

# DEBATES OF THE SENATE

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OFFICIAL REPORT (HANSARD)

Thursday, November 28, 2013

The Honourable NOËL A. KINSELLA Speaker

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### THE SENATE

### Thursday, November 28, 2013

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

Prayers.

### SENATORS' STATEMENTS

### AGING IN PLACE

Hon. Judith Seidman: Honourable senators, every year the Canadian Medical Association conducts a survey to determine how Canadians feel about the performance of their health care system. This year they expanded their survey to include questions about seniors' health in Canada. The results revealed a remarkable consensus.

Nine out of ten Canadians believe we need a pan-Canadian strategy for seniors' health care at home, hospitals, hospices and long-term facilities. Ninety per cent believe a comprehensive strategy would improve the entire system by keeping elderly Canadians at home as long as possible.

Honourable senators, we have been anticipating the growth of the aging population in Canada for some time, and it is no wonder Canadians are taking notice. Seniors are the fastest-growing population group in Canada. In 2011 the number of people aged 65 and over reached a record high of 5 million. That number is expected to double, nearly 25 per cent of the population, by 2036.

There has been much debate over the impact this shift in demographics will have on Canada's health care system. However, experts generally agree on three basic realities: First, our health care system is largely reactive, meaning there is less emphasis on prevention and promotion. Second, it costs significantly less to care for a patient at home than in the hospital. Third, seniors prefer to age in their homes and communities for as long as possible.

Taken together, these three facts speak volumes. Seniors should have access to a variety of health and social services that allow them to age in their place of choice and adapt to changing needs and conditions when necessary. This approach is not only cost-effective, it is desirable.

The concept of "aging in place" is not new. In 2009 the Special Senate Committee on Aging produced a substantial report that recommended Canadians be able to age in their place of choice with adequate housing, transportation and integrated health and social care services. For official language minority seniors, "aging in place" also means being able to live in the language and culture of their choice.

There is no question that there are pockets of excellence across the country. Governments at all levels have made efforts to offer seniors choice as they age, yet Canadians are practically unanimous in their opinion that a comprehensive approach to senior care is necessary.

The Senate brought these ideas to our attention five years ago. Clearly, the conversation is not yet finished.

[Translation]

### **CAMPAIGN 2000**

#### CHILD AND FAMILY POVERTY

**Hon. Fernand Robichaud:** Honourable senators, on Tuesday, Campaign 2000 presented its 2013 report on child and family poverty in Canada.

The title of the report is rather striking and telling: Canada's Real Economic Action Plan Begins with Poverty Eradication.

In 1989, the House of Commons adopted a resolution to eliminate child poverty in Canada by the year 2000.

In 2009, another resolution called for the creation of a plan to eradicate poverty in Canada.

Nearly 25 years later, it is clear that poverty continues to affect children and families and there is still no plan to eliminate poverty in Canada.

We learned that still today, one in seven children, or 14 per cent of children in Canada, live in poverty. In the case of Aboriginal children, 40 per cent live in poverty. That is not right and not acceptable.

Campaign 2000 maintains that the Universal Child Care Benefit was not the best use of taxpayer money.

This program began in 2006. It pays families \$100 a month for each child under the age of six to help cover the cost of child care.

At a rate of \$2.5 billion a year, some \$17.5 billion has been paid out since 2006.

Campaign 2000 points out that the government does not have any data to demonstrate how this money has been used and also notes that nearly 700,000 child care spaces could have been created with that same sum.

We know that there is a high cost to poverty. We have already talked about that. Child poverty has an even greater cost.

The report reiterates that child poverty leads to diseases throughout the life cycle. Educational success is often compromised and job insecurity perpetuates poverty.

Taking measures to eradicate poverty would be a show of human solidarity, especially when a number of avenues have been laid out for us to do so.

What is more, many NGO studies, a multitude of university and expert reports, and a number of suggestions from various social action groups present meaningful and well-thought-out solutions for eliminating poverty.

The federal government must play a leadership role in this and make a concerted effort with the provinces and territories.

• (1340)

All managers at all levels of government must demonstrate a true and authentic political will to eliminate poverty.

We have to have a social contract for Canada. More importantly, we have to follow up with a plan and realistic, practical and effective measures.

However, for us, a fundamental question remains: Why are there still almost one million Canadian children living in poverty? Thank you.

[English]

# GOVERNOR GENERAL'S AWARDS IN COMMEMORATION OF THE PERSONS CASE

Hon. Betty Unger: Honourable senators, I recently had the pleasure of attending the 2013 Governor General's Awards in commemoration of the Persons Case. This award pays tribute to a group of women from my home province of Alberta who brought about the Persons Case, known collectively as the Famous Five. These women truly exhibited the spirit for which Albertans are known: standing up for what is right and working tirelessly until the goal is accomplished.

Edmonton's Emily Murphy, the first female magistrate in the British Empire, spent 12 years leading the charge to have women recognized as legal persons. Because of her gender, she was rejected five times for a Senate appointment. Historically, a party of five was required to petition the government for a legal ruling, so Judge Emily Murphy brought the Famous Five together.

In 1917, Louise McKinney was not only the first woman to be elected to Alberta's legislature; she was the first woman elected in a legislature in the entire British Empire. She joined the movement for women to have the right to vote and she fought for property rights.

Nellie McClung, also a member of the Alberta legislature, also fought for the right of women to vote in Canada, and she used her sense of humour and talent for public speaking to rally people to support the Persons Case.

Irene Parlby, also a member of the Alberta legislature, was the second female cabinet minister in the British Empire and was a sitting MLA when she joined forces with the Famous Five, bringing with her the support of the Province of Alberta. She was also the first woman to serve on the CBC's board of governors.

Henrietta Muir Edwards was 78 years old when she joined the struggle for women to legally be declared persons. She was also an artist, a legal expert and a publisher, and she was instrumental in the establishment of the Victorian Order of Nurses in 1897.

When the Supreme Court ruled against them, the Famous Five appealed to the final court of appeal, the British Privy Council, and they won. The Privy Council declared the British North America Act planted in Canada a living tree capable of growth and expansion. Their lordships concluded that the word "person" in section 24 includes members of both sexes and that, indeed, women are eligible to become members in the Senate of Canada.

On October 18, 1929, their hard work and perseverance led to the legal ruling that women were to be included in the definition of "person." It is because of their commitment to equality that today I and all women are able to become senators and speak in this chamber. Let us never forget the sacrifices they made to build a more equal society and, like the present-day recipients of the Governor General's Award, continually strive to do the same. Thank you.

[Translation]

### THE HONOURABLE SERGE JOYAL, P.C.

### LE MYTHE DE NAPOLÉON AU CANADA FRANÇAIS

**Hon. Claudette Tardif:** Honourable senators, last night, the Canada-France Interparliamentary Association and the Speaker of the Senate proudly marked the release of *Le Mythe de Napoléon au Canada français*, the most recent book by our distinguished colleague, the Honourable Serge Joyal, at a reception held in the Speaker's salon.

Senator Joyal's new book explores French Canadian iconography and archives to trace the influence of Napoleon Bonaparte. With his very impressive documentation, Senator

Joyal explains how French Canadians appropriated Napoleon's image and, over time, integrated it into French Canadian culture. This important contribution to the narrative about the evolution of French Canada's collective identity gives us a better understanding of the fascination with this extraordinary figure in popular culture, the political world and even in brands of cheese.

This work on the myth of Napoleon also recounts the history of a community that has had to fight to affirm its identity, and shows the importance and the power of myths in societies. This book is a testament to the consuming passion of this learned author for his subject matter, which the members of the Canada-France Interparliamentary Association wanted to recognize.

Senator Joyal has been an active member of the association for a number of years. The various activities that he proposes and carries out contribute greatly to increasing the association's vitality and enhancing our knowledge of Canada and France and the ties that bind us together on various levels, as demonstrated by Senator Joyal's most recent work.

I would like to once again congratulate Senator Joyal on the publication of his most recent book, and I encourage all senators to read this very interesting publication.

### GOVERNOR GENERAL'S AWARDS IN COMMEMORATION OF THE PERSONS CASE

**Hon. Diane Bellemare:** Honourable senators, in 1979, on the fiftieth anniversary of the Persons Case, the Government of Canada wanted to commemorate the battle of the Famous Five by awarding five Canadian women a Governor General's Award for their extraordinary contributions to promoting gender equality in Canada.

[English]

Let us salute this year's recipients.

Professor Constance Backhouse, from the University of Ottawa, is a distinguished and brilliant scholar but also an activist, a mentor and a leader. Professor Backhouse has achieved the highest levels of academic success and received many prestigious awards.

[Translation]

Professor Backhouse also helped to establish and served on a large number of women's organizations and projects. She has worked on legislative reform to better protect women in Canada against violence, discrimination and inequality.

[ Senator Tardif ]

Nahanni Fontaine, an Ojibway woman from Sagkeeng First Nation with a Master's degree from the University of Manitoba, is a special advisor on aboriginal women's issues for the Government of Manitoba. She is known for advocating action on the issue of missing and murdered Aboriginal girls and women.

[English]

For two decades, she has attended every rally, vigil and funeral and has helped build relationships between families, government and policing agencies. In 2013, she organized the third National Aboriginal Women's Summit.

[Translation]

Susan Kathryn Shiner has always been concerned with social change. She is the family services coordinator at Daybreak Parent Child Centre in St. John's, Newfoundland, where she has set up innovative programs to help child witnesses of violence.

[English]

For nearly three decades, she has been involved with the St. John's Status of Women Council and the St. John's Women's Centre. Ms. Shiner, an activist also involved in unions, has received many distinctions for highlighting women's inequality as a root cause of violence against women.

[Translation]

The other two recipients are young women who may have had shorter careers but who have already achieved great things.

Julie Lalonde is a Franco-Ontarian with a degree from Carleton University. Her main goal is to put an end to the sexual assault and sexual harassment of women and young girls.

[English]

Ms. Lalonde co-chaired the Ottawa chapter of the Miss G Project for Equity in Education and founded the first Canadian chapter of Hollaback! She is an active volunteer with the Sexual Assault Support Centre of Ottawa and hosts a weekly feminist program on Ottawa-based community radio station CHUO.

[Translation]

Last but not least, Cherry Smiley, a young woman from Vancouver's Nlaka'pamux and Dine' nations is an emerging leader among Aboriginal women in Canada. She is already an internationally recognized speaker on gender equality issues.

• (1350)

[English]

She is also involved in many volunteer activities and groups to create awareness about violence against Aboriginal women and girls. She is doing a master's of fine arts at Simon Fraser University, where she was awarded the inaugural Graduate Aboriginal Entrance Scholarship.

[Translation]

Each deserves our deep admiration.

[English]

### THE HONOURABLE NOËL A. KINSELLA

### BIRTHDAY GREETINGS

Hon. Jim Munson: Honourable senators, I would like to wish special birthday greetings to an exceptional New Brunswicker. This gentleman's academic work commenced with elementary and secondary schooling in Saint John, New Brunswick, and has involved university studies in several European universities, including University College Dublin, Ireland; St. Thomas Aquinas University, Rome, Italy; and Pontifical Lateran University in Rome, Italy.

This gentleman is a licensed member of the College of Psychologists of New Brunswick. It makes him very competent to work here.

He has also spent 41 years as a faculty member of St. Thomas. He has taught psychology, philosophy and human rights; is currently a member of the board of governors, a knight of the Sovereign Military Hospitaller Order of Saint John of Jerusalem of Rhodes and Malta; knight of the Most Venerable Order of the Hospital of St. John of Jerusalem; and an honorary navy captain in the Canadian Forces.

Talk about a lot of degrees, honourable senators. He holds an honorary degree, doctorate of philosophy, Dominican University College Ottawa; honorary doctorate of laws degree from St. Thomas University in Fredericton; and an honorary doctorate of literature from University College Dublin.

There is another paragraph about human rights in his field. He was a very active chairperson of the New Brunswick Human Rights Commission for 22 years, beginning in 1967.

Senator Mercer: A bit of an underachiever, isn't he?

**Senator Munson:** Yes. He is well known nationally and internationally as a human rights advocate and academic, including such cases as Malcolm Ross; *Lovelace v. Canada* at

the United Nations Human Rights Committee; and is presently a member of the advisory council of the Canadian Museum for Human Rights.

Now, if this doesn't get me a road trip with you, Mr. Speaker, nothing else will.

That's the official biography and, at the very end, according to Wikipedia, Senator Kinsella is considered a Red Tory —

Some Hon. Senators: Hear, hear.

Senator Munson: — and he supported Peter MacKay in his bid to become leader of the Progressive Conservative Party in 2003. Mr. Harper made a wonderful appointment here, despite all of that

So, in the words of the late Marilyn Monroe, "Happy birthday, Mr. President."

Hon. Senators: Hear, hear!

The Hon. the Speaker: Thank you.

### PERSONS CASE

Hon. Grant Mitchell: Honourable senators, I'm not on the list of speakers for statements, but I was inspired by Senator Unger's statement on the Famous Five. I wanted to make a point. I've made it once or twice before in the house, but it was a long time ago; before many of the members who are here now had arrived.

I think it's worthy of noting that there's a very special historic significance to Persons Day that's very personal and personally rooted in the Senate. The day that I was appointed, Senator Nancy Ruth was appointed. Nine of us were. It became apparent to me, and I don't know whether she mentioned it — it might have been that she mentioned it — that her grandfather was a man called Newton Wesley Rowell, and he is known particularly well among most of us for his role as chair of the Rowell-Sirois commission that looked into federalism in Canada in the 1930s.

Less well known, but very significant in keeping with Senator Unger's statement, is that he was the lawyer who took the Persons Case to Britain and won it.

He is also the grandfather of Senator Nancy Ruth, so there is a certain circle that has closed here, and I just wanted to note that.

Hon. Senators: Hear, hear.

[Translation]

### ROUTINE PROCEEDINGS

### INFORMATION COMMISSIONER

### SPECIAL REPORT TABLED

**The Hon. the Speaker:** Honourable senators, pursuant to section 39 of the Access to Information Act, I have the honour to table, in both official languages, a special report from the Information Commissioner of Canada entitled *Access to Information at Risk from Instant Messaging*.

[English]

# STUDY ON ECONOMIC AND POLITICAL DEVELOPMENTS IN THE REPUBLIC OF TURKEY

SECOND REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE TABLED

Hon. A. Raynell Andreychuk: Honourable senators, I have the honour to table, in both official languages, the second report of the Standing Senate Committee on Foreign Affairs and International Trade, which deals with the economic and political developments in the Republic of Turkey, their regional and global influences, the implications for Canadian interests and opportunities, and other related matters.

The Hon. the Speaker: When shall this report be taken into consideration?

**Senator Andreychuk:** I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

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

### ECONOMIC ACTION PLAN 2013 BILL, NO. 2

SECOND REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE ON SUBJECT MATTER TABLED

Hon. Art Eggleton: Honourable senators, I have the honour to table, in both official languages, the second report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with the subject matter of those elements contained in

Divisions 5, 10 and 11 of Part 3 of Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of November 5, 2013, the report will be placed on the Orders of the Day for consideration at the next sitting of the Senate, and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of Bill C-4.

# THIRD REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE ON SUBJECT MATTER TABLED

Hon. A. Raynell Andreychuk: Honourable senators, I have the honour to table, in both official languages, the third report of the Standing Senate Committee on Foreign Affairs and International Trade, which deals with the subject matter of those elements contained in Divisions 4 and 16 of Part 3 of Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of November 5, 2013, this report will be placed on the Orders of the Day for consideration at the next sitting of the Senate and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-4.

# SECOND REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE ON SUBJECT MATTER TABLED

Hon. Dennis Dawson: Honourable senators, I have the honour to table, in both official languages, the second report of the Standing Senate Committee on Transport and Communications, regarding those elements contained in Division 8 of Part 3 of Bill C-4, A second act to implement certain provisions of the budget tabled in Parliament on March 21, 2013, and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of reference of November 5, 2013, the report shall be placed on the Orders of the Day for consideration at the next sitting of the Senate and the Standing Senate Committee on National Finance shall be simultaneously authorized to take this report into consideration during its study of the subject matter of all of Bill C-4.

# SECOND REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ON SUBJECT MATTER TABLED

Hon. Bob Runciman: Honourable senators, I have the honour to table, in both official languages, the second report of the Standing Senate Committee on Legal and Constitutional Affairs, which deals with the subject matter of those elements contained in Division 19 of Part 3 of Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of November 5, 2013, this report will be placed on the Orders of the Day for consideration at the next sitting of the Senate, and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-4.

• (1400)

BANKING, TRADE AND COMMERCE COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF SUBJECT MATTER WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That the Standing Senate Committee on Banking, Trade and Commerce be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate a report relating to its study of the subject-matter of those elements contained in Divisions 2, 3, 9, and 13 of Part 3 of Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures, tomorrow, Friday, November 29, 2013, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

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

Hon. Senators: Agreed.

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

Hon. Joan Fraser (Deputy Leader of the Opposition): Happy birthday, Your Honour.

All the other committees seem to be able to get their reports in today by the close of business, why not Banking?

**Senator Martin:** I am aware, having spoken with the chair — and I understand there is agreement from the deputy chair — that they are still working on a few minor changes and that the report will not be ready today. Since we are not sitting tomorrow, I am asking for leave for this motion.

**The Hon. the Speaker:** Is it agreed, honourable senators, that we adopt this motion?

Hon. Senators: Agreed.

(Motion agreed to.)

### INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

# NOTICE OF MOTION TO INSTRUCT COMMITTEE TO HEAR WITNESS

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That it be an instruction to the Standing Committee on Internal Economy, Budgets and Administration that, before the end of 2013, it hear from Mr. Michael Runia, Managing Partner, Ontario at Deloitte LLP in relation to the audit report on Senator Duffy's expenses.

## **QUESTION PERIOD**

### HUMAN RESOURCES AND SKILLS DEVELOPMENT

POVERTY—USE OF FOOD BANKS

Hon. Elizabeth Hubley: Happy birthday, Mr. Speaker.

My question is for the Leader of the Government in the Senate. Honourable senator, while your government boasts about your plan to unbundle cable and its war on wireless, they are ignoring real problems in our country, including the serious and growing problem of hunger. This serious condition was highlighted earlier today in Senator Robichaud's statement as it relates to Canadian children.

Food Banks Canada's most recent report, HungerCount 2013, found that each month 80,000 people are accessing a food bank for the first time. One in six households assisted have income from current or recent employment. Half of the households receiving food are families with children, and 23 per cent of households receive old-age- or disability-related benefits.

All of these findings are very troubling. It is simply unacceptable that people are going hungry and that your government is ignoring it.

Earlier this week, I was very troubled by a story from Prince Edward Island about the Summerside food bank's demand doubling. A worker at the Salvation Army food bank in Summerside said that the food bank normally helps 20 to 22 people a day, three days a week. However, this number has doubled to 40 to 45 people.

Many of these people are new to the food bank, and others are people they have not seen in a long time. Honourable senator, what is your government doing to help curb the increase in food banks in our country?

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator Hubley, in response to your question about child poverty, as you know, the Working Income Tax Benefit has helped 1.5 million low-income Canadians. In 2011, our government increased the income of families in the two lowest tax brackets so that they can earn more money without paying taxes. A typical Canadian family now pays \$3,200 less in tax under our government, and one million low-income Canadians no longer pay taxes as a result of our tax cuts.

We also made improvements to the National Child Benefit and the Child Tax Benefit. We created the Universal Child Care Benefit, under which parents receive \$100 a month for every child under the age of six, which has helped bring 24,000 families and approximately 55,000 children out of the low-income tax bracket.

The Child Tax Credit is available for every child under the age of 18. It provides additional money for more than three million children, and with this credit, 180,000 low-income individuals do not pay taxes and can spend their money on necessities.

We are proud to compare our record to that of the previous Liberal government.

[English]

**Senator Hubley:** I do appreciate your answer, honourable senator, but the figures are startling, and they are still in place. Obviously, people of lower income are not able to access these programs, but for some reason we still see the numbers rising.

Honourable senators, it is no coincidence that since your government has made changes to Employment Insurance, food bank use has increased in Prince Edward Island. The fact is it is now more difficult to qualify for and access Employment Insurance, making it difficult for people to provide adequate nutritious food for their families.

These changes to EI are putting a greater strain on overburdened food banks and families. As we approach the holiday season, this will only get worse.

Will your government consider making a change recommended by Food Banks Canada to reduce the hours of work required to qualify for EI so that fewer people will go hungry?

Some Hon. Senators: Hear, hear!

• (1410)

[Translation]

**Senator Carignan:** Senator, I would like to answer your question by correcting your statement about Employment Insurance, particularly in Prince Edward Island.

As you know, no one is forced to look for work outside Prince Edward Island to qualify for EI. The rules for applying to and qualifying for Employment Insurance have not changed in that regard.

Moreover, according to the best data available to us, of those who were excluded or did not qualify for EI benefits, well under one per cent were excluded or ruled ineligible for failing to find a job or refusing to accept suitable employment.

Therefore, your statement that EI reform has an impact on poverty, as you said, is inaccurate.

[English]

**Senator Hubley:** Another issue stemming from your government's cuts to EI is the out-migration from Atlantic Canada, including from Prince Edward Island. A Statistics Canada report found that in 2012-13, P.E.I. experienced its largest loss of Islanders in more than 11 years. Many of the people who leave are seasonal workers who travel back and forth to the Alberta oil fields to provide money for their family in the off-season.

Just this morning, I met with a seasonal restaurant owner from rural Prince Edward Island who told me she had trouble finding employees last year because her regular employees had moved out West to support their families because of the changes to EI.

Earlier this week, your regional minister was asked about out-migration in Prince Edward Island. Her response was that people are choosing to travel back and forth to Alberta for a better life. I can assure you that if they had the choice, a father would not choose to leave his family for weeks or months at a time.

Honourable senator Carignan, moving to Alberta should not be a solution. When will your government stop its attack on seasonal workers and reverse the changes to EI so Islanders are not forced to move away to put food on the table for their families?

[Translation]

**Senator Carignan:** Senator Hubley, our government made modest and reasonable changes to EI to more effectively match unemployed Canadians with the jobs available in their region that match their skills.

Employment Insurance benefits are still there to help Canadians, including in those areas where all jobs are seasonal or specialized. The rules for applying and qualifying to receive EI benefits have not changed. No one is forced to seek employment outside Prince Edward Island to be eligible for EI. The rules for applying and qualifying to receive EI benefits have not changed.

[English]

**Hon. Art Eggleton:** May I take this issue back into a national context? Notwithstanding the measures that you talked about in the answer to the first question that the government has taken,

there are still over 3 million Canadians living in poverty. That is one in ten in this country.

As Senator Robichaud pointed out, one in seven of the children in this country live in poverty. Notwithstanding that the House of Commons said we were going to eliminate child poverty by the year 2000 and unanimously passed that in 1989, we actually have more children in poverty today than we had at the millennium, and we have an increasing usage of food banks.

You have told us about what your government has done. I want to know about the way forward to try to tackle these awful poverty numbers that exist in this country of great prosperity and plenty.

[Translation]

Senator Carignan: Senator Eggleton, you are trying to make connections between different issues where none exist. You are trying to claim that EI increased poverty, when that is not the case. On the contrary, EI reform makes it possible to match job seekers with available jobs and prevents Canadian companies from having to hire foreign workers. We are employing Canadians, instead of foreign workers, in our businesses.

[English]

### NATIONAL DEFENCE

COMMUNICATIONS SECURITY ESTABLISHMENT CANADA—SURVEILLANCE AT G20 SUMMIT IN TORONTO

Hon. Wilfred P. Moore: Honourable senators, my question is also for the Leader of the Government in the Senate. As you may have anticipated, I am back with regard to the Communications Security Establishment Canada and the reported spying that took place at the G8 and G20 summits that occurred in Toronto in 2010. I will ask you a couple of fundamental questions.

Is it common practice for our government to allow a foreign nation to spy on Canadians and our guests who attend meetings and summits in Canada?

Senator Mitchell: Evidently, yes.

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator Moore, I think that you have likely already heard my answer to the effect that Communications Security Establishment Canada cannot spy on Canadians. According to the law, the organization cannot ask international partners to do anything that circumvents Canadian laws. All of the activities of Communications Security Establishment Canada are reviewed by an independent commissioner who, for 16 years, has reported that the organization's activities comply with the law. That is what we expect of CSEC.

[English]

Senator Moore: You have said that CSEC cannot spy on Canadians, and you have said that neither can foreign agencies. When this event happened in 2010, did CSEC, or some other Canadian authority, forewarn our guests that their hotel rooms may be bugged, depending on the deal that CSEC might strike with the National Security Agency of the United States of America?

[Translation]

Senator Carignan: As you know, we do not comment on national security issues. I have said it before and I will say it again: according to the law, Communications Security Establishment Canada cannot spy on Canadians and, according to the law, that organization cannot ask our international partners to do anything that circumvents Canadian laws.

[English]

**Senator Moore:** It was clear that there were no terrorist threats or threats to Canada's security when this took place. Maybe you can tell the chamber and Canadians what information were CSEC and the NSA hoping to obtain through these covert surveillance activities of Canada and our guests?

[Translation]

Senator Carignan: As you know, Senator, we do not comment on national security issues. I have said it before and I will say it every time you ask me a question about this: according to the law, Communications Security Establishment Canada cannot spy on Canadians and, according to the law, that organization cannot ask our international partners to do anything that circumvents Canadian laws.

[English]

**Senator Moore:** Clearly I am hearing you say, leader, that this was not a matter of national security, a legal matter, a matter of the law, and we would expect CSEC, NSA or anybody else that comes into Canada as our guest to obey the rule of law. Given that, how did this take place? How could this happen? Somebody must have known.

Senator Mitchell: Nigel Wright.

**Senator Moore:** Maybe Mr. Duffy. Maybe we could ask him to come before Committee of the Whole, and maybe that man from Deloitte & Touche: we will ask him.

**Senator Mercer:** That guy with Deloitte, he probably knows.

Senator Cordy: No; they won't let them.

**Senator Moore:** We want to get to the truth. That is what we are supposed to be representing — integrity. We are supposed to be representing the country, Canadians, regions, minorities. How

could this take place? How could a foreign agency come into Canada, set up a spy mechanism and spy on Canadians and our guests? How could that possibly happen, sir?

• (1420)

[Translation]

Senator Carignan: Senator Moore, my answer was clear. By law, CSEC cannot target Canadians. By law, CSEC cannot ask our international partners to do anything that circumvents Canadian law. To ensure compliance with the law, all of CSEC's activities are monitored by an independent commissioner who, for 16 years, has reported that CSEC conducted its activities in compliance with the law.

[English]

**Senator Moore:** Supplementary question. I heard you, and I understand what you said, but you didn't address the question. My question is: Given all that you have said, that it is contrary to Canadian law for this to happen, how could this have happened?

**Senator Mercer:** That's right. Come on! You are the law and order government. Let's see some law and order.

[Translation]

Senator Carignan: What I am saying, Senator, is that we cannot comment on issues of national security. I am saying that CSEC cannot, by law, target Canadians or authorize an international partner to act in such a way as to circumvent the law. To ensure compliance with the law, we have an independent commissioner who ensures that all of CSEC's activities are compliant. For the past 16 years, the report clearly indicates that the activities have been compliant.

[English]

# COMMUNICATIONS SECURITY ESTABLISHMENT CANADA—PARLIAMENTARY OVERSIGHT

**Hon.** Wilfred P. Moore: Again, I am happy that you agree that this is not supposed to happen and that it is against the law of our country. It is nice that we have a single individual who is supposed to be monitoring and riding herd on CSEC, but that doesn't answer the question.

I want to know how this could have happened. Somebody spoke to somebody and permitted this to happen. I don't know if the commissioner knew of this. In his last report, he was urging CSEC to work in the interests of the privacy of Canadians, so how could this have happened? If it happened under his watch, let me suggest to you, Mr. Leader, that it is not enough to have one individual doing this task. I am suggesting it is probably time now — and maybe you would agree with me — to have parliamentarians oversee this task.

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator, we do not comment on issues of national security or the specific aspects you are talking about. What I am saying is that there is already an independent commissioner whose mandate is to monitor CSEC's activities and conduct in order to ensure that they are within the parameters of the law. By law, as I told you, CSEC cannot target Canadians, nor can it ask our international partners to act in such a way as to circumvent the laws of Canada.

[English]

**Senator Moore:** Yes. You have said that repeatedly, and repeatedly I have acknowledged that, and I agree with you.

Senator Carignan: Not in the same order.

**Senator Moore:** The facts are that it is not permitted and it did happen. What I do not understand is if we have this commissioner who is in charge of ensuring discipline and that CSEC operates within the laws of our country, what happened in this instance? How did this happen? What did he do about it when he found out? When did he find out about it?

Senator Mercer: And who did he tell?

**Senator Moore:** And what did he do about it? In this instance, we know it was not a matter of national security. This was not a national threat issue or anything like that.

[Translation]

Senator Carignan: Senator, we do not comment on intelligence gathering activities or capabilities abroad. Communications Security Establishment Canada is operating in accordance with Canadian law and its activities are monitored by an independent oversight body.

[English]

Senator Mercer: Law and order.

Senator Moore: Senator, we do comment on law and order. We do comment on integrity. We do comment on the privacy of Canadians. We comment on those who are in high office to make sure that those values and privacy issues are maintained and looked after. I don't think that you would disagree with me on those accounts. I would hope not. That is part of who we are and that is why the legislative chamber is here. We have got to talk about some of those things.

If you and I can't talk about it in a public forum, then maybe we should have a proper committee of parliamentarians like the one that oversees CSIS, something like that, to oversee CSEC. We have to know, with assurance, that these rights and the issues that Canadians are concerned about are being looked after and being looked after properly.

[Translation]

Senator Carignan: Senator, that is why we have a law that was passed by Parliament, a law that stipulates that Communications Security Establishment Canada cannot target Canadians and that all of the organization's activities must be examined by an independent commissioner who ensures that those activities comply with the law. It seems that you do not trust the independent commissioner's report. We do.

[English]

**Senator Moore:** I wonder, leader, having heard what you said, would you be supportive of the establishment of a parliamentary committee to oversee CSEC, if a piece of legislation were brought in?

Senator Mercer: That's a good question.

**Senator Mitchell:** It's too bad they weren't spying on the PMO.

[Translation]

Senator Carignan: Communications Security Establishment Canada is monitored by an independent commissioner. He monitors the organization's activities, and he indicated in his report that those activities have been compliant for 16 years. It is too bad that you do not trust the independent commissioner who provides this independent oversight, Jean-Pierre Plouffe, who I must point out, is a former justice of the Court Martial Appeal Court of Canada.

[English]

Hon. Joan Fraser (Deputy Leader of the Opposition): Supplementary question. Leader, it is not a question of not having confidence in him. It is a question of thinking that the system that exists, through no fault of the person involved, is inadequate.

I thought that when our side sat where you are sitting now. I still think it. I even think that CIRC is inadequate for the heavy task placed upon it, but, certainly in the case of the Communications Security Establishment, the system has just not set up an adequate surveillance institutional structure, in my view.

In addition to which, as you have heard us say many times, we are practically unique among advanced nations in not having proper parliamentary oversight of security establishments.

Why will your government not address itself to these two very serious and non-partisan cases?

[Translation]

**Senator Carignan:** The reason is that we have an independent commissioner who reported that CSEC's activities have been compliant for 16 years. We have no reason to question the independent commissioner's work.

[English]

**Senator Moore:** If what you say is correct, leader, why, in his last report, did the commissioner urge CSEC to look at its ensuring the privacy of Canadians? Why do you think he did that?

[Translation]

**Senator Carignan**: Senator, as you know, the legislation stipulates that Communications Security Establishment Canada cannot target Canadians. The commissioner is responsible for ensuring that the organization carries out its activities in accordance with the law, and that is what he is doing.

• (1430)

[English]

### CITIZENSHIP AND IMMIGRATION

### REFUGEE REGULATIONS

**Hon. Grant Mitchell:** Mr. Speaker, you'll notice that I am not going to wish you a happy birthday. That's because for me it recognizes that you are one year closer to a too-fast-approaching retirement and you will be missed in that chair.

Some Hon. Senators: Oh, oh!

Senator Mercer: Do you want to go on a trip, too?

**Senator Mitchell:** I mean it. I've been through a lot of Speakers and I've never said anything like that to any of them before.

Unlike my colleague's question concerning what happens to some visitors when they get here, my question concerns people who are simply blocked from coming, and they are asylum seekers. A new Harvard law study points out in a rather scathing way that Canada is increasingly shutting the door on asylum seekers and this is having the consequence of perhaps, and probably unwittingly, contributing to the human smuggling crisis. That, of course, can have implications for human trafficking.

The Harvard Immigration and Refugee Clinic raises an alarm about that. Their study points out that at the hands of human smugglers there is great risk for asylum seekers in many ways. In fact, it can even put lives at risk.

Is this government aware of these unintended consequences of its now harsher asylum-seeker policies and regulations? [Translation]

Hon. Claude Carignan (Leader of the Government): Senator, Canada welcomes one out of ten resettled refugees, which is much better than most other countries. In 2012, Canada was ranked first for welcoming the most resettled refugees per capita, according to the United Nations Refugee Agency's report on global trends. We are world leaders in protecting refugees, and this includes the recent commitments we have made to resettle refugees from Iraq, Iran, Bhutan and Syria, for example, and the recent reforms made to Canada's asylum system, which give faster protection to legitimate refugees and go after the human smugglers who exploit the most vulnerable people in the world. Canada has a long and proud tradition of protecting the people who need it most and we will continue to do so.

[English]

**Senator Mitchell:** Does the government not understand that the statistic the leader just quoted refers to resettled refugees, which means those who actually get out of the refugee camps, and forgets the millions of people who are left in camps around the world today as we speak?

Will the government not understand and at least rethink, on the basis of this kind of information from a credible source like the Harvard study, the fact that there are unfortunate, overly rigorous blocks and obstacles to asylum seekers to Canada? Such obstacles may well be thrusting these people into the hands of human smugglers and human traffickers and could be putting lives at risk and endangering people whose safety concerns deserve to be heard by Canadians.

[Translation]

**Senator Carignan:** Thank you, senator. I repeat that the Government of Canada's record on this is one of the best in the world. In 2012 we were ranked number one. I know that you do not like to hear that Canada ranks highest in a certain area, but once again, Canada was ranked first for welcoming the most resettled refugees per capita by the United Nations Refugee Agency. I think our actions speak for themselves.

[English]

Senator Mitchell: The government's own report, which was just released under an ATIP request, points out that between 2010 and 2011 there was a 50 per cent increase in human smuggling into Canada. If the government won't believe the report from the Harvard group, will it believe its own report that with its overly enthusiastic asylum-seeker obstacles and regulations and by closing the borders in this suspicious way, it's perhaps actually grievously harming people to the extent that human smuggling has increased over 50 per cent in one year?

[Translation]

**Senator Carignan:** I will repeat what I already said. You mentioned 2010 and 2011. In 2012 we were ranked number one by the United Nations Refugee Agency for welcoming resettled refugees here in Canada. Our actions speak for themselves.

[English]

## **ORDERS OF THE DAY**

### SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Martin, 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.

Hon. Grant Mitchell: Honourable senators, I rise to speak on the Speech from the Throne. I understand it has been adjourned in the name of Senator Andreychuk, or at least she was next on the list. I'm assuming and hoping that I won't be displacing her, but just replacing her briefly. Thank you.

Unfortunately, I have spent most of my adult life in opposition and I've seen a number of Throne Speeches from that perspective. However, I have never seen as target-rich an environment as I see in this particular Throne Speech. Regrettably, I am limited to 15 minutes, and maybe only that after my colleagues hear what I have to say, but I think I might need another five minutes if I can suggest that in advance.

**Senator Mercer:** No happy birthday if he wants five more minutes.

**Senator Mitchell:** That is totally and utterly coincidental.

In assessing the Throne Speech, I thought I would do a climate change audit of the Throne Speech. In some senses, one approach to that would be to stand here for 15 minutes and say absolutely nothing because there is nothing in the Throne Speech about climate change. There is zero mention of climate change in the Throne Speech.

Consider the fact, and it is a fact, that among many other threats facing Canada today climate change is perhaps the single greatest economic threat we face today and since — pick a time — the Second World War or since the Depression. Not to diminish the suffering of people during the Depression, but in some senses climate change is far more risky than what the country faced during the Depression because climate change risk is infinite.

The great frustration that so many of us feel is that actually fixing climate change is not risky. It would stimulate, inspire, create, generate, motivate and drive a new modernization of an economy that would stand us in the kind of stead that the changes to the economy forced upon us during the Second World War to win that war drove for the last 60 years.

I will go through the Throne Speech and mention a number of places where climate change consideration would have fit so well and, in fact, underline great weaknesses in the government's view of its climate change responsibilities and the place that enlightened climate change policy could have had throughout this Throne Speech. This refers largely to the economy, but also to health, the environmental space and many other areas that would have implications and could have been utilized to attack in a positive way, and a practical, pragmatic way, and would even have great economically positive consequences for the looming challenge and problem of climate change.

I note, as a starting reference, that the government says it "will work with provinces and territories on a new generation of labour market agreements to more effectively connect Canadians with disabilities to employers and in-demand jobs." I don't know what word it was that the Prime Minister used, six or eight months ago, seven years into his tenure, when he was so upset that somehow the labour market hadn't evolved as he thought it should. Of course, that was lack of foresight. He'd been in government for seven years. He thought maybe it was just going to happen by itself, that the federal government didn't have some role to lead in the area of the labour market?

As I read that, I thought the government is making exactly the same mistake with climate change. Just like they did with labour strategy, just like they've done with so many other issue areas, they made a profound error with labour strategy. They let it drift for the first seven years. Now, of course, it continues to drift because they don't really know how to lead the provinces. In fact, what they want to do is tell them what to do and not negotiate or discuss with them. But it also underlines a pattern of a government that has little foresight, one that seems to be driven by yesterday's political imperative and not by the broader, long-term inspiration that a nation needs on issues like climate change.

Interestingly, the government talks about trade and makes much of its pending agreement with the European Union. Also interesting is that we have not seen what's in that trade agreement, making me, among many others, very suspicious that not much—and, in fact, there is now evidence from reports from the European Union side that Canada gave away way more than it had to, to get whatever it is that it may be that we got.

It begs the question: What was the context of discussions about climate change policy in the negotiation of that free trade agreement? I'll bet we'll find that there was no effort made for discussion.

As a tongue-in-cheek aside, I do note that one of the initiatives mentioned in the Throne Speech is that we're going to find Franklin. It dawns on me that climate change might make that easier, because anything that was covering him is surely melting. That may be the one thing that they'll be able to achieve in this Throne Speech, and it won't have taken the kind of leadership that one would expect from a government.

They say that they are going to "enshrine the polluter-pay system into law," which begs the question: Is this government considering that greenhouse gases are pollution? What defines pollution? Pollution is something that is bad for the environment and bad for human health. I would think that's probably a pretty comprehensive definition of pollution.

Greenhouse gases are certainly bad for the environment at the levels at which they're being emitted now and are increasing from. In fact, that is inevitably going to be bad for health, as it already is — heat waves, changes in agricultural patterns in parts of the world, lack of water, too much water. There is no question at all that if this government were concerned about making the polluter-pay system part of the law, they would count greenhouse gases as pollution, and that would raise the question as to exactly how they would price carbon emissions, greenhouse gas emissions, for the polluters who they say should pay.

The government makes much of supporting, as they say, fishermen — I think we now call them fishers — by ensuring proper management of fish stocks and by opening new markets worldwide. What they fail to note is that fisheries in Canada have been grievously harmed by climate change because of changing water temperatures, changing levels of acidity of the water, which is fundamentally changing fishing patterns and the livelihood of the food chain in our oceans. But, of course, a government that would want to support fishers in developing and sustaining, as they say, this traditional pillar of our coastal economy could hardly face a nation and say that, if it were sensible at all, without talking about what needs to be done to mitigate climate change.

They go to say that forestry remains essential to Canada's rural economy. It's one of the places where I actually would agree with this government; it does remain essential. But again, our forests are being devastated by climate change — the pine beetle and other such infestations and ailments. The fact is that nothing in the Throne Speech addresses mitigation of climate change as a way of sustaining the forestry industry.

The government is making a great deal of how it is spending money on infrastructure, and it mentions projects undoubtedly that need some attention. There's certainly the Champlain Bridge. But what it doesn't talk about is any kind of insight into the fact that we need new, enhanced, greater capacity in our municipal infrastructure to deal with climate-changed weather. We saw it in Calgary. We saw it in New York. We saw it in Toronto. This summer, in three hours, Toronto received the same amount of rain that it receives in the entire month of July on average. It couldn't, didn't and doesn't have the infrastructure it needs to deal with that.

So you would think that a government that would want to lay claim to leadership and vision for the future, in talking about infrastructure at the municipal level, would be talking about an infrastructure-building capacity to deal with climate-changed weather.

They talk about their automotive industry as a key part of our Canadian economy. I think we were all lobbied in the last few days by that industry, and it's clear that it is a key part of our economy. They talk about the Automotive Innovation Fund in that context. It begs the question: How much of the Automotive Innovation Fund will go into alternative or renewable-fuel cars — hybrids, electrical vehicles, fuel cell cars — the infrastructure required so that these automobiles can function successfully and be encouraged to function successfully on our roads?

The government talks about its focus on relief to manufacturing companies, this \$1.4 billion in tax relief, and investing in modern machinery and equipment. My fear would be that the government would exclude those kinds of technologies that might be used by many small businesses — new machinery, new innovation, new research — that could lead to the reduction of greenhouse gas emissions and could create new industry, new jobs for the future.

The Canada Revenue Agency will cut additional red tape and help businesses navigate the tax system. But as they say that on the one hand, their approach to dealing with climate change, if at all, is to regulate. But of course regulations are the most expensive way that you could conceive of to price carbon, because it does put a price on carbon, in a ham-handed way. On the one hand, they're saying they're going to cut red tape; on the other hand, their solution to the biggest economic challenge facing this country in decades, if not ever, is to make it more complicated.

This is the one that I really enjoy. The government says they're going to "enshrine the "One-for-One" Rule in law: for every new regulation added, one must be removed." Maybe that's why they haven't, over the last five, six or seven years of promising to regulate the oil sands, been able to do it, because they can't find where they're going to cut the regulations that they will replace with regulations on the oil sands. How absurd a statement is that? If ever there was a purely political statement in a Throne Speech, it has to be that: We're going to cut the "One-for-One" Rule.

I guess the further question it begs is: Have they identified which regulations they're going to cut so they can finally regulate oil sands emissions, as they've been saying and promising over and over again that they will do?

The government talks about families expecting safe and healthy communities — and certainly Canadian families do — "in which to raise their children." One of the very credible groups, the Canadian Association of Physicians for the Environment, has been making powerful arguments about the impact of burning

coal on human health. In fact, their estimates are that the health impacts in Alberta alone amount to about \$300 million a year from burning coal.

• (1450)

If ever there was a way to assist in enhancing the safety and the health of communities in which to raise our children, one would think that federal efforts — serious efforts — to reduce coal and the greenhouse gas emissions that come with them, and the impact therefore on climate change, would be something that would be a relative priority for this government.

However, in spite of all these chances to talk about and, in fact, demand all these items in this Throne Speech of places where climate change should be discussed, there is not a mention of it at all

I do want to acknowledge that, for example, the Premier of Alberta, Alison Redford, talks a great deal about the need to build a conversation on these issues, a national energy strategy which would, by definition, have to include a comprehensive and collective way of dealing with climate change. The problem that she has, of course, is that she is very much like one hand clapping because the federal government simply will not engage in that conversation.

What's even more frustrating, in my mind, is that there is nowhere in this country, in a structured way, that that conversation is being engaged in. In fact, I might make this observation: the government made a great deal of the fact that the environmental review process for projects was — could I have another five minute, please?

The Hon. the Speaker: Is it agreed?

Hon. Senators: Agreed.

Senator Mitchell: The environmental review process for projects was cumbersome and what they did to overcome that problem was to gut it. I think they missed a very important point. If you are a Canadian who is concerned about climate change, or you're concerned about energy policy, there is literally nowhere in this country where you can see it debated in an official chamber like this one or like the House of Commons or like any legislature across the country, really, in a structured way. You can never get the sense that it is being discussed and debated in a proper, fulsome way; and there is nowhere else where you might, yourself, be able to become involved in a structured discussion.

The only official place that Canadians with this kind of interest have to make their say on energy policy or climate change policy is in the environmental project review process, and that's exactly the wrong place for it because that's a technical process, not a policy process.

What I believe is that, just like the Rowell-Sirois commission I mentioned earlier opened up the possibilities for Canadians to view what their federation might be, and just like the bilingualism

and biculturalism commission some decades later opened up the possibilities for what this country could be — in fact, I heard a knowledgeable person say the other day that it was his estimation that the bilingualism and bicultural commission may well have saved this country. As difficult as that process was, and as hard and as many divisions that it seemed to expose, and as much debate, concern and, in some cases, anger that it elicited, it also allowed all of that to get out. It allowed people to see that there was a reasonable discussion of that very profoundly important issue. Today the country is a much different place and probably a place that is much less likely to be broken up because of the separation of one area or another.

It is possible to structure discussion around an issue like climate change in a way that would give Canadians confidence that it's being dealt with; that they are having some say; that they can see both sides; that they've got expertise; and that it's not just partisan.

One way is to have a royal commission. We don't have that and we don't use those very often anymore, but this would be a classically good way to do it.

Another way to do it — this may sound odd coming from me — would be to do what Premier Klein did with the round tables process, a very well thought-out round tables process in the mid-1990s, at a time when Alberta was facing some great budget challenges and he needed to direct, lead and find out what people were thinking. He set up a series of round tables that included the public, included experts, included politicians from both sides. There were 160 to 250 people in each of five or six of these. They looked at health care; they looked at education; and they looked at climate change. They brought people together. They broke out into discussion groups. This was all public. The public could see that it was happening. They could apply to be some of the members of the public to appear and participate in this round table process.

Each round table, at the smaller level, built and created a report. These were further consolidated into a summit meeting where experts again were brought and many people were in the audience and, of course, it was televised. Out of that came reform. I didn't necessarily agree with all of that reform by any means, but change came because there had been a structured discussion with the population, with the people of Alberta.

If ever we needed to have a structured discussion, if ever the future of the country was dependent upon an issue and the implications of an issue as it is today with climate change, if ever there was something of that consequence and of that magnitude, then it is what we face today with climate change and the need to structure a proper, open, public debate, and not vilify people when they stand up and just want to debate the issue of climate change, even. This is the time to do it.

If ever there was a gap and a weakness — and there are many in this Throne Speech — it is that in this critical and, mark my words, we will be sitting here 10 or 15 years from now, some of us in this place and people across this country, saying this was a time, yet another time, when the government could have provided the kind of national, inspirational leadership that's needed at

times like this to deal with an issue like climate change, to reinvigorate and create a new future for this country, and it failed to do it.

The Hon. the Speaker: Honourable senators, is it agreed that this item stand in the name of the Honourable Senator Andreychuk?

Hon. Senators: Agreed.

(On motion of Senator Andreychuk, debate adjourned.)

#### NATIONAL HEALTH AND FITNESS DAY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Raine, seconded by the Honourable Senator Gerstein, for the second reading of Bill S-211, An Act to establish a national day to promote health and fitness for all Canadians.

**Hon. Nancy Greene Raine:** Honourable senators, yesterday I gave you background on Bill S-211, An Act to establish a national day to promote health and fitness for all Canadians.

I believe we need to challenge all educators to pay more attention — a lot more attention — to physical literacy. All kinds of studies have shown that fit children learn better. Why are we so reluctant to take physical education seriously? Why is physical education not marked and progress not tracked? Why do we not have remedial classes for children who are overweight to help them become more healthy?

We need to lead this from the top, with action from all leaders — political, business, academic and the medical profession — and we should call on our Olympic athletes to help. They can be an inspiration to us all.

Here in Ottawa, I keep hearing that we can't do anything because health and education are provincial jurisdictions. I don't accept that. We must be part of the solution, if only to nag, cajole, push and, yes, demand that all levels of government work together to address the issue. I'm hoping a national health and fitness day can help.

You know, honourable senators, many Canadians are active and many families ensure that their children are enjoying sport and physical recreation. I'm sure that the top 30 per cent of the socio-economic scale is probably doing just fine. These families are educated. They can afford good food and sports programs for their kids.

I also realize that the bottom 30 per cent of the scale faces other challenges. They can only afford the cheapest food, and pop is cheaper than milk. They don't have money for sports fees, let alone sports equipment.

We need to remember, though, that their kids also need to have fun playing actively. They need to have dreams and perhaps, with a little help, they might just turn their dreams into a bright future. The power of sport for underprivileged youngsters is very strong. Public education and recreational programs are essential for these kids

My big fear, however, is that the middle 40 per cent of our socio-economic demographic is sliding downwards and they may not fulfill their potential to contribute to our society. That's why I truly believe that we must use public education to change things around, but it won't be easy. Over the past few decades, many schools have decreased physical education to invest in technology.

• (1500)

If we accept that we are facing an epidemic of obesity, does it make sense that schools are not stepping up and demanding to be able to deliver physical education? What is standing in their way? If there are not enough teachers trained in physical education, why not train teaching assistants to get the kids moving? If we get the little kids going now, we can at least save them from becoming obese or overweight in the future. Almost one in three children and youth today are obese or overweight in Canada.

Honourable senators, think back to when we were in school. Overweight kids were rare; they stuck out. Now it is almost normal, and that needs to change.

Please join in the debate on the National Health and Fitness Day Act. I look forward to hearing from you and together helping to motivate Canadians to take personal responsibility for their health. I also ask that you help with our goal of having 300 municipalities signing on by next June.

Honourable senators, I ask for your support in the speedy passage of this bill.

(On motion of Senator Fraser, debate adjourned.)

### GEOTHERMAL ENERGY

INQUIRY—DEBATE ADJOURNED

**Hon. Grant Mitchell** rose pursuant to notice of October 17, 2013:

That he will call the attention of the Senate to the importance of geothermal energy in Canada.

He said: Honourable senators, I put this inquiry on the Order Paper to draw the attention of colleagues and Canadians to a very important form of renewable energy, of alternative energy, that has gotten tremendous traction, if I could put it that way, elsewhere in the world but has literally zero application to this point in Canada. It is geothermal energy, and it's represented in Canada by the Canadian Geothermal Energy Association, which they refer to themselves as CanGEA.

CanGEA is an association with a very important membership. They include, for example, Geoscience BC. They have had some support from Natural Resources Canada; CanmetENERGY; NRC Industrial Research Assistance Program; Suncor Energy, a huge energy company; Nexen; Alberta Innovates. There is Borealis GeoPower — I could go on — Pembina Institute and BC Hydro.

This is a group that is backed by some very serious energy contenders in the traditional energy industry but contenders who can see the potential for alternative and renewable energies.

Geothermal energy is almost always confused with geoexchange energy. In fact, when I was first approached by CanGEA, I thought they were an association of the industry that heats homes or small buildings by drilling down 10 feet or so and using heat pumps and heat exchangers and heating and cooling homes, but that is not the case at all. In fact, that misperception has, in part, been responsible for why geothermal hasn't any traction at all in terms of actual projects in the ground through Canadian energy incentive policies.

Geothermal is much more industrial. It involves drilling kilometres beneath the surface of the earth and finding heat sources. These heat sources aren't the same everywhere, of course. Some areas of the country and some areas of the world are better than others.

B.C. is particularly endowed with this energy source, and you can find water several kilometres below the surface of British Columbia in a number of places that can be as hot as 200 degrees centigrade, in that range.

Alberta has relatively good sources, but generally, they are not quite that hot. They still have great application for geothermal heating.

What geothermal heating basically does, its most common form of heating is what's called their binary approach. It's a closed system. They dig down several kilometres, find the water pretty much at the heat they want. They move up and down to regulate that heat, because the lower you go the hotter it gets, and the higher you go the less hot it is. They bring that water up and put it into industrial kinds of facilities that generate power.

In the United States today, 11,000 megawatts of power are generated by geothermal. To put that into perspective, pretty much all the electricity that's generated in a province like Alberta is 5,000 megawatts.

With 5,000 megawatts, again to put it in perspective, you could generate enough geothermal electricity to power Nova Scotia, Prince Edward Island, New Brunswick and all three territories. The potential for this is quite remarkable and quite huge.

The director of CanGEA, Alison Thompson, made a powerful point. She said it isn't that we should be viewing this as a threat to the energy industry, because what it would do for the traditional energy industry, for example, would be instead of the oil sands perhaps having to use natural gas or some of their products to heat the water to make the steam, they could sell all that energy, and they could use geothermal to heat the water to make the steam, and so on.

It has huge potential. The problem is that there's been this mistake. Even though one of the ecoENERGY Retrofit progams that the government has had in the past was ostensibly open to geothermal, all it ever funded, apart from other renewable sources, the more common ones of wind and solar, for example, was geoexchange. So it funded projects that heated homes, but it forgot this other industrial magnitude-type approach to energy generation, which is, as I say, geothermal.

### • (1510)

Now, what about costs? The argument will be made that it costs a lot. It doesn't by any means, in the end, cost more — and maybe even in the beginning, really — than a current coal-fired or even gas-fired electric facility costs to build and to operate. Of course, in those cases, the fuel costs. In this case, essentially, once you have the structure in the ground and you have built it, there is no fuel cost; you just keep pumping hot water.

It costs about the same. Because it is unlike other renewable resources — for example, solar and wind, which are not consistent — because it is consistent like hydro or consistent like gas and coal-fired electricity, the power that it generates can be sold for a premium. That enhances its economics.

It is also possible for it to be sold — for it to sell carbon credits. People have sort of forgotten the power of carbon credits, but there are companies that do geoexchange, for example; clearly definable carbon credits are being sold for \$9.75 a tonne in Alberta, where companies, the major emitters, have to meet certain emission thresholds or they have to pay up to \$15 a tonne for each tonne that they are over their threshold.

This kind of geothermal carbon credit would sell for about \$9.75 a tonne, which would be a much less expensive way of reducing greenhouse gas emissions than people often think.

It is also true that once this geothermal energy has been used to generate power in a power plant, there is also excess heat, and that heat can be sold for actual revenue to heat industrial complexes, to heat homes in a local, regional way.

It is interesting to note one example that was mentioned to me: a huge leather industry in Oregon where the heat from a geothermal plant is used to sustain a facility where alligators are grown for their leather. This kind of heat is also used for greenhouse vegetable growing kinds of facilities.

It would have a great application in the North where there is a good geothermal resource. It would displace diesel. It would not only generate power, it would be even more predictable than diesel because you can run out of diesel up there, and it would generate heat that could be used to heat the smaller communities that inevitably are in the North.

In Alberta it is interesting that there aren't the resources where you could perhaps build the equivalent of a Genesee, one of our big power plants; you could do that in B.C., but in Alberta you could build five to ten power plants for local distribution facilities.

These facilities would be relatively inexpensive. They also have the advantage of not losing a lot of power because the power does not have to be transported a long way; and in the transportation of electricity, you lose a lot of it. It is very efficient.

Let me summarize again. You get to sell the power that you generate from the heat — steam. You get a premium because it is stable — it is called an ancillary services premium, because it is stable power just like hydro power and coal and gas. You get to sell carbon credits to places like Alberta and other places in the world that need them to meet guidelines that have been imposed upon them for reducing their greenhouse gas emissions or for buying those real reductions elsewhere in the world, and you get to negotiate the price of the heat that you sell to some other end user.

Not only is this not any more expensive to build than current traditional forms of power plants, but it also has several additional forms of revenue that are not necessarily available to traditional forms of power.

The other thing is — and this is what is so great about this kind of technology for Alberta — is that Alberta is really, really good at drilling holes. I mean, that is what we do. We have drilled — I don't know if it's millions, but it probably is. Now there is an advantage in a hole already drilled. A lot of the oil that comes out of these holes — in fact, in almost every case, I suspect — is mixed with hot water. So already we have hot water capped so it will not bubble up all over the province.

### [Translation]

Indeed, that is very interesting. This special situation is one of Alberta's advantages, as it favours the establishment of this kind of industry.

### [English]

If, as a rule of thumb, you use co-produced geothermal power—that is, the power that is co-produced because you have already dug the hole—you cut the capital costs in half. So now, all of a sudden, the 5,000 megawatts of power that were built in Alberta, that to be replaced today probably could cost—I am not certain about this—but could cost in the order of \$20 billion or \$25 billion, could be built using geothermal power for probably about \$18 billion.

To give you an example of it, it may even be more competitive. Once again, those who fear that this would mean that we wouldn't be selling or using our own gas and oil could find some

comfort in the fact that, no, we would be using this geothermal power to produce and get that gas and oil out of the ground. Then we could sell the gas and oil — and I guess the end purpose is of oil companies is to do that, for revenue — and everyone would win. It is one of those win, win, win circumstances.

I raise it because it also has health consequences. I mentioned today earlier in my speech on the Throne Speech that there are tremendous health consequences to the burning of coal. As I said, the Canadian Association of Physicians for the Environment made this case very powerfully in Ontario with great success, and they are beginning to make the case across the country.

In Alberta, \$300 million a year of health costs are related to the toxic emissions from coal. They cause asthma and just general pollution. Of course, that doesn't even consider the effect of greenhouse gas emissions on climate change, and in turn that effect on health. That is \$300 million of extra cost due to generating power by coal. If you put that cost against coal, then the costs of geothermal power become even more appealing and certainly far more competitive.

The CanGEA is now trying to raise money, and not all that much, just a couple of million dollars, to do a special project that would be a series of workshops — it is very smartly thought out — a series of workshops where they would meet with and bring together people who are interested in geothermal and people who are experts in the energy industry in places like Alberta and begin to discuss how the transition can be made. It isn't all that great a transition from those technologies that are used every day now in the energy industry into technologies that could be used to enhance the efficiency of the development of geothermal energy.

Technologies that are used today in oil and gas exploration—it's not just oil and gas either; it is also mining where great resources exist—include hard rock, high temperature, high-pressure drilling kinds of technologies, shearing and zonal isolation—technical terms—reservoir modeling, assessment and management, high-temperature pumps, high-temperature down-hole tools, power conversion systems, heat transfer fluids, use of CO<sub>2</sub> as a working fluid, advanced material from aerospace and defence industries, software database. These are all areas of technology where Canada—

• (1520)

Could I have five more minutes?

[Translation]

**Hon. Suzanne Fortin-Duplessis (Acting Speaker):** Honourable senators, shall the senator be granted five more minutes?

Some Hon. Senators: Agreed.

[English]

Senator Mitchell: This is interesting.

[ Senator Mitchell ]

In any event, software databases would be another area of technology that is highly developed in the energy and mining industry that could have application for geothermal energy if the transition could be made. This very important project has been developed by CanGEA, for which they need some money, particularly from the western diversification department, would be a way we could begin to make that transition, develop a new industry, reduce carbon emissions and create new jobs. Job creation here is even greater than in the traditional energy industry, largely on the maintenance and operation side of these facilities. They are great jobs.

It is distributed power. It can be done locally. It has great economic competitiveness. It has applications in the North for our Aboriginal peoples and others. It has health benefits. It is excellent, and it just needs to be recognized, and it particularly needs to be recognized in those kinds of all too few at this-point government programs that sustain and are incentives to the development of renewable energy resources.

[Translation]

Hon. Ghislain Maltais: Will the honourable senator allow a brief question?

Senator Mitchell: Of course.

**Senator Maltais:** In the preamble to your speech, you talked about the new geothermal energy. First, this is not entirely new, although it is just now being commercialized.

You will agree that geothermal energy, independently of the earth's crust, may be profitable or unprofitable. You spoke quite a bit about Alberta and soil characteristics. From experiments done in other parts of Canada, geothermal energy can become too expensive because often the water and steam reservoirs that we find are not necessarily near cities or homes.

An experiment was carried out successfully in a school in Châteauguay. However, it should be combined with clean energy, that is, geothermal and solar energy, because the two work very well together. This is the only way to make it profitable — geothermal energy should be combined with solar energy.

**Senator Mitchell:** Thank you very much for your question. There are two issues. First, I think this may be an instance where "geothermal" and "geoexchange" are being confused.

I believe that there have been no "geothermal" projects in Canada, except perhaps in a few places. You are probably talking about a "geoexchange" project.

Second, there is another big problem: we do not have a map of all geothermal resources throughout the country. A map has just been produced for Alberta, but there is no map for the rest of the country. I think that Quebec will have many of these resources, and this could attract the interest of Quebeckers, who have great appreciation for the environment and are very creative and inspired when it comes to environmental exchange.

Senator Maltais: I did say at the beginning that it depends on the earth's crust. I will give you an example from the part of Quebec where I come from. In northern Quebec, there are 1,800 outfitters. To reach geothermal energy in northern Quebec, you have to dig down through the first 300 feet of the earth's crust, which is frozen, and then through the rest, which is rock. However, solar energy is much more competitive in certain regions. For example, there are major Canadian companies that have developed expertise in Africa's Sahara Desert. And contrary to what one might think, geothermal does not work there because of the soil. However, they have been able to harness a great deal of solar energy with limited means, and this has really helped soil irrigation and fueled greenhouse production of vegetables.

**Senator Mitchell:** The two resources probably do not compete, but geothermal has an advantage. It is always constant. With solar energy, there is a problem every night. That is a problem. But perhaps they can work together. I really like solar energy because it has a lot of advantages for the environment, Northern Quebec and the rest of Canada.

(On motion of Senator Fraser, debate adjourned.)

### CANADA PERIODICAL FUND

INQUIRY—DEBATE ADJOURNED

**Hon. Maria Chaput** rose pursuant to notice of October 29, 2013:

That she will call the attention of the Senate to the Conservative government's unilateral decision not to review the standards and criteria of the Canada Periodical Fund and the disastrous consequences of this failure to act for francophone minority newspapers, such as *La Liberté*, Manitoba's only French-language weekly.

She said: Honourable senators, today I wish to draw your attention to the federal government's unilateral decision not to review the standards and criteria of the Canada Periodical Fund and the disastrous consequences of this failure to act for francophone minority newspapers, such as *La Liberté*, Manitoba's only French-language weekly.

For the past 100 years, *La Liberté* has been relating the stories of francophones from Manitoba and elsewhere in French. Over the years, the journalists of Manitoba's only French-language weekly have been delivering a unique perspective on those stories.

If you revisit some of the headlines from *La Liberté* over the years, they are sometimes shocking. *La Liberté* reminds us that the 1970s were the most militant in the history of French Manitoba. In the words of historian and author Jacqueline Blay:

A community does not survive 50 years of oppression without the certainty in one's mind and one's very DNA that self-respect is earned by demanding what is owed.

Is it not ironic that 100 years after its founding by the Oblate Fathers, *La Liberté* finds itself once again having to demand its fair share under the Canada Periodical Fund from Heritage Canada?

La Liberté has suffered considerable loss of revenues in recent years, including cuts to funding provided by Heritage Canada.

To better understand those cuts, it is important to understand the changes Heritage Canada made to the funding formula and the events surrounding those changes.

Most of the following information was taken from the "Message from the President of Presse-Ouest Ltée" in the weekly *La Liberté* dated October 23 to 29, 2013, which very clearly explains the situation.

Under the former Publications Assistance Program, La Liberté received a subsidy based on the number of copies of the newspaper sent by Canada Post. In 2010, that program was replaced by a new program called the Canada Periodical Fund. In April 2011, Heritage Canada revealed more details about the major changes brought in with the new fund.

Money from the new fund is indeed distributed amongst a greater number of recipients according to set criteria. One exception is newspapers in the agricultural sector that receive more per copy than other newspapers and that have no cap.

• (1530)

Heritage Canada also announced that "a third of the recipients will see their amounts change by more than 50 per cent; the changes are part of a three-year transition plan." That is when management at *La Liberté* spoke to Heritage Canada, which confirmed that the funding the paper usually received would drop from \$120,000 to \$60,000 over a three-year period.

Not all newspapers and magazines depend on Canada Post for their deliveries. For *La Liberté* back home, however, it is not a choice. It is the only option for delivering the newspaper.

During an interview with Radio-Canada in Winnipeg, the Minister of Canadian Heritage said that she "fully understands how it works," but said that "La Liberté needs to change with the technology" and that "consumers are reading their newspapers on the Internet."

Honourable senators, the objective of the new Canada fund program, as presented by Heritage Canada in 2011, is to "ensure that Canadians have access to a wide variety of print magazines and non-daily newspapers."

Honourable colleagues, *La Liberté* depends on Canada Post for deliveries and the rates increase every year. *La Liberté* has to print its paper because its customers are so spread out and often do not have access to technology.

La Liberté has undertaken a number of initiatives and adapted to technology. I want to provide a few examples. For two years running, La Liberté has won an award from the Association de la presse francophone for its website. A virtual edition of the newspaper is available online, there is a YouTube channel and it has an active social media presence. It has embraced technology.

Here is proof. In the October 23 to 29, 2013, issue of *La Liberté*, 39 readers signed a letter entitled *Le virage technologique de La Liberté* or *La Liberté* embraces technology. I will cite just a few excerpts from the letter.

La Liberté uses modern and traditional technology in the following ways:

6,000 paper copies are available to paying subscribers;

On the Internet, where articles are available partially for free:

Digital version of the paper is emailed out to paying customers every Wednesday morning at 8 a.m.;

On Facebook, where 1,054 people read it regularly;

A Twitter account:

A You Tube channel;

La Liberté is one of the first newspapers in Canada to have used QR codes to link videos to its articles and is used as a model across the country;

La Liberté was the first newspaper outside Quebec to have a virtual electronic version with Newspaper Direct;

La Liberté was and remains one of the only weekly papers outside Quebec to have its own iTunes app;

One hundred years of archives have been digitized and are available for free on the University of Alberta Peel site.

It should be noted that in many regions of Manitoba, the rural ones especially, Internet, whether low speed or high speed, is still not available. To read the weekly paper online, the reader needs to have a high-speed connection.

Some people do not have Internet access. Sometimes it is a matter of choice, a lifestyle; sometimes people do not have the financial means (to have the Internet, a person needs to have a computer and pay for access); sometimes, the technological knowledge is just not there.

Where would those potential readers go if La Liberté existed only in electronic format?

In the meantime, the executive director undertook several initiatives to generate additional revenue outside of journalism, including the creation of a marketing and advertising unit that

allowed *La Liberté* to survive and wait for a review of the formula used by Canadian Heritage.

However, La Liberté cannot continue this way. La Liberté, a francophone community newspaper in a minority community, should receive special treatment, at least in the same way that farming publications received special treatment. There is already an exception to the rule.

The government has every right to promote farming publications, even if it is not required to do so under law. In fact, there is no legislation requiring Canadian Heritage to take positive action for farming publications, while linguistic minorities have quasi-constitutional legislation, the Official Languages Act, which imposes a duty on the government to take positive action and enhance the vitality of official language minority communities.

An intervention by the minister to recognize the special needs of the francophone minority in Manitoba is not only completely feasible, but also fully in keeping with her own obligations under Part VII of the Official Languages Act.

In passing Part VII, Parliament recognized that official language communities, because of their particular reality, can easily fall between the cracks when federal programs are developed. It therefore imposed on the government an obligation to take positive action precisely to prevent such unfortunate and often dangerous situations. Will the government fulfill its obligation?

Honourable senators, Manitobans cannot afford to lose their primary means of communicating and receiving news and information in French. The federal government must consider and recognize the specific reality and needs of *La Liberté*.

If the Minister of Canadian Heritage does not intervene immediately, Manitobans will lose their only French-language weekly. The situation is urgent.

(On motion of Senator Fraser, for Senator Tardif, debate adjourned.)

[English]

## ECONOMIC ACTION PLAN 2013 BILL, NO. 2

SECOND REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE ON SUBJECT MATTER TABLED

Leave having been given to revert to Reports of Committees:

Hon. Irving Gerstein: Honourable senators, I have the honour to table, in both official languages, the second report of the Standing Senate Committee on Banking, Trade and Commerce, which deals with the subject matter of those elements contained in Divisions 2, 3, 9, and 13 of Part 3 of Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of November 5, 2013, the report will be placed on the Orders of the Day for consideration at the next sitting of the Senate and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-4.

### **ADJOURNMENT**

### MOTION ADOPTED

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

Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, December 3, 2013, at 2 p.m.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, December 3, 2013, at 2 p.m.)

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