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OFFICIAL REPORT
(HANSARD)

Thursday, November 6, 2014

The Honourable NOËL A. KINSELLA
Speaker

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

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THE SENATE

Thursday, November 6, 2014

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

[*English*]

Prayers.

[*Translation*]

SENATORS' STATEMENTS

ROYAL ASSENT

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

November 5, 2014

Mr. Speaker,

I have the honour to inform you that the Right Honourable David Johnston, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 5th day of November, 2014, at 5:26 p.m.

Yours sincerely,

Stephen Wallace
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Wednesday, November 5, 2014:

An Act to amend the Criminal Code (trafficking in contraband tobacco) (*Bill C-10, Chapter 23, 2014*)

An Act to amend the Food and Drugs Act (*Bill C-17, Chapter 24, 2014*)

An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in Attorney General of Canada v. Bedford and to make consequential amendments to other Acts (*Bill C-36, Chapter 25, 2014*)

An Act respecting a National Hunting, Trapping and Fishing Heritage Day (*Bill C-501, Chapter 26, 2014*)

FIRST WORLD WAR

ROLE OF YUKONERS

Hon. Daniel Lang: Honourable senators, as especially poignant as our November 11 will be this year, I wish to take this opportunity to express my gratitude and pride as a Canadian in commemorating an entire generation of young Canadians who 100 years ago sailed across the sea and marched across France and Belgium to rid that continent of aggression and deadly nationalism.

World War I is a defining moment in our nation's history. We began as a dominion and emerged as a nation.

Our allies toiled valiantly twice and then asked Canadians to try a third time to capture a ridge called Vimy. Canadians were deemed complementary to the imperial war effort when the war began, but by the time the armistice was signed, we emerged as the force the Germans feared most.

Like every village, outport community, town, city and territory, Yukoners contributed to that war effort. Yukon, that vast northern frontier of forest and tundra where settlement was sparse and distances from the trenches of Europe further than most could ever imagine, made its own indelible mark in the Great War.

Yukoners formed what became known as the Boyle Machine Gun Battery in 1914. Their tenacity, their courage and, most remarkably, their stamina earned in the northern wilderness of the Yukon left a lasting impression on their commanders.

Yukoners saw action in the Somme offensive where Privates H. A. McCallum and R. V. Cumber, as scouts and messengers, received the Military Medal for their bravery.

While holding the line near the village of Fresnoy, Captain Harry Meurling noted that nearly 3 million rounds of ammunition rained down on these soldiers in one month alone.

For gallantry, the Boyle's own Lieutenant William Black was awarded the Military Cross.

By the time their exploits during the Battle of Vimy Ridge had passed and they were merged into the 17th Canadian Machine Gun Company in 1917, Yukon's Boyle Machine Gun Battery counted only nine remaining of the 50 Yukoners who formed its

original strength. Every one of its officers was decorated for their heroism, as were the majority of its soldiers. No fewer than 13 Boyle men were recipients of the Military Medal.

Colleagues, as we listen to the lament in a few days' time, I ask all Canadians to remember not only the present generation's sacrifice but also the sacrifice of all Canadians who have gone off to war and their lasting legacy in defence of our freedom, human rights, democracy and rule of law.

Finally, it's important that we remember that Canada has never started a war, but in our nation's history, we have always helped end them. God Save the Queen.

THE HONOURABLE JOYCE FAIRBAIRN, P.C.

Hon. Jim Munson: Honourable senators, I just couldn't let this day go by without saying a few words about our former colleague, Joyce Fairbairn. Joyce, the woman in red who sat in the front row for so many years, right over there. She was always in the front row, on the front lines of Parliament Hill. That's just the way it was.

Joyce, the woman who was the first among equals in so many roles; Joyce, the woman who through action led the way for others to follow; Joyce the partisan, a Liberal to the core.

Honourable senators, the reason I couldn't let this day go by without mentioning her name is that this is the day Joyce was born 75 years ago, the year 1939.

In this chamber that she loved, she would be giving her retirement speech today. Today, I would like to be your voice or voices in reflecting on the Joyce Fairbairn that we all know and love.

• (1340)

In her beloved hometown of Lethbridge, Alberta, today she is being loved and she is being cared for. But it's here where I would like us to reflect on what the good senator did for her country. She served and she inspired. It's as simple as that.

When I speak about firsts, she loved to talk about her reporting days on the Hill. In the 1960s, there were only a handful of women reporters. She was among the first. Joyce always liked to say she was Canada's first female newsman.

Honourable senators, this wasn't the only first. She was the first woman to serve as the Leader of the Government in the Senate. Imagine that, in 1993, the first in the history of this country, followed by Senators LeBreton and Carstairs — Joyce Fairbairn, whom Marjory LeBreton described as the Albertan trailblazer and Senator Jim Cowan described as a remarkable parliamentarian.

Along the way, she initiated a number of firsts: an honorary Blood chief, an honorary colonel, scholarships in her name. There would be no Paralympics movement in this country without Joyce Fairbairn. It's as simple as that. She badgered her boss, the Prime Minister. She made things happen. She got things done.

I recall being at the Paralympic Games in Vancouver and we were at the Thunderbird Arena. The national anthem played. The sledge hockey team was there. The team turned, right after the anthem, went back to the blue line, and in front of Joyce raised their sticks. We all cried. It doesn't get any sweeter than that.

So many firsts and so many good things. A champion for literacy — her accomplishments were many. Joyce Fairbairn, the leader, gave her strong voice to those who couldn't read or write. As Leader of the Government in the Senate, she was Minister with special responsibility for Literacy. Imagine, a minister dedicated to literacy.

Honourable senators, we have five statues outside today, the Famous Five. Maybe one day it will be the famous six.

In closing, a personal reflection: Two years ago she invited me to Lethbridge, her beloved hometown, a place where it is said everyone knows her name. I was asked by the exhibition folks to ride in an open convertible in the annual Whoop-Up Days parade with Joyce. Nobody knew who I was, but everybody knew Joyce, and Joyce knew everybody.

The parade seemed to go on forever. I finally asked Joyce, "How long is this parade going to take?" Without hesitation, she said, "Jim, never mind how long the parade is, just keep on smiling." "Just keep on smiling." I think today that should be our philosophy — just keep on smiling with hope, empathy and gratitude. Joyce Fairbairn is 75 today.

VETERANS' WEEK

ROLE OF WOMEN IN THE MILITARY

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I rise today during Veterans' Week to pay tribute to the women and men who served and sacrificed their lives for the very freedoms that we enjoy today.

They are our grandfathers, fathers, brothers, grandmothers, mothers, sisters, neighbours . . . [our] heroes. Canada's veterans — their courage, service and sacrifices have kept us strong, proud and free.

Canadian women have played an important role in our country's military efforts over the years, overcoming many barriers to serve in uniform as nurses and in an expanding variety of other roles.

Canadian women's first military contributions were as nurses who tended to the sick and wounded in times of conflict. They were called "nursing sisters" because they were originally drawn from the ranks of religious orders. More than 2,800 Canadian Nursing Sisters served with the Canadian Army Medical Corps during the First World War.

During the Second World War, approximately 4,500 nurses were attached to all three branches of Canada's military, with more than two thirds of them serving overseas. On July 2, 1941,

the very first women's division of the Royal Canadian Air Force was created. They were initially trained for clerical, administrative and support roles. However, as the war continued, women worked in other positions like parachute riggers and laboratory assistants, and even in the very male-dominated electrical and mechanical trades.

On August 13, 1941, the Canadian Women's Army Corps was officially established, and by war's end it had some 21,000 members. Initially, CWAC members' duties were quite traditional; they worked as cooks, cleaners, tailors and medical assistants. However, these duties would expand soon to include driving trucks and ambulances and working as mechanics and radar operators. The Women's Royal Canadian Naval Service was officially established on July 31, 1942.

After the Second World War, the Canadian military shut down the women's organizations. But with the onset of the Cold War and the Korean War, the military soon faced a shortage of personnel, and some 5,000 women were once again actively recruited.

With the unification and modernization of the Canadian military in the late 1960s, the doors finally began to open definitively for women to enlist and enter non-traditional roles. Today, women are deployed to combat missions; they captain vessels and command flying squadrons, their career paths parallel to their those of their male counterparts.

Women sacrificed a lot to serve throughout our military history. They had to overcome the inequalities of Canadian society, which viewed a woman's place as in the home. Many women lost their lives in service and, in particular, taking care of the wounded soldiers in field hospitals close to the front lines.

On November 11, Canadians will once again come together from across Canada for a moment of silence at 11 a.m. to remember all those whose sacrifices have given us the freedoms we enjoy today.

In Korea, an international ceremony will be held at the United Nations Memorial Cemetery in Pusan on November 11 at 11 a.m. to pay tribute to all those who served and sacrificed in the Korean War.

In Canada, November 10 at 6 p.m. Pacific Standard Time is the exact starting time of that ceremony. If all honourable senators would turn west, turn toward Pusan to remember the Canadian fallen who are buried at the United Nations cemetery. Thank you.

CANADIAN FOUNDATION FOR INNOVATION

Hon. Kelvin Kenneth Ogilvie: Honourable senators, research and innovation drive the development of our economy, our health and social welfare. Canadian research plays an important role in our success as a nation.

Through sustained investment in the federal research funding agencies, such as the Canada Foundation for Innovation, and the introduction of initiatives such as the Canada First Research

Excellence Fund and the Canada Excellence Research Chairs, the Government of Canada continues to demonstrate its commitment to research and the role it plays in growing the country's economy.

In Canada, we understand the power research and innovation have in driving our economy, and we know that our robust research environment has the bright minds and the capacity to make discoveries and generate the kind of innovative ideas that can keep our businesses globally competitive.

Every day, companies large and small are turning to universities and colleges to find solutions to their business and manufacturing challenges, ensuring they maintain their competitive edge in both Canadian and global markets. As a result, we find that new and innovative products, services and technologies are entering the marketplace and helping maintain and create jobs here in Canada.

For more than 15 years, the Canada Foundation for Innovation has been building our nation's capacity to undertake world-class research and technology development that benefits Canadians and the global community. The CFI aims to enhance Canada's competitiveness, prosperity and quality of life by investing in state-of-the-art research labs, equipment and facilities that the bright minds in our universities and colleges need to push the boundaries of their work.

On Monday, November 17, I will have the pleasure of co-hosting a kiosk-style event with the Canada Foundation for Innovation. This event, which we've called "Connecting Business to Research," will offer parliamentarians an opportunity to meet five leading researchers and their industry partners from across the country and across disciplines who are tackling issues ranging from oil sands sustainability, to cancer-fighting drug development, to airline safety.

Honourable senators, these are just a few examples of how research and innovation are contributing to the success of our great country.

I invite my colleagues to join me in Room 256-S, Centre Block, this coming Monday, November 17, between 4 and 7 p.m., to find out how Canadian researchers are working with their industry partners to create jobs, inspire the next generation of innovators and develop their businesses to enhance the lives of citizens everywhere. I hope that you will stop by.

• (1350)

JOHN TORY

CONGRATULATIONS ON ELECTION AS MAYOR OF TORONTO

Hon. Anne C. Cools: Honourable senators, today I speak as the senator for Toronto Centre-York. I congratulate John Tory, Toronto's new mayor, elected in a tough race on October 27.

John Tory is a good human being known for his humane sensibilities. He will bring stability and constancy to City Hall and to Toronto. He will temper the polarized city politics there.

John Tory was a lawyer by training. By instinct and tendency he is a public man, drawn to public service for the common good. In business, he was President and CEO of Rogers Media. In politics, he served Ontario Premier Bill Davis and Prime Minister Brian Mulroney. From 2004 to 2009, he was the Leader of the Progressive Conservatives in the Legislative Assembly of Ontario at Queen's Park.

Now, at the tender age of 60 years, he will meet the challenges of being mayor of Canada's largest city. He will move forward undaunted and with courage to face the future.

John Tory's campaign slogan was "One Toronto." He set new standards in cooperation and diversity across party lines. His thoughtful and considered leadership will build new ground and new bonds. These will put Toronto firmly on the path of the redemptive healing it so needs. John Tory's love of community is legend. He has been called to serve this special city at this special time. Toronto was dominant in world news for reasons too well known. I believe that John is well fitted to return the real face of Toronto to Canadians and to the world.

I close now with Mahatma Gandhi's sense of the human impulse to serve and to give. Gandhi is quoted in the book, *The Mind of Mahatma Gandhi*, at page 229, saying:

He who devotes himself to service with a clear conscience will day by day grasp the necessity for it in greater measure and will continually grow richer in faith. . . . If we cultivate the habit of doing this service deliberately, our desire for service will steadily grow stronger, and will make not only for our own happiness, but that of the world at large.

Honourable senators, John Tory, whom I have known for years, will make his own journey and put his own mark on municipal politics. I wish him well, and I assure senators that most Torontonians have done the same.

ROUTINE PROCEEDINGS

STUDY ON RESEARCH AND INNOVATION EFFORTS IN AGRICULTURAL SECTOR

SIXTH REPORT OF AGRICULTURE AND FORESTRY COMMITTEE—GOVERNMENT RESPONSE TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the government response to the sixth report of the Standing Senate Committee on Agriculture and Forestry entitled *Innovation in Agriculture: The Key to Feeding a Growing Population*, tabled in the Senate on June 18, 2014.

STUDY ON STATUS OF CANADA'S INTERNATIONAL SECURITY AND DEFENCE RELATIONS

TENTH REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE— GOVERNMENT RESPONSE TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the government response to the tenth report of the Standing Senate Committee on National Security and Defence entitled *Canada and Ballistic Missile Defence: Responding to the Evolving Threat*, tabled in the Senate on June 16, 2014.

THE ESTIMATES, 2014-15

SUPPLEMENTARY ESTIMATES (B) TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (B) 2014-15, for the fiscal year ending March 31, 2015.

TREASURY BOARD

2013-14 DEPARTMENTAL PERFORMANCE REPORTS TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Departmental Performance Reports for 2013-14, contained in these four boxes.

EASTERN SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN CANADA ACT

PRIVATE BILL TO AMEND—FIFTH REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE PRESENTED

Hon. David Tkachuk, Acting Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, November 6, 2014

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

FIFTH REPORT

Your committee, to which was referred Bill S-1001, An Act to amend the Eastern Synod of the Evangelical Lutheran Church in Canada Act, has, in obedience to the order of reference of September 30, 2014, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

DAVID TKACHUK
Acting Chair

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

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

THE ESTIMATES, 2014-15

NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUPPLEMENTARY ESTIMATES (B)

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 National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (B) for the fiscal year ending March 31, 2015.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

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

That the Standing Senate Committee on Banking, Trade and Commerce have the power to sit on Thursday, November 20, 2014, even though the Senate may then be sitting, and that Rule 12-18(1) be suspended in relation thereto.

QUESTION PERIOD

EMPLOYMENT AND SOCIAL DEVELOPMENT

TEMPORARY FOREIGN WORKER PROGRAM

Hon. Jane Cordy: Honourable senators, this question was submitted to me by Grace Davidson of Alberta. Grace and her husband are both in their seventies and they live on a fixed

income. They're finding the new regulations in the Temporary Foreign Worker Program financially difficult for them when it comes to hiring caregivers to care for their disabled adult son. The Davidsons are unable to find caregivers in Canada, unfortunately, and they've had to turn to the Temporary Foreign Worker Program to provide care and quality of life for their son.

Mrs. Davidson wrote to me:

I wholeheartedly agree with you that changes were required to the Temporary Foreign Worker Program. And I applaud [the minister] for his firm stand against the fast food industry and other small business organizations who are taking advantage of this program and hiring foreign workers when possibly Canadians were available.

I do take exception, however, to the impact this change is having on the handicapped/disabled Canadian citizens. My son, aged 52, falls into this category. He suffers from secondary progressive multiple sclerosis for which there is no known cure nor medications to help/improve his condition. In my opinion, the hardship the current \$1,000 fee imposes to my son who is on a small disability income could be considered as a human rights issue.

Did the government realize when the sweeping changes were made how the fee in particular would affect the disabled/handicapped and perhaps seniors who were disabled and required assistance with their daily living?

• (1400)

Will this government consider a separate category under the Temporary Foreign Worker Program for caregivers who look after seniors or handicapped individuals who cannot care for themselves?

[Translation]

Hon. Claude Carignan (Leader of the Government): Thank you, senator, for sharing that person's question with us. We have so much compassion for people with disabilities who face unique challenges.

As to the government's policy on foreign workers, our government has clearly stated that Canadians should always be first in line for available jobs. A complete and balanced overhaul will transform the Temporary Foreign Worker Program into what it was always supposed to be: a last resort for employers when no qualified Canadian can fill an available job.

This complete overhaul of the program will significantly reduce the number of temporary foreign workers in Canada and will improve labour market information. It will also eliminate the labour market distortions caused by the old program and strengthen enforcement of the law and the penalties for employers who break the rules.

Within the International Mobility Program, the overhaul will also strengthen reciprocal trade and programs for labourers and students who contribute a net benefit to Canada's economy.

These reforms will force employers to work harder to recruit and train Canadians for jobs through initiatives like the Canada Job Grant.

I can assure you that this program will serve only to provide temporary help when there is clearly a severe labour shortage and no Canadians are available. Employers who provide false information on their application about their efforts to recruit Canadians will be liable to criminal sanctions for misrepresentation that could include prison time. That, in a nutshell, is the purpose of the program and the reforms, which are necessary.

With respect to the specific case of the person with a disability, I can undertake to pass along this individual's concerns to the minister's office.

[English]

Senator Cordy: Thank you very much, and I appreciate that you will pass that along to the Prime Minister's Office, because certainly it's my understanding from talking to a very good friend of Mrs. Davidson who suggested that Mrs. Davidson get in touch with me, that they understand Canadians should get first priority. They have been trying to hire a caregiver who is from Canada. They can't get anybody. They live in Alberta; they cannot get a Canadian caregiver. They have tried and tried. You certainly gave a great outline of the program and you don't want employers who are violating the rules, and I don't think that you are suggesting that the Davidsons are violating the rules because in fact they are trying to do the best job they can. They certainly have made every effort to hire a Canadian. There is no Canadian they can get.

I will continue with Mrs. Davidson's correspondence with me about her experience with the Temporary Foreign Worker Program and specifically the requirement of the labour market opinion application for each caregiver candidate. The Davidsons have had several candidates drop out at the last minute. Every time that happens, they are out of pocket \$1,000. They're seniors; they're on a fixed income.

In speaking to them and in the information that she sent me, they are on a fixed income; they are in their 70s; they are trying to help their adult son, who has MS and is disabled. But when the temporary foreign worker backs out at the last minute, they have to send in a new application form with another \$1,000. They just don't have thousands of dollars to be sending each time.

Mrs. Davidson asks whether the government would consider a favourable labour market opinion transferable to another candidate in these circumstances. LMOs currently have an expiry date.

Would it not be reasonable, Mrs. Davidson asks, for it to be transferable until the LMO reaches its expiry date?

[Translation]

Senator Carignan: You thanked me for passing along these concerns to the Prime Minister's Office, but they are to be forwarded to Minister Kenney's office. As I did undertake to do so, I will forward this concern and this suggestion to the office of Minister Kenney, who is responsible for this file.

[English]

Senator Cordy: Thank you. I did hear "Prime Minister," so you can pass it along to the Prime Minister as well as the minister.

I will continue with questions from Mrs. Davidson. Currently, the new LMO application is required for each candidate. Not only does this cost \$1,000 each time and financial hardship for the Davidsons and their son, who all live on limited income, but it requires a lengthy application process to restart each time, leaving the disabled without care for extended periods of time.

This is the situation the Davidsons now find themselves in. They have struggled for months to find a caregiver for their son.

It's not just the \$1,000 each time; it's not just the financial hardship; it is that the Davidsons, who are in their 70s, have had to be the primary caregivers for their son because they are unable to hire a temporary foreign worker.

They had somebody, and it was just a few days before the person was supposed to come and everything fell through the cracks. The person who was supposed to come decided at the last minute that they didn't want to come to Canada, so the Davidsons were again the primary caregivers and then had to start filling out the application form all over again and they had to pay another \$1,000. That's very difficult.

I heard about Mrs. Davidson because of my involvement with the MS community, but I'm sure there are many others throughout Canada in similar situations, where it's a financial hardship and the hardship of filling out the application form again and again.

I also want you to know that I'm really glad that you will speak to the minister because Mrs. Davidson actually wrote to the minister — that was her first recourse — and she has not yet received an answer. She wrote to the minister months ago.

Will you speak to the minister and ask him to please reply to Mrs. Davidson, or at least give you a reply that you can provide in the chamber and I will get in touch with her?

[Translation]

Senator Carignan: Senator, I will forward this individual's concerns and suggestions to Minister Kenney's office, together with the suggestions for changes. You can take that as an acknowledgement of receipt.

[English]

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

FIRST NATIONS INDIAN STATUS COURT CHALLENGE

Hon. Sandra Lovelace Nicholas: Honourable senators, my question is for the Leader of the Government in the Senate. It is one of a series of questions we have received in response to the invitation to Canadians to ask questions on their behalf.

Today my question was received from Payton Ross and Megan Debruin, two grade 8 students from Tweed Elementary School in Tweed, Ontario.

• (1410)

Their question is as follows:

Our class has been reading and researching about the history of residential schools in Canada. This morning we read an article from the CBC about a First Nations (Indian) status court challenge. Here is a question we have created based on what we read in the article and from our learning:

Is Canada really the last remaining country in the world to continue to use race and gender to determine the identities of indigenous peoples (e.g., First Nations)? Isn't that violating Canada's Constitution Act, which states men and women have the right to enjoy their cultures without arbitrary interference by the government?

Simply put: Why has the Canadian government not repealed the Indian Act?

[Translation]

Hon. Claude Carignan (Leader of the Government): Thank you, senator, for your question. Of course, as you know, Aboriginal people have specific constitutional guarantees under the Constitution Act, 1982, that grant them a particular status with respect to constitutional obligations. I don't want to go over all the provisions of the Constitution that grant this special status to Aboriginal people. These provisions are additional information that the students can take into consideration. I would encourage them not to rely solely on an article published by the CBC when forming an opinion on Canada's policies and the government's actions.

As for the issue of residential schools, our government made a commitment to rectify the situation through a settlement to address the legacy of residential schools. In 2008, the government made a historic apology to Aboriginal people on behalf of all Canadians. We submitted some 4.2 million documents to the

Truth and Reconciliation Commission of Canada. The government has granted the commission a one-year extension, until June 30, 2015. We have taken meaningful action for our First Nations populations. Many measures have been taken.

I'll give you another example. I understand I am answering students in the eighth grade. There is a piece of legislation called the First Nations Financial Transparency Act. That act gives band members the right to greater transparency within their communities.

Various measures have been taken. I know that you are an effective spokesperson when it comes to First Nations issues. You often ask questions on these issues. I don't want to enumerate everything our government has done to support Aboriginal people, but I think you know, senator, how much energy and goodwill we put into this file in particular, to respect the rights of Aboriginal people.

[English]

PUBLIC SAFETY

CANADA BORDER SERVICES AGENCY— DEATHS OF DETAINEES

Hon. Wilfred P. Moore: My question is for the Leader of the Government in the Senate. Leader, yesterday Global News published a story dealing with the people who have died while in the custody of the Canada Border Services Agency. They have found nine people have died while in the custody of that agency. CBSA didn't tell anybody about these deaths. Global News found these details by searching legal documents and coroners' records.

When I spoke at second reading to a bill that I have introduced providing for oversight of CBSA, I told the chamber about the case involving Lucia Vega Jimenez, 42 years old, from Mexico. I want to recap what happened to this lady. She killed herself in a CBSA facility in the Vancouver International Airport on December 20, 2013. She hanged herself in the bathroom area of the windowless holding cell, where she was being held for transfer back to Mexico.

The jury at a coroner's inquest into her death heard security contractors at the facility were not performing 70 per cent of the checks on inmates due to understaffing and that they falsified room-check records. The jury recommended the CBSA create a dedicated holding centre for immigration detainees to be staffed by CBSA employees, allow access to legal counsel, medical services, NGOs, spiritual and family visits and monitored Internet access. Telephones and calling cards also should be readily available, the jury recommended. Suicide prevention training should also be made mandatory for CBSA employees and contractors. In a statement, CBSA said that in response to the incident, it had modified the facility and increased oversight and monitoring. It also will, "Carefully review all findings and recommendations resulting from the inquest."

Were you aware personally of the fact that nine people have died while in the custody of CBSA?

[Translation]

Hon. Claude Carignan (Leader of the Government): If you're asking me whether I, Claude Carignan, was personally aware of these deaths, the answer is no. However, I'm here to answer on behalf of the government. I can assure you that the government does everything it can to ensure that people's rights are respected and that the agencies that operate in Canada do so in accordance with their mandate and respect the rights of individuals.

[English]

Senator Moore: Leader, I didn't expect you did know. This is shocking stuff, to say the least. It cries out for oversight; I think you have to agree with that. Any reasonable person would.

To have this type of activity, non-performance of duty, falsifying documents, not looking after people who are in a pretty tender situation, I don't understand it.

It reminds me of the Robert Dziekanski case. Where is the Canadian hand-up? This is intolerable stuff, and I would like to know what has the Canada Border Services Agency done in detailed response to the request of the jury at the coroner's inquest with regard to Ms. Jimenez? We never would have heard about Ms. Jimenez either had her family not come forward from Mexico.

This is Canada. This is an open, free democracy. What are we afraid of here? I don't understand this. I'd like you, leader, to find out what CBSA has done in detail in response to that case and what it's doing about having a proper holding facility.

I can't believe that this would go on in this country.

• (1420)

[Translation]

Senator Carignan: Senator, you mentioned accusations regarding falsified documents, which is something I know nothing about. However, if you believe that crimes were committed, I encourage you to file a complaint with the appropriate authorities so that they can investigate and lay charges, if necessary.

It's hard for me to comment on specific incidents, but I can assure you that the government expects all government agencies — in this case the Canada Border Services Agency — to act in accordance with the law and within their legal limits and obligations. Obviously, these agencies are also expected to respect the rights of individuals that apply in such matters, recognizing that the privacy expectations aren't the same for the Canada Border Services Agency as they are within the country, for reasons you are aware of.

[English]

Senator Moore: It's not me who is saying documents were falsified, leader. This is the jury at the coroner's inquest, and they made findings. For you to suggest that I file a complaint with

CBSA, we all know that that just goes internally with CBSA. That's why we have to have oversight. That's like asking me to mark my own examination paper.

I appreciate your comments that the employees and personnel of this agency or any other government agency must do their duties in accordance with the laws of the land, but it's obvious, sir, that that's not happening. We have to provide oversight and change that culture. We can't let this continue to happen.

[Translation]

Senator Carignan: I think that was a comment, so I have no answer.

[English]

Senator Moore: It's not my comment, leader. It's the comment of the jurors, the comment of Canadian citizens. They think it's improper. Don't try to slide out and say it's my comment. I'm bringing to you good information, sir, and I think it should be acted upon.

[Translation]

The Hon. the Speaker *pro tempore*: Senator Carignan, do you have a comment or answer?

Senator Carignan: It's my understanding that this is Question Period.

[English]

Hon. Mobina S.B. Jaffer: Leader, the incident that Senator Moore speaks of happened in my province, and, sadly, it was a woman who was very disturbed and was frightened to go home. She was being deported to an abusive relationship and was in a fragile state. When you make inquiries, I would like you to find out what criteria we use to deport a woman who has run away from an abusive situation and what is in place to protect women in such dire circumstances.

[Translation]

Senator Carignan: I will take your question as notice and provide a full answer at a later date.

TRANSPORT

CHAMPLAIN BRIDGE

Hon. Jean-Claude Rivest: My question is for the Leader of the Government in the Senate and has to do with the Champlain Bridge. This question was suggested by Denis Coderre, a resident of Montreal North.

Mr. Coderre asked me to congratulate the government on giving in and backing down on its proposal to change the name of the Champlain Bridge. This morning, the government announced that it was giving up on the idea of changing the name of the bridge.

Mr. Coderre would like to know if it's true that the government might give in to pressure again next week and announce that it has decided against charging a toll on the Champlain Bridge.

Hon. Claude Carignan (Leader of the Government): Thank you for your question, senator. As you know, our priority is to ensure that the process for the new bridge is moving ahead. The priority is to get the bridge built. You know our stance quite well, and it has not changed: The toll is a requirement for getting this bridge built. There will be a bridge, and it will have a toll.

Senator Rivest: I know Mr. Coderre, and I don't think he will be satisfied with your answer.

Senator Carignan: Was there a question mark at the end of that comment?

Senator Rivest: Yes.

Senator Carignan: It's not necessarily my goal to ensure that I respond to Mr. Coderre's dissatisfaction or needs. What is important is that the people of Montreal, and all Quebecers, have solid infrastructure in place as soon as possible. We committed to building a bridge and having it built by 2018. That is what we're going to do.

[English]

Hon. Jim Munson: Mr. Leader, since you're a Quebecer, which name do you like? Champlain or Maurice Richard?

[Translation]

Senator Carignan: The important thing is that we build a bridge. We have to ensure that it's built properly and as soon as possible. That's the commitment we made and that's what we're going to do.

[English]

Hon. Percy E. Downe: The government is maintaining the long-time user pay policy for national infrastructure programs. Regarding any potential change in that policy, many people have advocated for no tolls on the Champlain Bridge. I understand there was a toll until 1990, and then it was removed. The citizens of Atlantic Canada pay a high fee to travel between Newfoundland and Cape Breton, and Prince Edward Islanders currently pay \$45 every time they cross Confederation Bridge, which was built at a cost of a little over \$1 billion. I understand the project in Montreal will be up to \$5 billion. If there is any consideration of a change in the policy, the rest of the country would like to know about that so that we can participate and be treated fairly and equally.

[Translation]

Senator Carignan: We can't speculate on what is done elsewhere. The question was specifically about the Champlain Bridge. I understand your comment about the

[Senator Rivest]

Confederation Bridge. When you go to Prince Edward Island, if you get a chance to stop in Montreal, have a coffee with Mayor Coderre and explain your point of view to him.

[English]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, pursuant to rule 4-13(3), I wish to inform the Senate that as we proceed with government business, the Senate will address the items in the following order: third reading of Bill C-6, followed by motions No. 66 and 65, followed by all remaining items in the order that they appear on the Order Paper.

PROHIBITING CLUSTER MUNITIONS BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Fortin-Duplessis, seconded by the Honourable Senator Maltais, for the third reading of Bill C-6, An Act to implement the Convention on Cluster Munitions.

Hon. Joan Fraser (Deputy Leader of the Opposition): Colleagues, you may recall that our critic on this bill is Senator Hubley, who, as we all know, has been kept out of the chamber by a serious health mishap.

• (1430)

However, on her behalf, I read the speech that she would have given at second reading on this bill, and I assure colleagues that she has followed the committee proceedings with great interest and great attention, as well, of course, as the remarks by Senator Fortin-Duplessis at third reading on this bill.

I was prepared to do the same thing at third reading that I had done at second reading, that is, deliver remarks that would have been delivered by Senator Hubley had she been able to be here. But she has reflected on the matter and, after some consideration, has decided that her remarks at second reading constituted all that she really felt it necessary to say. Therefore, colleagues, I would propose that we proceed to the question.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read third time and passed.)

COPYRIGHT ACT TRADE-MARKS ACT

BILL TO AMEND—MOTION TO DECLARE ALL PROCEEDINGS TO DATE NULL AND VOID ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of November 5, 2014, moved:

That all proceedings to date on Bill C-8, An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts, be declared null and void.

She said: Honourable senators, let me be concise and clear on moving this motion for adoption today.

I rise to speak to Motion No. 66, which states that all proceedings to date on Bill C-8, An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts, be declared null and void.

On Tuesday, November 4, Speaker Kinsella received correspondence from the House of Commons along with an alternate parchment version of Bill C-8. This alternate parchment version of the bill is, in fact, the one adopted at third reading in the House of Commons with the original numbering of clauses accounting for clause 21, which had been deleted at committee stage. After its adoption at third reading, a subsequent renumbering of the clauses took place so that clause 22 automatically became clause 21. The renumbered version of Bill C-8 is the one that the Senate then received on October 2.

Honourable senators, the problem is not with the bill itself but with the numbering of the clauses, which is very important to ensure coherence with other acts, notably Bill C-31, the short title of which is Economic Action Plan 2014, No. 1.

This motion before us is to make null and void all proceedings to date for Bill C-8, which currently appears on the Order Paper at second reading. The adoption of this motion will allow the Senate to remove the said Bill C-8 from the Order Paper and, following the adoption, to introduce the alternate parchment version of Bill C-8 that “keeps the appropriate numbering of the bill while taking into account that one of its clauses was deleted.” This quote is from the letter which was part of the correspondence written by Richard Denis, Deputy Law Clerk and Parliamentary Counsel.

With that, honourable senators, I ask that this motion be adopted at this time.

Hon. Joan Fraser (Deputy Leader of the Opposition): Colleagues, I have spent some time contemplating the correspondence that was tabled by our Speaker the other day consisting of a letter from the deputy law clerk of the House of Commons to the Speaker of that house and a letter from the Speaker of that house to our Speaker.

If it were not impolite, I would tell you that my response to these letters is “How stupid do they think we are?” What they have proposed to do is have before us, simultaneously, two versions, two parchment versions, of the same bill. As the Speaker rightly observed, we can’t have two different parchments of the same bill before us. I have no idea where they dreamed up this concept of an alternate parchment version of the bill, and my jaw dropped when I read the suggestion that these documents, these two parchments, may be useful to the Senate as it continues its study of the bill and are offered for its convenience. Why on earth they think it would be convenient for us to have two parchments of the same bill before us, I cannot begin to imagine.

Senator Robichaud: Well, we have omnibus bills.

Senator Fraser: Well, therein lies the problem, Senator Robichaud. We do have omnibus bills, and that is what led us to where we unfortunately find ourselves today.

More precisely, the omnibus bill directly involved was, as Senator Martin suggested, the budget bill that was passed and became law in June of this year. At that time, Bill C-8 was before the other place for consideration, but, I repeat, the budget bill is now law.

In the budget bill were something like 20 pages of what are called coordinating amendments. I refer to these as the “After you, Alphonse” school of amendments because they consist of saying, “If Bill A passes before Bill B, then clause 23 of Bill B is amended thusly. If Bill B passes before Bill A, then some other clause in Bill A is amended accordingly.”

I’m sure that these have occurred through the mists of history on occasion, but it has seemed to me that they are becoming a bit of a habit in recent years, and I’m mystified as to why anybody thinks these are an improvement on what used to be the practice. The practice used to be that we passed a bill; it became law. If a subsequent bill had implications for the earlier bill, the subsequent bill would be amended in consequence and might even include amendments to the first bill that was by now law. But we didn’t have this sort of musical chairs arrangement of amendments to try and grapple with.

In the budget bill, the one that is now law, some of them are really mystifying. I will just pick arbitrarily. If subsection 330(2) of this act comes into force on the same day as paragraph 55(a) of the other act, then that paragraph 55(a) is deemed to have come into force before that subsection 330(2). There are 20 pages of that.

Senator Tkachuk: I got that.

Senator Fraser: I'm glad you did. I confess that I spent some time this morning trying to work through these 20 pages, and I have some sympathy — some, limited sympathy — for those persons at the other end of the hall who got muddled. But, anyway, the budget bill with its 20 pages of coordinating amendments is now law; it has been law since June, and so the House of Commons proceeded with its study of the bill that is now before us, until we pass this motion, Bill C-8.

• (1440)

Now, in committee, as Senator Martin suggested, the House of Commons deleted clause 21 of Bill C-8. The hitch was that various clauses after 21 were intimately related with the budget bill. You know what happens when a clause is deleted from a bill: All the subsequent clauses are renumbered. But when the House of Commons adopted the bill as amended by committee, it didn't check its renumbering.

Let me give you just one example of what happened. The budget bill said that if clause 332 of this bill, the budget bill, comes into force before clause 22 of the other bill, Bill C-8, then that clause 22 is deemed never to have come into force and is repealed. Clear? More or less; we're getting there.

Senator Robichaud: Which Bill C-8?

Senator Fraser: That's the point. When the budget bill was written, it was written about the original version of Bill C-8. The original version of Bill C-8 said that clause 22 was all about infringement of trademarks, and it goes on for about a page and a half making adjustments to the Trade-marks Act. But then the committee amended Bill C-8 and the new clause 22 of Bill C-8 isn't about infringement of trademarks; it's about actions and recovery of damages, which is quite a different thing. And it's not a page and a half long; it's nine lines long.

Therefore it wasn't renumbered properly, and not all 20 pages of the budget bill's coordinating amendments fall into this trap, but many of them do. I've been told — I haven't done the count myself — there are about 50 examples where the renumbering means that if we adopt Bill C-8 in the form in which the House of Commons sent it to us we will be amending existing law wrongly, and I'm sure we wouldn't want to do that. It is not a fault of our making.

The House of Commons has tried to pretend that it's just a little technical error and not really their fault, either, it just sort of happened. For our convenience, they're sending us an alternate parchment, which, in case you hadn't grasped it, I view as an unacceptable procedure.

What do we do then? I think the motion that Senator Martin has presented is a fairly neat, simple and elegant way to go. We get rid of the version of Bill C-8 that is the wrong version that we received from the House of Commons, and we will then, I assume, proceed with the new version. And the alternate parchment will not be an alternate parchment; it will be the only parchment before us and will be the correct parchment.

Senator Robichaud: We have to make sure.

Senator Fraser: Yes. Maybe we should hire someone to sit down in the basement and go through line by line every bill affected. I'm serious.

Someone said the other day that this is the second time this fall we've had to deal with a wrong version of a bill from the House of Commons. Somebody else asked, "How do we know that there haven't been other errors?" Lord knows, we hope not. We hope that we have not inadvertently passed laws that were incorrect and inadvertently made changes in legislation that nobody spotted. I truly hope not.

At least this one has been spotted. I think all we can do now is support Senator Martin's motion, but I hope somebody down at the other end of the hall is listening and is deeply embarrassed.

Hon. Senators: Hear, hear!

[Translation]

Hon. Fernand Robichaud: Honourable senators, I can't help but say:

[English]

If you can't beat them, confuse them.

[Translation]

I'm confused!

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

Hon. Senators: Question.

[English]

The Hon. the Speaker pro tempore: I will read the motion.

It was moved by the Honourable Senator Martin, seconded by the Honourable Senator Poirier:

That all proceedings to date on Bill C-8, An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts, be declared null and void.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

BILL TO AMEND—FIRST READING

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from House of Commons with Bill C-8, An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts.

(Bill read first time.)

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

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

[English]

ADJOURNMENT

MOTION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of November 5, 2014, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, November 18, 2014 at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

INDIAN ACT

BILL TO AMEND—THIRD READING— DEBATE ADJOURNED

Hon. Thanh Hai Ngo moved third reading of Bill C-428, An Act to amend the Indian Act (publication of by-laws) and to provide for its replacement.

He said: Honourable senators, I am pleased to speak at third reading on Bill C-428, An Act to amend the Indian Act (publication of by-laws) and to provide for its replacement. This private member's bill, brought forward by Mr. Robert Clarke, the member for Desnethé — Missinippi — Churchill River, will

amend the Indian Act in order to start a process towards establishing a modern relationship with the First Nations and ultimately provide for the replacement of the Indian Act.

Honourable colleagues, everyone agrees that the Indian Act must go. There is, however, no unanimity as to how one should change it. However, there is consensus that First Nations have been held back by this paternalistic and colonial act, and it's about time we start to repeal it.

• (1450)

Prime Minister Stephen Harper clearly stated during the historic Crown-First Nations gathering in January 2012 that significant changes must be made to the Indian Act by a step-by-step process. This private member's bill starts exactly that process in the hope of replacing the Indian Act with a respectful and modern law that is the result of collaboration between the Crown, the provinces and First Nations.

[Translation]

This bill is completely in keeping with the approach taken by the government to provide First Nations with alternatives to the Indian Act that will be practical, progressive and meaningful. At the Crown-First Nations gathering, Prime Minister Stephen Harper also said that the Indian Act could not be replaced overnight, but that through the use of existing tools and the development of new mechanisms, both parties could create the conditions to enable sustainable and successful First Nations.

[English]

The best way to remove a big boulder is to carve it out chip by chip. This bill chips away at small, archaic and paternalistic elements of the Indian Act, and establishes a yearly requirement for the Minister of Aboriginal Affairs and Northern Development to report on the work undertaken to replace the Indian Act.

This bill proposes concrete action by providing greater autonomy to First Nations, lessening the role of ministerial involvement in the day-to-day lives of First Nations citizens, and placing responsibility for several key areas back where it rightfully belongs: in the hands of First Nations.

Quite simply, this bill would: require the Minister of Aboriginal Affairs and Northern Development to report annually to a parliamentary committee on action taken in partnership with First Nations to develop new legislation to replace the Indian Act; remove the minister's bylaw disallowance powers; remove outdated and archaic provisions of the Indian Act; and repeal all references to residential schools and remove outdated school-related provisions.

By removing unnecessary parts of the Indian Act and requiring the Minister of Aboriginal Affairs and Northern Development to report annually on the work accomplished to replace it, this bill

starts a constructive dialogue that will engage interested parties in a collaborative process to work towards the repeal and replacement of an outdated piece of legislation with a modern set of laws that not only reflects today's values but also respects our past.

[Translation]

The fact that First Nations members would be able to use various means to consult the bylaws of First Nations has various advantages: respect for the rule of law, protection of the legislative powers of First Nations, transparency, and the promotion of a true line of accountability between First Nations leaders and their citizens. In accordance with the bill, the authorities or band councils will be required to make public their bylaws. They can publish them on their band's website, in the *First Nations Gazette* or in a newspaper of general circulation in First Nations communities.

In fact, more than 180 First Nations members across Canada use the *First Nations Gazette*, which contains over 3,000 laws, bylaws, governance codes and public notices. On October 1, Professor Ian Peech, an expert in Aboriginal law and policy, told the Standing Senate Committee on Aboriginal Peoples that the relevant provisions of the bill constitute a very good effort to establish and reinforce the lines of accountability.

[English]

At the core of the proposed legislation is the acknowledgment that the Indian Act is holding First Nations back from achieving their full economic potential. Bill C-428 proposes a series of amendments to the Indian Act that will lead to healthier, more self-sufficient First Nations communities.

This bill would remove discriminatory economic barriers by providing First Nations members with access to the same domestic and external market opportunities that the rest of Canada has.

Honourable senators, this bill would finally remove provisions enacted by past non-Aboriginal farmers who outlawed free trade on reserves with the rest of the world to avoid competition. In fact, Guy Lonechild, a member of the White Bear First Nations, appeared as an individual before the Aboriginal Committee on September 30 and pointed out in favour of this provision, stating that the Indian Act "has resulted in the underdevelopment of reserve-based economies so acute that we are several decades behind."

The third major amendment of this bill, which would repeal all provisions related to residential schools, is particularly symbolic for First Nations people. On June 11, 2008, the Prime Minister made an impassioned and heartfelt apology to the First Nations people of Canada for the treatment of children in residential schools — a sad and shameful chapter in our nation's history.

[Senator Ngo]

Following this momentous apology, the government also announced its intent to repeal those sections of the Indian Act that allow for the establishment of Indian residential schools and the removal of children from their homes and communities. By removing this antiquated language and references to residential schools, we can take another step on the path towards healing. Who better to introduce this change than the member for Desnethé—Missinippi—Churchill River, the grandson of two residential school survivors?

Ms. Betty Ann Lavallée, National Chief, Congress of Aboriginal Peoples, stated at the Aboriginal Committee on September 30 that this amendment to the Indian Act could be part of the healing process for all who were personally affected by the residential school system.

Honourable senators, by supporting this bill we, as parliamentarians, can participate in a historic moment to support a path towards reconciliation.

The last and most important part of this bill gives the government the mandate to report on the work it has undertaken to simplify and remove outdated provisions in order to remove bureaucratic oversight of First Nations in the decision-making process. This enactment will lead to stronger accountability relationships between First Nations leadership and their citizens rather than between First Nations leadership and Ottawa.

Honourable senators, this yearly report would ensure that First Nations can hold the government responsible by moving toward a respectful and modern relationship that reflects our values in the 21st century. On this section of the bill, Ms. Lavallée pointed out to the Aboriginal Committee that this is a useful and positive initiative to keep all parties informed on the progress of Aboriginal Affairs and Northern Development Canada.

Professor Peach also spoke in favour of having the Aboriginal Affairs Minister report annually to the relevant House of Commons committee on the work and progress made to replace the Indian Act, stating:

... the minister should be accountable to the house for efforts made to replace the Indian Act with more modern legislation or, indeed, with agreements that better reflect our current understanding of the Crown-Aboriginal relationship, the honour of the Crown and the intent and desire for reconciliation between the Crown and indigenous people.

• (1500)

[Translation]

Honourable senators, over the course of several meetings, the Standing Senate Committee on Aboriginal Peoples took a careful look at the bill. We heard from witnesses with various

perspectives, including First Nations members, departmental representatives and legal experts. We learned that the Indian Act created systemic barriers and promoted discrimination against First Nations, that it has had a negative impact on their economies and that it has placed them at a disadvantage since it was passed. Not surprisingly, First Nations chiefs have been trying to get rid of it ever since.

[English]

Everyone agrees that the Indian Act has no place in our society. Everyone agrees that we should move towards a modern and respectful relationship between the federal government and the First Nations. This is not an easy task. Manny Jules from the First Nations Tax Commission appeared before the Standing Senate Committee on Aboriginal Peoples on September 30 and quoted his father and simply said to us, “You can’t fix a flat tire by shouting at it.”

Honourable senators, Bill C-428 proposes incremental changes that will ultimately lead to the replacement of the Indian Act in order to develop strong, accountable and prosperous First Nations communities where First Nations citizens have access to the same rights as all other Canadians.

As the proud sponsor of this bill, I ask honourable senators to stand with me in support of Bill C-428.

Hon. Sandra Lovelace Nicholas: I’m not in support of passing this bill for two reasons. It says that the minister —

The Hon. the Speaker *pro tempore*: Senator Fraser.

Hon. Joan Fraser (Deputy Leader of the Opposition): Senator Lovelace Nicholas, if I could just make a point of clarification for the information of the other side. I’ll be fascinated to hear your speech, but our critic on the bill is Senator Dyck. You can speak.

The Hon. the Speaker *pro tempore*: Senator Lovelace Nicholas.

Senator Lovelace Nicholas: I’m sorry. For two reasons. It’s because it says the minister should report only to the House of Commons and not the Senate.

Some Hon. Senators: Hear, hear.

Senator Lovelace Nicholas: The second reason is that they used “collaborate” instead of “consult” First Nations. These are the two reasons.

(On motion of Senator Lovelace Nicholas, for Senator Dyck, debate adjourned.)

THE SENATE

MOTION TO RECOGNIZE THE SECOND WEEK OF MAY AS INTERNATIONAL MATERNAL, NEWBORN, AND CHILD HEALTH WEEK—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Seth, seconded by the Honourable Senator Plett:

That the Senate recognize the second week of May as “International Maternal, Newborn, and Child Health Week”, with the goal of engaging Canadians on the health issues affecting mothers, newborns, and children in Canada and around the world; reducing maternal and infant mortality; improving the health of mothers and children in the world’s poorest countries; promoting equal access to care to women and children living in households of lower socioeconomic status, those with lower levels of education, those living at or below the low-income cut-off, those who are newcomers, and those groups who live in remote and sparsely populated areas of Canada; and preventing thousands of mothers and children from unnecessarily dying from preventable illnesses or lack of adequate health care during pregnancy, childbirth and infancy.

Hon. Tobias C. Enverga, Jr.: Honourable senators, this motion is adjourned under Senator Hervieux-Payette’s name. She’s not here today, but I would like to speak to it and have the debate adjourned in her name when I finish.

Honourable senators, I rise today in support of my good friend Senator Asha Seth’s motion that the Senate recognize the second week of May as “International Maternal, Newborn, and Child Health Week.” I wish to thank her for her dedication to this issue, and to thank honourable senators who have participated in the debate on this motion.

Honourable senators, we are rapidly approaching a key year in the world of international development. The year 2015 is the benchmark for the Millennium Development Goals set by the United Nations, and, sadly, the goals are still out of reach. However, we have seen great strides in the right direction of improving the lives of those less fortunate around the world. There has been a measurable momentum in many aspects. This motion is one of the many steps that are taken to continue the commitment towards achieving measurable results with increased aid effectiveness.

Honourable senators, the speakers before me have stated many numbers concerning the issue before us. These are indeed depressing numbers, and I will not repeat them. I want to share one admirable fact with you, though. The world has cut the maternal mortality rates by nearly half between 1999 and 2014. It is short of the Millennium Development Goal of two thirds, but it is a still a significant and much-welcomed stride in the right direction. Several other indicators also point towards a monumental achievement in the field of maternal, newborn and

child health, which should give us all hope. More importantly, these numbers and these indicators show that what we are doing at the moment is working. Yet there is still need for us to do more.

Honourable senators, our government, under the leadership of the Right Honourable Stephen Harper, has already taken the lead in the global efforts to improve the lives of those most vulnerable. It is a very complex challenge that will take multi-faceted approaches, and this is what the current initiative on maternal, newborn and child health provides.

This motion, being highly ambitious, provides for such a holistic and multi-faceted approach. It calls for the Senate to endorse and to acknowledge that there is a continued need for improvement, that there is a continued need for a venerable institution like our own to take stewardship of the path to improvement, and that there is a continued need for a platform from which the fight for mothers and their children can be fought. That, dear colleagues, is what this motion allows for if passed.

Honourable senators, during the debate on this motion much has been said about the sad, albeit improving, state of affairs. What I want to share with you are some of the actual programs that spring out of the Muskoka Initiative on maternal, newborn and child health and the newly committed funds from the Canadian government totalling \$3.5 billion to be spent between 2015 and 2020.

Honourable senators, I am fortunate to speak today because yesterday, during the annual general meeting of the Canadian Network for Maternal, Newborn and Child Health, the Honourable Christian Paradis, Minister of International Development and Minister for La Francophonie launched a call for proposals from eligible Canadian organizations. This call for proposals is valued at \$370 million, which is nearly five times more resources for Canadian partners than the Muskoka Initiative commitment. It is a tremendous amount, but more importantly, it allows for program funding for five years, providing for much needed longevity which is so important in these kinds of development initiatives. I thank the minister for this commitment.

• (1510)

Honourable senators, in August this year I joined the Minister of State for Seniors, the Honourable Alice Wong, in Vancouver where she made an announcement on behalf of Minister Paradis. The funding announcement was that Canada would provide \$500,000 towards a project on the island of Mindanao in the Philippines.

This region has been ravaged by civil war for decades, an armed conflict that ended with the recent signing of a peace agreement in which Canada also played a role in reaching. Once the agreement had been signed, there was a need for assisting the internally displaced people. UNICEF, being our partner organization, is currently undertaking a program to improve the health, well-being and protection of children, women and their families. It is the most basic of needs we are talking about, colleagues. The project will deliver safe drinking water, latrines and hygiene kits

to 15,000 people, including 8,400 children. It will provide nutrition interventions, including breastfeeding support and micronutrient supplementation, to an estimated 8,400 children under the age of 5 and 6,600 pregnant and lactating women; and it will deliver emergency education services and psychosocial support for more than 10,000 schoolchildren.

Honourable senators, this is an example of how basic needs of the most vulnerable are met. This is how the foundation of our society, our women and the children only they can bear, is protected and cared for, and how our future generations are ensured to carry on. The project above is one of many, and the measurable success is still too soon to declare. We do have other examples of how this initiative has been successful in other parts of the world.

Honourable senators, in Haiti, an island nation in dire need after the earthquake in 2010, Canada has provided \$20 million for free prenatal care. Since the program began in 2011, more than 26,000 women and their newborns have had access to skilled care during pregnancy, childbirth and the postnatal period. As well, more than 58,000 children under the age of 5 also received free health care services. In participating institutions, the maternal mortality rate per 100,000 live births is about 135. This is a significant improvement from the 1991 rate of 630 deaths throughout Haiti.

Honourable senators, another project that Canada is supporting began in Bangladesh in 2011. This is a community-based initiative to improve access to health care for mothers, newborns and children in 130 villages. Traditional birth attendants will receive training in basic prenatal and postnatal care, and 35 local maternal and child health centres will be established. Within one year, five health centres had been built, more than 8,000 women had registered to receive care at these clinics, and 50 traditional birth attendants had received training.

Honourable senators, in her statement, Senator Seth spoke about the need to create a platform to recognize achievements and provide opportunities for the stakeholders and government to synchronize our efforts and have a stronger impact. If we consider the varying projects and contexts in which they are carried out, we can clearly see that coordination is of utmost importance. The health of mothers and children is present in so many different situations that it is difficult to separate from other major interventions.

I have listed three examples. One of them is part of a peacebuilding effort, one is part of a disaster reconstruction effort, and one is part of capacity building within an existing service delivery structure. There will always be a place for maternal, newborn and child health. It involves an astounding number of stakeholders. This is why efforts need to be coordinated for the most efficient and effective use of resources. Having a week set aside for this purpose is important for all the stakeholders out there who work with public advocacy, fundraising or awareness campaigns. They can rally around a specific time to pool resources and to generate heightened public interest. It allows for a focal point around which they can build enhanced strategies.

Honourable senators, let me end by congratulating our honourable colleague Senator Asha Seth on her motion and for her unwavering work to help the most vulnerable in our society. This is an important motion which should not be taken lightly. This motion, if passed, is a commitment by the Senate to support the very basis of our future.

We can do this, colleagues, by supporting the motion and by taking part in events and meetings during the second week of May in 2015.

(On motion of Senator Hervieux-Payette, debate adjourned.)

HEALTH AND POVERTY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck, calling the attention of the Senate to the well-documented connection between health and poverty, and to the pressing need to alleviate the burden poverty places on our healthcare system and on millions of Canadians.

Hon. Art Eggleton: Honourable senators, I see this is up to day 14. When it hits 15, I unfortunately will not be here. I am just about finished my notes and I'm just about ready to go, but I'm not quite ready today. If I may, for the balance of my time, adjourn this item.

The Hon. the Speaker *pro tempore*: Before I move the adjournment of this item, Senator Eggleton, I must get leave from the Chamber, because we have a rule. You are already on your second run of 15 days.

Is leave granted for Senator Eggleton to adjourn the debate?

Hon. Senators: Agreed.

(On motion of Senator Eggleton, debate adjourned.)

BUSINESS OF THE SENATE

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, pursuant to rule 16-1(8), I wish to advise the Senate that a message from the Crown concerning Royal Assent is expected later today.

The Hon. the Speaker *pro tempore*: Honourable senators, rule 16-1(8) provides that after the Leader or Deputy Leader of the Government has made such an announcement:

... no motion to adjourn the Senate shall be received and the rules regarding the ordinary time of adjournment or suspension, or any prior order regarding adjournment shall

be suspended until the message has been received or either the Leader or Deputy Leader of the Government indicates the message is no longer expected. If the Senate completes the business for the day before the message is received, the sitting shall be suspended to the call of the Speaker, with the bells to ring for five minutes before the sitting resumes.

These provisions shall therefore govern proceedings today.

• (1520)

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. A. Raynell Andreychuk, pursuant to notice of November 5, 2014, moved:

That the Standing Senate Committee on Foreign Affairs and International Trade have the power to sit at 3:30 p.m. on Tuesday, November 18, 2014, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

She said: Honourable senators, the Foreign Affairs and International Trade Committee is tasked with studying the bill with respect to the Canada-Korea free trade agreement. My deputy was very gracious in allowing the department officials to testify today as the minister is not available and is out of the country. He will be back on Tuesday, November 18, and has a heavy schedule thereafter. We are asking that we sit to hear Minister Fast on Tuesday, which is not our regular time, in order to complete the rest of the witnesses in a timely way to meet the deadlines of the Canada-Korea agreement.

Built into our planning is the fact that it will come to this chamber for third reading and to give everyone sufficient time to deal with it. We're asking that we be able to sit outside of our time slot for Minister Fast, which has been the tradition to allow committees to sit to hear ministers should they give reasonable justification as to why they can't appear during our regular sitting times.

Hon. Joan Fraser (Deputy Leader of the Opposition): It certainly has been common practice for us to give permission for committees to sit to hear ministers, although usually that involves extending sittings, one way or another, to avoid cabinet meetings, votes, dinners they have to attend or whatever it is. It is unusual to take it totally out of normal sitting slots, which I gather is what you're doing.

Have you consulted the whips?

Senator Andreychuk: I advised the leadership rather than the whips because whips are part of the leadership.

In the past there would be extended hours. There have been ministers sitting in times other than the designated times. We followed that practice. We wanted Minister Fast to testify and to

give his perspectives on the trade deal. He has a very busy schedule. As you know, there is a trip to China with the Prime Minister scheduled. He will be back from that, and we wanted the opportunity to hear from him as early as possible. That is the date he is available and we are asking the indulgence of this chamber to hear from him. We don't anticipate the meeting will be long.

Senator Fraser: I take it the minister is making himself available for a short period of time outside the committee's regular sitting slot?

Senator Andreychuk: No, he did not say "short period of time." I'm anticipating. In our consultations, we've already heard the details from the department on the negotiations and we had fulsome conversations. What we want to know are the policies and practices that the minister can give; that's my characterization of it. I don't anticipate the meeting being as long as it normally is when you bring the minister with officials where you separate the time between the issues that the officials can handle and the minister. We've dealt with the background and I think that was helpful for the committee because the officials — and there were many of them — spoke about free trade agreements, this one in particular, and addressed the measures almost clause by clause.

Hon. Jim Munson: As a point of clarification, does Senator Downe agree?

Senator Andreychuk: I never move in my committee without consulting my deputy chair. He was in agreement that we proceed on the Tuesday.

Senator Munson: As an observation, Senator Downe should talk to his whip before he talks to you, with all due respect.

Some Hon. Senators: Oh, oh.

Senator Andreychuk: I would not want to go into the internal dynamics of the members of the other side, but now that the matter has been raised here I will certainly ensure not only that we speak to the leaders but that we meet with the whips to advise them also.

I'm sure Senator Downe will agree.

Senator Munson: I think that's an important thing to do, because you have a tough whip.

Some Hon. Senators: Oh, oh.

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

[Senator Andreychuk]

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

Hon. Senators: Agreed.

(Motion agreed to.)

PEACE MAKING

INQUIRY—DEBATE ADJOURNED

Hon. Anne C. Cools rose pursuant to notice of October 28, 2014:

That she will call the attention of the Senate to November 11, known to all as Remembrance Day, of this, the centennial year of the July 28 start of hostilities in the 1914-1918 Great War, which day is given to the national and collective mourning of Canadians, on which we remember and honour the many who served and who fell in the service of God, King and Country, and, whose incalculable sacrifice of their lives, we honour in our simultaneous yet individual, personal acts of prayer and remembrance, wherein we pause and bow our heads together in sacred unity, at the eleventh hour, of the eleventh day, of the eleventh month, for the many who gave themselves, and:

To Canadian and British peace of mind, freed from the fear and sorrow of the possible sacrifice of their beloved sons to war, so soon again, and, to Canadian unanimity in support of their Prime Minister Mackenzie King's stand against war at Chanak, and, to Canadian events, and, to Canadians such as John Wesley Dafoe, the great journalist-editor of the *Manitoba Free Press*, later the *Winnipeg Free Press*, who had attended the 1919 Allies' *Paris Peace Conference* with Prime Minister Robert Borden's Canadian delegation, and, who had supported Canada's position on Chanak, and, who had strenuously opposed Prime Minister Lloyd George's demands to the Dominions and Canada to send troops there, and, to John Dafoe's brilliant account of Canadians and the Canadian Government's desire to live without war against people who had done them no harm, and, to his historic *Manitoba Free Press* article, titled, *The Rise of the Commonwealth Dominion Responsibility For External Affairs*, and, to Canada's influence on British politics and the other Dominions, and, to Canada's firm, principled, and vindicated position not to send Canadian troops to the Dardenelles, at Chanak, and, to the negotiated and lasting peace with Turkey, in the Treaty of Lausanne, that is still in force, and, to the profound truth that the greatest act of peace is simply to make no unnecessary war, and, to make absolutely no war, for the purpose, that is the pursuit of ambition.

She said: Honourable senators, I speak to Remembrance Day and remembering those who served. In 1922, Chanak was Britain's call to the Dominions for troops to this Dardenelles seaport, soon after the Great War, as all still mourned their fallen, and as Canada was then dogged by large social problems.

Led by Prime Minister Mackenzie King, Canadians, not wanting a new war, were hostile to this cabled request, signed by Prime Minister David Lloyd George and Colonial Secretary Winston Churchill, its draftsman. Canadians, like Americans, were then isolationists. They saw no reason why the Turkish peoples should be put out of their lands in Eastern Thrace and Anatolia, or why the Allies' stillborn Sèvres Treaty set such terms. Signed by the Ottoman Sultan, then lacking legitimacy to act for them, these peoples rejected the treaty. Not ratified by Britain, nor the Ottoman parliament, Mustafa Kemal never agreed to or signed it. He had repudiated it, as did the National Assembly, the two then the de facto government of Turkey. Their 1919 National Pact said that the lands inhabited by the Turkish-speaking peoples would remain a whole. To know Prime Minister Lloyd George's war drive at Chanak, is to know the state of his Liberal-Conservative Coalition Government, and British politics in 1921. British politics stopped his war. The Conservative Caucus vote to end their Coalition support brought his defeat and resignation. The man to whom Britons then looked was the Canadian, Andrew Bonar Law, their new Prime Minister.

Honourable senators, these political events had an important Canadian component. Here at home, there was Prime Minister Mackenzie King's refusal to send troops to Chanak, and his eagle eye on British politics. At the centre of British politics, there were two Canadians, Conservatives Andrew Bonar Law and Max Aitken, both devoted public men. Born in New Brunswick, September 16, 1858, Bonar Law moved to Britain in 1870, and was elected to the House of Commons in 1900 for Glasgow Blackfriars. Aitken, the younger, born in Ontario, May 25, 1879, had lived in New Brunswick. He moved to Britain and was elected to the Commons in 1910 for Ashton, which is near Manchester. Twice a cabinet minister, he was a great writer and press baron, owning the *Daily Express*, the *London Evening Standard* and the *Sunday Express*. In 1917, he became Lord Beaverbrook. He knew Prime Minister Robert Borden very well and corresponded with him.

Honourable senators, in the 1918 general election, Prime Minister Lloyd George had gone to the electorate with the Conservative Party Leader Bonar Law, as coadjutor in their Coalition Government. That election gave Bonar Law's Tory Party a majority in the Commons. In 1921, Lloyd George's Coalition was still kept, was still sustained mostly by Tories, Lloyd George's Coalition Liberals, and 12 Coalition Labour.

• (1530)

The Opposition was mostly Sinn Féin Party, 67 Labour, and Asquith Liberals. Bonar Law, known as the main prop of the Coalition, was firm on the Coalition's election pledges, and against any plans to defeat Lloyd George.

Honourable senators, Max Aitken and Andrew Bonar Law were very close. Both wanted strong cooperative ties between British Empire countries, which they thought should form a single

economic and political unit, a view somewhat shared by Robert Borden. Aitken had bought the *Daily Express* to promote Empire solidarity. In his 1963 book, *The Decline and Fall of Lloyd George*, Beaverbrook wrote about Andrew Bonar Law, the great Canadian-born, British Conservative Leader, never of robust health and worsening, at page 17:

He was embarrassed by the masterful and arrogant conduct of Lloyd George, not only in the distribution of offices, but also in his insistence on building up a personal Political Fund by the sale of honours . . .

Beaverbrook added, at page 17:

Meanwhile Bonar Law's health was suffering under the strain of trying to curb Lloyd George's ambition to undertake foreign projects and expeditions which might endanger the alliance with France and even the peace of Europe. In this unhappy atmosphere, Bonar Law was attacked by a bout of influenza. . . . His spirits were low. He resigned on March 17th, 1921. Lloyd George, though regretting the departure of his colleague, did not make any sustained effort to retain his second-in-command. Possibly the Prime Minister was somewhat wearied by the frequently repeated newspaper comment that the Government's fortunes depended upon the support of Bonar Law. The Prime Minister's friends said that he was confident he would reign successfully without the need for any helper to hold his arms on high.

Beaverbrook notes, at page 234:

Bonar Law was modest He and Lloyd George had first come together in 1916. Then . . . Bonar Law, called upon to form a Government, relinquished the honour to Lloyd George. . . . content that all the public glory and the triumph should go to his colleague, whom he served with unswerving loyalty. He had never sought the first place for himself. When confronted with necessity he accepted it with reluctance and laid it down with relief.

Honourable senators, by May 1921, Lloyd George was in steep political decline. Conditions were bad. Two million were out of work. Serious conflict had grown between the Tories and Liberals in Lloyd George's Coalition built in his displacement of the great Liberal Leader Herbert Asquith, which many still saw as treachery, saying that he "shed his friends like the ermine sheds its winter coat." He was in conflict with his cabinet. Edwin Montagu, Secretary of State for India, fought Lloyd George's support of Greek claims to Turkish lands, and the harsh Sèvres Treaty terms. Montagu wanted to resign on Lloyd George's policy to run the Turks out of Europe, and tried to force him to announce to the public that the British Government did not intend to turn the Turks out of Constantinople. There was also Lloyd George's abiding conflict with his Foreign Secretary Lord Curzon, who at the end of the day would craft the Lausanne peace with Mustafa Kemal. Lloyd George, undeterred, went straight ahead, full speed, and even planned for a fall election.

Honourable senators, Lloyd George's Coalition was as a house divided. Lord Beaverbrook writes, at page 53:

Lloyd George, in his growing isolation and falling popularity, longed for the days when Bonar Law had protected and fortified the Parliamentary reputation of the Coalition.

Lloyd George's Turkish policy fuelled Cabinet conflict, and also Britain's conflict with France and Italy, both countries eager for peace with Kemal and his new Turkey. Foreign war at Chanak was a large British public issue. In June 1921, Prime Minister Lloyd George wrote to Bonar Law. About his letter, Beaverbrook relates, at page 57:

In his letter the Prime Minister mentioned "Crises chasing each other like the shadows of clouds across the landscape." . . . He declared that he missed Bonar Law's counsel more than he could tell, concluding, "I want to see you."

Bonar Law replied that his health was better, but he did not wish to re-enter politics. About Bonar Law, Lord Beaverbrook said, at page 57:

He declared that Lloyd George had done "the best that was possible but even the best is not very good". And he promised to see Lloyd George on a visit . . .

Honourable senators, most knew that Prime Minister Lloyd George's Coalition would not last long. Bonar Law visited London on June 16, 1921. He listened carefully to the copious reports of disaster. Lloyd George even offered him the foreign ministry. Bonar Law saw his dear friend Max Aitken, who believed in his potential to unite Britain and the Empire as one unit. Bonar Law was resolute not to re-enter politics, nor to join any plans to defeat Lloyd George or his successor, Austen Chamberlain, the Conservative Party Leader. Firm in his wish not to succeed Lloyd George, he was greatly concerned for his beloved Conservative Party's unity and future. Prime Minister Lloyd George, wrongly convinced that Max Aitken was behind his problems, launched a full-scale attack on Bonar Law. By 1922 fall, Lloyd George and Britain were at the brink of war with Mustafa Kemal's Turkish national forces at Chanak.

Honourable senators, on October 7, 1922, a letter noting the grave dangers of Lloyd George's reckless Chanak venture, appeared in *The Times*. Signed "A Colonial," it was known to all that Bonar Law was its author. By then, few in Lloyd George's cabinet supported him. The Dominions except New Zealand, his military advisors, the Foreign Office, the British public and the media were all opposed. Former British M.P. David Walder, in his 1969 book, *The Chanak Affair*, cites "A Colonial", Bonar Law's letter, at page 310:

. . . The prevention of war and massacre in Constantinople and the Balkans is not especially a British interest, it is the interest of humanity. . . .

What then in such circumstances ought we to do? Clearly the British Empire, which includes the largest body of Mahomedans in any state, ought not to show any hostility or unfairness to the Turks.

. . . The course of action for our own government seems to me clear. We cannot alone act as the policemen of the world. . . .

"A Colonial's" words quickened and crystallized British public opinion against this war.

Honourable senators, I come now to Lloyd George's Dominions cable, and its senior member, Canada's, refusal to send troops to Chanak. This was large in the October 19, 1922, Carlton Club vote, the name for the Conservative Caucus members of parliament's regular meetings at the club, just days after Prime Minister Lloyd George's foolish Chanak cable to Prime Minister Mackenzie King. The question at the Carlton Club was would the Conservative members end their support for Lloyd George's Coalition? The majority of Conservatives voted to end it. This was a vote for peace with Turkey. On Remembrance Day we must uphold the triumph of peace over war at Chanak by that single vote. War is the failure of politics. The Carlton Club vote was the success of politics.

Honourable senators, Bonar Law had at first declined to attend. The night before, after meeting with his close friend Max Aitken, Bonar Law, "A Colonial," was ready to face his greatest challenge. Lord Beaverbrook wrote about this, at page 198:

He calmly refilled his pipe and said . . . : "I am going to the meeting." It was a dramatic moment. . . . I asked if I might make a statement to the Press Association that he would be at the Carlton Club. He concurred. I fled. . . . I called . . . the Editor of the Press Association, . . . and told him I was authorised to publish the statement: "Bonar Law will go to the Party meeting at the Carlton Club."

About next morning, Lord Beaverbrook notes, at page 199:

The front page of almost every newspaper displayed the statement that Bonar Law was going to the Carlton Club. Every political writer in Fleet Street knew that the announcement foreshadowed the fall of Lloyd George's Government that very day. And so it was.

Honourable senators, days before, on October 11, the insightful and worried Beaverbrook had written to an American friend about the next few days:

The failure of the Prime Minister's Greek policy had resulted in a complete collapse of his prestige with the Conservatives . . . The immediate future will decide whether the Conservative Party is to remain intact, or whether the Prime Minister is strong enough to split it. It will have been a great achievement to have smashed two parties in one short administration.

About the Carlton Club gathering, he said, at page 201:

Austen Chamberlain opened the meeting. . . ., he stressed the Socialist threat from Labour.

The Labour Party's strong growth, a menace to the older parties, was large. Beaverbrook describes "A Colonial," the Canadian Andrew Bonar Law's principled speech that morning, at page 201:

Bonar Law . . . was greeted with a great shout of cheering. He made it clear that the Party ought to come out of the Coalition and go to the country on its own. He said:

I confess frankly that in the immediate crisis in front of us I do personally attach more importance to keeping our party a united body than to winning the next election.

• (1540)

Arthur James Balfour spoke for the Coalition. Beaverbrook tells of the vote results at page 202:

Bonar Law was supported by 187 votes against 87.

Bonar Law had a clean and clear win, and his Near East peace prevailed. King George V was away. He rushed back to the Palace for 3 p.m. At 4:15 p.m. Lloyd George submitted his resignation, advising the King to send for Bonar Law, who arrived at 6:10 p.m. and agreed to form a government.

Honourable senators, Lloyd George and Co. thought that Bonar Law, "A Colonial," would fail, and they would soon be back in power. At the November 15 general election, just days after the Carlton Club vote and weeks after Lloyd George's Dominions cable, Bonar Law's Conservatives won a clear majority by over 70 seats. The big surprise was the Labour Party became the Official Opposition. There went Lloyd George, and the great British Liberal Party. I, "a Colonial," heard much of this as a child in the British West Indies, where Asquith Liberals had been strong. Three Canadians, three colonials, were large in the sacred act of avoiding war and bloodshed. Beaverbrook wrote, at page 224:

I praised Bonar Law's judgement and discretion. The public had shown strong approval and immense confidence. . . . He must now determine his policy and follow it resolutely. He spoke of the difficulties . . . he emphasized his Near Eastern policy. He had come to power on its success. . . . The country wanted peace and he must give it peace. He knew the temper of the people and that war was averted by popular will. He said that he must deal with the French. . . . Relations were strained.

Honourable senators, Canada's Prime Minister Mackenzie King stopped war at Chanak and claimed our power in foreign affairs, never again dictated by Whitehall. On

August 3, 1925, the *Manitoba Free Press* printed a piece by its editor, John Wesley Dafoe, headed "The Rise of the Commonwealth Dominion Responsibility For External Affairs." He wrote, at page 6:

The theory of Empire government by means of the Imperial cabinet . . . was tested and destroyed by the Chanak episode The British members . . . having given the signal, their Australasian colleagues came back with the required automatic reply; whereupon they waited for the instantaneous rallying behind them of all the peoples of the Empire. Which did not come. Instead, Canada explicitly declined to "play up" to the lead given her; South Africa marked time in a mood of masterly inactivity; Anglo-Indian opinion . . . was hostile . . . ; while in Great Britain it needed but this . . . adventure to crystallize the general feeling that the country would be better served by a more sober-minded administration. Lloyd George fell and Bonar Law came in, pledged to a regime of "tranquility."

Political dissensions in Great Britain attendant upon the destruction of the Coalition government provided the revelation that the cablegram to the Dominions summoning them . . . to a new conflict was not the . . . policy of the British government; These were the work of a section of the government: Owing to time differences . . . , the Canadian government learned of the summons and of New Zealand's acceptance from the public press before its own message was decoded. . . .

When the Canadian government, instead of replying "Ready-aye-ye" to the cablegram, . . . declared that no decision could be reached until parliament was consulted, the scheme of government . . . by an Imperial cabinet broke down, South Africa contributing to this end by a judicious marking of time made possible by Gen. Smuts' opportune absence in the wilds of Zululand. . . . The possible mischances of such a system had been . . . revealed. Had it operated in September, 1922, . . . , the people of Great Britain might . . . have found themselves involved in a war to which they were opposed; with the Dominions committed by the act of the Prime Minister of Great Britain to a course of action which would have been repudiated by the people the moment they could set the necessary constitutional machinery in motion. . . .

Honourable senators, I close now with Lord Beaverbrook's most sensitive words about the great Andrew Bonar Law, who was never very healthy, and who was in office for about seven months, and died about a year after taking office. I close with Lord Beaverbrook, at page 232:

The advantages of Bonar Law's Administration remained to benefit all mankind. And the greatest benefit is the story of the threatened war with Turkey. Here was a crisis. The British Government was ready to take arms. An alternative leader arose. The public rallied to his support. They were determined to pursue the paths of peace. The results were swift and certain. Where we had been threatened with war, where the storm clouds had darkened the sky, we now

followed paths of peace with the bright sunshine of tranquility. And to Bonar Law we give credit for that blessed relief.

We will remember them. Lest we forget.

I thank honourable senators for sharing in this beautiful story of this man, Andrew Bonar Law, who was born in Canada and the important role that Canadians played in the Turkish peace, and in Remembrance Day when we uphold and remember the multitudes of those who served and of those who fell. It is important that we remember this particular episode and this particular Canadian, Andrew Bonar Law's efforts of peace. This man, who lost his two sons to the Great War. Thank you.

(On motion of Senator Martin, for Senator Meredith, debate adjourned.)

The Hon. the Speaker *pro tempore*: We have not received a message from the Crown, and we have completed business for the day. So the sitting shall remain suspended until the call of the Speaker with the bell to ring for five minutes before the sitting resumes.

(The sitting of the Senate was suspended.)

• (1640)

[Translation]

(The sitting of the Senate was resumed.)

ROYAL ASSENT

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

November 6, 2014

Mr. Speaker:

I have the honour to inform you that Mr. Stephen Wallace, Secretary to the Governor General, in his capacity as Deputy of the Governor General, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 6th day of November, 2014, at 4:20 p.m.

Yours sincerely,

Patricia Jaton

Deputy Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bill assented to Thursday, November 6, 2014:

An Act to implement the Convention on Cluster Munitions (*Bill C-6, Chapter 27, 2014*)

(The Senate adjourned until Tuesday, November 18, 2014, at 2 p.m.)

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