Session, May 17-20, 2013—Report Tabled.	
Acadia University		Hon. Joseph A. Day	418
One Hundred and Seventy-fifth Anniversary.		The Senate	
Hon. Kelvin Kenneth Ogilvie	414	Notice of Motion to Award Honourary Citizenship to Ms. Asia Bibi.	
Food Banks Canada		Hon. Céline Hervieux-Payette	418
Hon. Fernand Robichaud	415	Rules, Procedures and the Rights of Parliament	
Visitors in the Gallery		Notice of Motion to Authorize Committee Study Changes to Senate's Rules and Practices that will Help Ensure Senate Proceedings Involving Discipline of Senators and Others follow Standards of Due Process.	
The Hon. the Speaker.	415	Hon. Elaine McCoy	419
Canada-Ukraine Parliamentary Program		Canadian Children in Care	
Hon. Denise Batters	415	Notice of Inquiry.	
Saskatchewan Roughriders		Hon. Elizabeth Hubley	419
Hon. Denise Batters	416		
Visitors in the Gallery		QUESTION PERIOD	
The Hon. the Speaker.	416	Transportation	
Honourable Joyce Fairbairn, P.C.		Rail Safety.	
Hon. Jim Munson	416	Hon. Terry M. Mercer 419	
Ms. Margaret Miller		Hon. Claude Carignan 419	
Hon. Marjory LeBreton	416	Foreign Affairs	
The Senate		National Action Plan on Women, Peace and Security.	
Hon. Joan Fraser	417	Hon. Mobina S. B. Jaffer 420	
		Hon. Claude Carignan 420	
ROUTINE PROCEEDINGS		Public Safety	
Canadian Commission on Mental Health and Justice Bill (Bill S-208)		Royal Canadian Mounted Police—Post-Traumatic Stress Disorder Services.	
First Reading.		Hon. Grant Mitchell. 421	
Hon. James S. Cowan.	417	Hon. Claude Carignan 421	
Criminal Code (Bill S-209)		Hon. Roméo Antonius Dallaire. 422	
Bill to Amend—First Reading.		Veterans Affairs	
Hon. Mobina S. B. Jaffer	418	Government Relationship with Veterans.	
ParlAmericas		Hon. Wilfred P. Moore. 423	
Meeting of the Board of Directors and Plenary Assembly, August 20-24, 2013—Report Tabled.		Hon. Claude Carignan 423	
Hon. Michael L. MacDonald	418		
Canadian NATO Parliamentary Association		ORDERS OF THE DAY	
Visit of the Defence and Security Committee, February 1-5, 2012—Report Tabled.		Speech from the Throne	
Hon. Joseph A. Day.	418	Motion for Address in Reply—Debate Adjourned.	
Meeting of the Standing Committee, March 31, 2012—Report Tabled.		Hon. Yonah Martin 424	
Hon. Joseph A. Day.	418	Business of the Senate	
Joint Visit of the Rose-Roth Seminar and the Mediterranean and Middle East Special Group, May 11-13, 2012—Report Tabled.		Motion to Change Commencement Time on Wednesdays and Thursdays and to Effect Wednesday Adjournments—Debate Adjourned.	
Hon. Joseph A. Day.	418	Hon. Yonah Martin. 425	
Rose-Roth Joint Seminar of the Mediterranean and Middle East Special Group and the Subcommittee on East-West Economic Co-operation and Convergence, April 3-5, 2013—Report Tabled.		Hon. Claudette Tardif 425	
Hon. Joseph A. Day.	418	Hon. Grant Mitchell. 426	
		Hon. Kelvin Kenneth Ogilvie 427	
		Hon. Céline Hervieux-Payette 428	
		Hon. Maria Chaput 428	
		Hon. Anne C. Cools. 428	
		Hon. Joan Fraser 429	
		Hon. Jim Munson 430	

	PAGE
Criminal Code (Bill C-217)	
Bill to Amend—Second Reading—Debate Adjourned.	
Hon. Bob Runciman	430
Hon. Larry W. Campbell	431
Hon. Serge Joyal	431
Hon. Roméo Antonius Dallaire	431
Pope John Paul II Day Bill (Bill C-266)	
Second Reading—Debate Adjourned.	
Hon. Suzanne Fortin-Duplessis	432

	PAGE
The Senate	
Motions to Suspend the Honourable Senator Patrick Brazeau, the Honourable Senator Wallin and the Honourable Senator Duffy—Main Motions, Motion in Amendment and Subsidiary Motions Withdrawn.	
Hon. Yonah Martin	434
Hon. Elaine McCoy	434
Hon. Joan Fraser	435

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