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OFFICIAL REPORT
(HANSARD)

Wednesday, May 27, 2015

THE HONOURABLE GHISLAIN MALTAIS
ACTING SPEAKER

CONTENTS

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

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THE SENATE

Wednesday, May 27, 2015

The Senate met at 1:30 p.m., the Honourable Ghislain Maltais, *[English]*
Acting Speaker, in the chair.

Prayers.

SENATORS' STATEMENTS

HON. SERGE JOYAL, P.C., O.C.

Hon. Linda Frum: Honourable senators, I rise today to speak about the importance of cherishing our past and to pay tribute to a senator who has been a leader in doing so here on Parliament Hill, our honourable colleague, Senator Serge Joyal.

Recently, because we are both members of the Senate's Art Advisory Committee under the excellent leadership of Senator Fortin-Duplessis, I learned about Senator Joyal's largely unsung and quite extraordinary efforts to keep our Canadian history alive.

Only yesterday, a two-decades-long quest by Senator Joyal culminated in the hanging of three royal portraits, which now complete a full collection of portraits of all the nine French kings and nine British kings and queens who have reigned over Canada.

Colleagues, when Senator Joyal was appointed to the Senate in 1997, Parliament's portrait collection of English monarchs had gaps in it, and there were no portraits of French kings whatsoever. Senator Joyal set out to rectify this. As he told me, "It's not right not to reflect our history. The past explains who we are today."

Senator Joyal donated the portrait of George IV from his own collection and purchased portraits of William IV and Edward VIII as gifts to this place.

[Translation]

However, going back to what Senator Joyal said, we are the oldest constitutional monarchy in the Americas. We should display all of the sovereigns who have reigned over Canada since its beginnings, back to the time of Jacques Cartier. Senator Joyal set out to complete the series of portraits of kings of France. He donated three from his personal collection and, over time, bought the remaining six for Canada.

[English]

However, Senator Joyal has done more than contribute these valuable paintings.

[Translation]

When the senator arrived in the Senate, the Salon de la Francophonie was a former smoking room with a plain plaque on the door. Thanks to Senator Joyal, the room was redecorated and now includes a bronze bust of Samuel de Champlain, founder of Acadia and Quebec City.

Further, recognizing that Canada had a history before Europeans arrived, Senator Joyal has donated Aboriginal art to the Aboriginal Affairs Committee room.

Honourable senators, there were nine French kings of Canada, including François I who commissioned Jacques Cartier to claim Canada for France, and Louis XIV, the Sun King, who gave Quebec its civil law code.

Coincidentally, there have also been nine British monarchs. Thanks to Senator Joyal, we now have portraits of all 18 of these monarchs hanging on the walls of our Parliament.

Honourable senators, I believe we, and the Canadian people, owe Senator Serge Joyal our warmest thanks and our deepest gratitude for his outstanding — and largely unsung — generosity, and for reminding us all that in a world that rushes forward, it's very important to look back and appreciate our wonderful collective past.

Hon. Senators: Hear, hear!

SYRIAN CRISIS

Hon. Salma Atallahjan: Honourable senators, the crisis in Syria has been going on for five years and counting. Nearly 4 million people have fled the country and over 7 million people have been internally displaced by the violence.

The United Nations estimates that more than 16 million people in Syria and its neighbouring countries are in need of humanitarian assistance — the largest number of people displaced by a single conflict in the world.

The Standing Senate Committee on Human Rights has been examining the case of Syria in the context of how UNHCR and UNICEF are meeting the needs of over 5 million displaced children.

While listening to the witnesses during our study, I was touched by how positively they spoke of Canada and our leadership in the crisis. I wanted to speak about it here in the Senate Chamber because our response as a nation transcends party lines and is something of which we can all be proud.

Canada has been a global player in the crisis from the very beginning. We're the sixth largest donor country to the response in Syria. So far, we have committed more than \$800 million in humanitarian development and security assistance.

Dr. Yasmin Ali Haque, Deputy Director at UNICEF, said:

... I must start by thanking the government and all the people in Canada for the very generous support for the children around the world who have been facing

humanitarian crises . . . we have really counted on Canada as being a strong ally as we support the children who are in the fifth year of a conflict that shows no sign of abating.

[English]

Rob Young, a senior delegate at the International Committee of the Red Cross, thanked:

. . . the government and the people of Canada for the significant support that comes every year to the International Committee of the Red Cross that allows us to work in contexts like Syria, Lebanon and Jordan, year after year, in the face of tremendous humanitarian challenges.

Furio De Angelis, a Canadian representative at the office of the UNHCR, stated:

Canada is a strategic partner for the UNHCR, and we deeply appreciate the ongoing support that the Canadian government and Canadians have given to the UNHCR's humanitarian action around the world.

He went on to say that the UNHCR is hopeful for Canada's further engagement in the Syrian crisis as a global leader in refugee affairs.

Honourable senators, these are major international organizations that have credited Canada for its support. We should be proud of the work that our nation is doing in regard to the immense crisis for which we see no end.

In the words of Yacoub El Hillo, a UN humanitarian coordinator, "Syrians haven't given up. The world should not give up on them."

• (1340)

[Translation]

ROUTINE PROCEEDINGS

STUDY ON THE IMPORTANCE OF BEES AND BEE HEALTH IN THE PRODUCTION OF HONEY, FOOD AND SEED

NINTH REPORT OF AGRICULTURE AND FORESTRY COMMITTEE TABLED

Hon. Percy Mockler: Honourable senators, I have the honour to table, in both official languages, the ninth and final report of the Standing Senate Committee on Agriculture and Forestry entitled: *The Importance of Bee Health to Sustainable Food Production in Canada*.

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

ANTI-TERRORISM BILL, 2015

BILL TO AMEND—FOURTEENTH REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE PRESENTED

Hon. Daniel Lang, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Wednesday, May 27, 2015

The Standing Senate Committee on National Security and Defence has the honour to present its

FOURTEENTH REPORT

Your committee, to which was referred Bill C-51, An Act to enact the Security of Canada Information Sharing Act and the Secure Air Travel Act, to amend the Criminal Code, the Canadian Security Intelligence Service Act and the Immigration and Refugee Protection Act and to make related and consequential amendments to other Acts, has, in obedience to the order of reference of Thursday, May 14, 2015, examined the said Bill and now reports the same without amendment but with observations, which are appended to this report.

Respectfully submitted,

DANIEL LANG
Chair

(For text of observations, see today's Journals of the Senate, p. 1879.)

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

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

ADJOURNMENT

NOTICE OF MOTION

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, June 2, 2015, at 2 p.m.

INTER-PARLIAMENTARY UNION

INTER-PARLIAMENTARY UNION ASSEMBLY AND RELATED MEETINGS, MARCH 28-APRIL 1, 2015— REPORT TABLED

Hon. Salma Ataullahjan: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Inter-Parliamentary Union respecting its participation at the One Hundred and Thirty-Second Inter-Parliamentary Union Assembly and Related Meetings, held in Hanoi, Vietnam, from March 28 to April 1, 2015.

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

ANNUAL MEETING WITH MEMBERS OF THE U.S. SENATE AND HOUSE OF REPRESENTATIVES, JUNE 6-9, 2014—REPORT TABLED

Hon. Janis G. Johnson: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Fifty-Fourth Annual Meeting with Members of the U.S. Senate and House of Representatives, held in Ottawa, Ontario, Canada, from June 6 to 9, 2014.

ANNUAL MEETING OF THE SOUTHERN GOVERNORS' ASSOCIATION, AUGUST 14-17, 2014—REPORT TABLED

Hon. Janis G. Johnson: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Annual Meeting of the Southern Governors' Association, held in Little Rock, Arkansas, United States of America, from August 14 to 17, 2014.

QUESTION PERIOD

PUBLIC SAFETY

ANTI-TERRORISM—CONSTITUTIONAL PROTECTIONS

Hon. Grant Mitchell: Thank you, Your Honour. I have a question from a member of the public, in keeping with our member of the public Question Period program. His name is Sterling Mancuso. He is from Newmarket, Ontario. His question to the government leader is this:

The government's proposed anti-terrorism legislation, Bill C-51, would allow CSIS to violate explicitly the Charter of Rights and Freedoms, so long as they can get a warrant. Does the government not understand the idea of constitutional supremacy and that you can't just legislate violations of the Constitution of Canada?

[*Translation*]

Hon. Claude Carignan (Leader of the Government): Thank you, senator, for the question you asked on behalf of a Canadian. I am pleased to see that that system is still working. It has been a long time since someone has asked me a question from a member of the public, and I am always happy to answer Canadians directly.

As you know, senator, our government's top priority is keeping Canadians safe. That is why our government has introduced measures that protect Canadians from terrorists and jihadists. That is also why we decided not to sit on the sidelines — as the members opposite may want to do — and instead chose to join our allies in the international coalition in the fight against the so-called Islamic State.

With regard to Bill C-51, as I have said many times, we believe that the non-partisan, independent, expert oversight of our national security agencies is an excellent model. The key powers granted under the new bill are subject to judicial review and authorization, which will help balance the interests involved. That is one of the roles of Canada's judges. Judges have the authority to approve or reject requests that the police or our national security authorities submit in order to carry out certain activities to protect Canadians. This practice has been in place in Canada for a long time.

As you know, senator, CSIS can only conduct an activity if a Federal Court judge deems it to be necessary to keep Canadians safe and specifically approves that activity. The bill therefore contains clear and specific measures to govern such activities and balance the rights of the parties involved, while meeting the main objective, which is to protect Canadians.

[*English*]

Senator Mitchell: Mr. Mancuso has a supplemental question. If the government is so sure that they are allowed to violate the Constitution with one of these new CSIS-type warrants, will they immediately — and why wouldn't they — submit a reference to the Supreme Court of Canada asking for an official opinion on the legality of this bill? That would, of course, avoid delays in the future because, inevitably, this is going to be referred to the Supreme Court.

• (1350)

[*Translation*]

Senator Carignan: Senator, please inform the citizen in question that our laws are adapted, revised and studied both in the House of Commons and here in the Senate. In the Senate we pay particular attention to the constitutionality aspect; it is a tradition for this upper chamber to look at these aspects of a bill more closely. These matters are taken into account during consideration of bills. Every time we pass a bill, we ensure that it is consistent with the Constitution.

Sometimes individuals choose to challenge bills before the courts. We live in a country where the law is king. It is therefore possible for an individual to challenge constitutionality. We are satisfied that Bill C-51 respects the constitutional parameters of our country.

[English]

EMPLOYMENT AND SOCIAL DEVELOPMENT

TEMPORARY FOREIGN WORKER PROGRAM— CHILD CARE

Hon. Jane Cordy: Honourable senators, just before Christmas I raised the issue in this chamber regarding the difficulties of an Alberta couple, the Davidsons, who were struggling to find a caregiver for their disabled son through the Temporary Foreign Worker Program. The couple was unable to find a Canadian caregiver, so the program was their last and only option to find help for their son. Fortunately, this case was resolved after a lot of effort.

We are now hearing that families seeking child care options through the Temporary Foreign Worker Program are experiencing the same frustrations. Virtually every single application to hire a foreign child care person is rejected. What's worse is that the application process for these positions is dragged out over months and arbitrarily rejected at a cost of \$1,000 each time a Canadian family makes an application. That's a lot of money for young parents.

Why does the government continue to offer the child care option of using a temporary foreign worker as a nanny for a Canadian family if their intention is to routinely reject almost every application? If this government has no intention of approving any of the applications, or very few of the applications, why does it continue to offer the program? Did the government kill the program but just didn't bother to put this in one of their taxpayer-sponsored vanity videos?

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator, we understand the role that caregivers play in Canadian families. We are aware of their concerns, and those of employers and other groups in Canada.

We are working on improving living conditions for caregivers and the way the program works for Canadians. The program is intended only for situations where there is a shortage of Canadian or permanent residents to fill the available jobs. As you know, the Live-in Caregiver Program, which was reformed, makes family reunification easier, offers more career alternatives, and eliminates the archaic requirement whereby the caregiver must live with the employer. After working for two years, caregivers can apply for permanent residence. These changes encourage and make it easier for caregivers to take part in the program and thus provide services to Canadian families.

[English]

Senator Cordy: Approximately 750 applications for the Live-in Caregiver Program were made between December and March, 97 per cent of which were not approved. I don't think this is helping Canadian families, as you said. I don't think this series of changes you referred to is encouraging for young families. My daughter's friend had to delay going back to work because she

still hadn't heard whether or not her application form to have a nanny had been accepted. In fact, she called my office and I tried to determine where the process was. She had to delay her return to work, with no salary, having to take a longer time off than her maternity leave.

Minister Poilievre said he is very pleased with how the program is working. This program strings Canadian families along for months with the promise of child care help only to lose their applications or arbitrarily reject their applications. One family in the media said recently that their applications were denied, their term was for "baffling reasons." They said they answered yes when asked if they had room for the nanny to live with them as an option but their application was turned down because they were told that under the new rules parents can't force the nanny to live with them. They weren't forcing the nanny to live with them; they were asked on the application form whether or not there was room for the nanny if the nanny chose to stay with them. What would have happened if they had said no, they didn't have room? Their application would likely have been turned down because they had no room for the nanny.

It is baffling and confusing for parents looking for a foreign nanny, given that 97 per cent of the applications between December and March were not approved. Either the application form and process are wrong and in serious need of revamping or, as Minister Poilievre is saying, everything is wonderful and fine. Is Minister Poilievre suggesting that only 3 per cent of Canadian applicants meet the requirements for the program?

[Translation]

Senator Carignan: Excuse me Mr. Speaker, I thought that question period was over and we had moved on to inquiries.

The program will be used only when there is a shortage of Canadian or permanent residents who can fill the positions. That is one of the elements.

[English]

Senator Cordy: Under this program, families can apply to bring in a temporary foreign worker to work as a nanny for the family. The application process is available for families to use. The particular family in the media sent in their application and paid \$1,000 because they were unable to find a Canadian caregiver. The Temporary Foreign Worker Program is supposed to be available to use when you cannot find a Canadian worker. In the case of this family, they were unable to find a nanny who was Canadian so they used the Temporary Foreign Worker Program. Are you suggesting that this program is no more?

[Translation]

Senator Carignan: As you know, we cannot discuss individual cases here in the Senate. I would like to reiterate that we recognize the work caregivers do for Canadian families. We are aware of the concerns of caregivers and employers in Canada, and we are working on improving the living conditions of caregivers and the way the program works for all Canadians. As I mentioned, the program is intended only for situations where there are not enough Canadians to fill the positions advertised.

[English]

Senator Cordy: That was my point when I first asked the question. The families apply for these nannies because Canadians are unwilling to take the jobs. You don't want to talk about a specific family or a specific case but 97 per cent of approximately 750 applicants between December and March were not approved. So let's not talk about an individual case but let's talk about the 729 who were turned down for frivolous reasons.

Is this program still available to Canadian families or is it not? If it's not, the least the government can do is to let families know. Families are spending \$1,000 with their application form to get a temporary foreign worker to work as a nanny. Families should be aware that the program is non-existent. This should be done before families go through the process and spend the money in hopes that their application is approved.

• (1400)

[Translation]

Senator Carignan: The program exists.

[English]

AUDITOR GENERAL

AUDIT OF SENATORS' EXPENSES—CONFIDENTIALITY

Hon. Percy E. Downe: Honourable senators, my question is for the government leader. As you are well aware, the Senate invited the Auditor General to conduct an audit of the Senate and we all had to sign confidentiality agreements that we could not discuss it. So I was surprised to see in the news this morning that on "Power & Politics," the Auditor General was discussing the results of the audit. Has the audit been tabled in the Senate yet?

[Translation]

Hon. Claude Carignan (Leader of the Government): As far as I know, the Auditor General's report isn't finished yet, and once it is, I'm told it will be sent to the office of the Speaker of the Senate.

[English]

Senator Downe: Thank you for that. My understanding of the rules is obviously not as well developed as the deputy leaders' understanding on both sides. Is it normal for a Senate report that's not tabled in the chamber to be discussed publicly?

[Translation]

Senator Carignan: I am here to respond to questions that have to do with government business. Given that you are asking questions regarding interviews granted by the Auditor General, I invite you to direct your questions to him if you want answers.

[English]

Senator Downe: I appreciate that answer and I understand the position you are in. The problem is that we are all in a unique position now because, according to the "Power & Politics" report yesterday, the Auditor General indicated that there would be 30 of us in some category and the report hasn't been tabled yet.

When will the air be cleared? When will that cloud be lifted? Under what authority did the Auditor General release that information before he advised the Senate? I appreciate the Leader of the Government in the Senate may not be able to answer that, but I wonder if he shares my view that it's a concern.

[Translation]

Senator Carignan: Like you, I listened to that interview and heard the answers the Auditor General gave to the questions he was asked. As we all know, in politics, just because a question is asked doesn't necessarily mean it has to be answered. It seems that that is not always the case.

[English]

Hon. Wilfred P. Moore: I think I've seen that policy followed here in the Senate before, Mr. Leader. I realize it may not be called "Answer Period", but we should try to give some sort of substantial response to these questions.

I'm going to follow up on Senator Downe's question. Like everybody here, I got a letter and I had to write back confirming that I would behave in a confidential manner. I could not discuss this or share it with anybody. I signed that letter and sent it back. But I didn't do that until I got a letter from the Auditor General, signed by him, saying that he would observe the same rule of activity. I got a letter from him saying that he would do that. He hasn't done that.

We have a subcommittee, I believe, of Internal that is dealing with him. I would like that this be brought to his attention firmly because he broke his word. I'm not happy with that. I'm not happy with the idea of people talking about our colleagues here on each side of the aisle, creating more rumours and suspicion, causing us to have to answer questions that we don't even know are coming, why they are coming or what they're about because we have no prior knowledge.

If he's going to take the leaking approach, then at least have the courtesy and decency to table the report here and let us all know what we're talking about at the same time.

I would like the committee, the Speaker and the members of leadership to take that to him. I think it's upsetting.

Some Hon. Senators: Hear, hear.

[Translation]

Senator Carignan: Like all senators who signed the same confidentiality agreement, I think we all have that obligation. You could write to the Auditor General to express your frustration.

[English]

Senator Moore: I know I could do that, leader. But I'm just thinking that on behalf of the chamber and this institution — and we've all been adhering to the ground rules set by the Auditor General's office — that he should be sticking to the same rules. He should not be treating us with contempt. I would like to have

our leadership committee, the subcommittee, put that to him. I think it should be a matter that he should know that this is not something that we take lightly — that it's not proper.

Some Hon. Senators: Hear, hear.

[Translation]

Senator Carignan: The best place to discuss these matters and ask these questions is within your caucus. Since those meetings are now open to journalists, perhaps that's the quickest way to get the message across.

[English]

Senator Moore: That could happen, but it's not just for the caucus on this side, I would suggest. It's for all of us, including retirees who are also being audited.

Senator Mitchell: It's for the institution.

[Translation]

Senator Carignan: I understand your concerns, and I think this question should be directed at all senators, and not necessarily just the Leader of the Government in the Senate. Furthermore, these kinds of frustrations can be expressed during discussions among the Leader of the Government in the Senate, the Leader of the Opposition and the Speaker.

[English]

ORDERS OF THE DAY

CANADA PENSION PLAN OLD AGE SECURITY ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Wallace, seconded by the Honourable Senator Rivard, for the third reading of Bill C-591, An Act to amend the Canada Pension Plan and the Old Age Security Act (pension and benefits).

Hon. Pana Merchant: Honourable senators, Bill C-591 should not be viewed in isolation. It represents only a small part of the larger picture of the government's so-called tough-on-crime agenda, which highlights politically and ideologically driven new layers of inappropriately harsh punishment in the Canadian justice system.

Bill C-591 removes Canada Pension Plan and Old Age Security survivor's benefits from those who would benefit from the death of a spouse or a parent, if the death was as a result of crime of the spouse or child.

• (1410)

One can understand why representatives of all political parties would agree that no one, not just spouses, should be permitted to benefit from crime. Not only does no one disagree with that, but witnesses who came before the committee said this is unnecessary legislation. Had this bill been not been part of an ideologically-based legislative train, it would be in a position to stand on its own merits, and had it been passed when its principles were embodied in an NDP-sponsored bill a couple of years ago, it would not be seen to be a part of other legislation, the contents of which are becoming more and more controversial as each day passes.

When one considers that hardly anyone would ever be affected by the provisions of Bill C-591, it is easy to place it in the category of superfluous legislative window dressing in the grand context of the re-election strategy of this government to secure its own ideologically driven voter base.

Speaking as a witness before the committee in the other place in October of last year before the legislation was sent here, Dominique La Salle, Director General, Seniors and Pensions Policy Secretariat, Human Resources and Social Development Canada, stated that the bill might affect 30 people per year; it had no significant cost implication; and murder among family members is rare.

At our Senate committee hearings, we heard from one witness who categorically asserted that this bill was not necessary. Catherine Latimer, executive director of the John Howard Society of Canada, reminded us that the common law principle of *ex turpi causa non oritur actio* is anchored in common law. It means that one cannot benefit from one's crime. She stressed this principle has a long history of superseding acts of Parliament. That fact alone makes this legislative proposal somewhat suspect.

Ms. Latimer added that anyone convicted of murdering a spouse or parent would find out very quickly that Old Age Security benefits and Canada Pension Plan benefits would not be available to them, and all this is without the passage of Bill C-591.

This witness also highlighted another issue, the clawing back of payments already made to the new-found prisoner before the state of incarceration.

It is easy to conclude that with the passage of this bill, there will certainly be more work for the courts to pronounce on the obvious Charter issue that will be pursued as a result of the prohibition of the retention of retroactive benefits.

Then there is the issue of benefits being only withdrawn with an 18-year-old committing murder, but not before. That raises the issue of adult sentencing of a 17-year-old.

Ms. Latimer said this is a direct challenge to the time-honoured common-law principle of *ex turpi causa non oritur actio*. She said it makes no sense to include the 18-year-old clause since it is already covered by the common law principle.

Another issue is the inclusion of manslaughter in this bill. We all know judicial discretion in manslaughter cases is very broad, since the causes of manslaughter vary considerably, as do the resulting sentences. Ms. Latimer suggested in committee, in response to a question from Senator Eggleton, that the manslaughter inclusion in the legislation should be reconsidered in light of the inevitable differences in manslaughter cases.

The response from the Canadian Elizabeth Fry Society bears repeating:

For women who have been convicted of killing abusive partners in situations where they were either not able to avail themselves or not given an opportunity to argue self-defence or for whatever other reason it was reactions to violence that may not have been deemed defensive, may have been more force than was deemed necessary in the circumstances, it seems an unfair process to deny them access to Canada Pension or Old Age Security.

Colleagues, the emphasis of this bill is punishment. There is no argument against punishing criminals. But sooner or later the criminal leaves prison.

Honourable colleagues, it is not difficult to argue that this bill is a further assault on Canadians' interest in long-term crime reforms focused on developing a framework for rehabilitation. The cornerstone of public safety is rehabilitation. Rehabilitation has a multitude of facets. I said in committee and I repeat here that when a person leaves prison, and, for some, imprisonment has been many years, that person will need to be supported.

When I asked the witness Catherine Latimer about this, she acknowledged that reintegration into society is a profound and difficult issue. She mentioned that released prisoners, probably for the most part, "suddenly face very serious conditions of poverty, homelessness, and real prejudices in terms of finding work." The Canadian Elizabeth Fry Society also observed the following:

And in any event individuals who have been in prison for manslaughter or murder who come out of prison still will require state care of some sort and it's really just being illusory at best to be saying that they won't be eligible for pensions or security benefits when in fact they will then have to be taken care of by provincial or territorial social assistance plans if they have inadequate incomes in other areas.

Honourable senators, the conclusion is clear that the only significant aspect of Bill C-591 is that it forms part of a legislative package of the current government to fly the "law and order" flag. It is simply ideological window dressing rather than a matter that responds to a need or addresses a deficiency in the law.

These observations having been made, this act passed unanimously in the other place.

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

[Senate Merchant]

An Hon. Senator: Question.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: On division.

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

[*Translation*]

VISITORS IN THE GALLERY

The Hon. the Acting Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of participants of the twelfth Canadian Parliamentary Seminar organized by the Commonwealth Parliamentary Association.

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

Hon. Senators: Hear, hear!

• (1420)

OFFICIAL LANGUAGES

BUDGET—STUDY ON BEST PRACTICES FOR LANGUAGE POLICIES AND SECOND-LANGUAGE LEARNING IN A CONTEXT OF LINGUISTIC DUALITY OR PLURALITY—FIFTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on Official Languages (budget—study on second-language learning), tabled in the Senate on May 26, 2015.

Hon. Claudette Tardif moved the adoption of the report.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

[English]

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTINGS AND ADJOURNMENTS OF THE SENATE

Hon. Bob Runciman, pursuant to notice of May 26, 2015, moved:

That during the month of June 2015, for the purposes of its consideration of government legislation, the Standing Senate Committee on Legal and Constitutional Affairs:

- (a) have the power to sit even though the Senate may then be sitting, with the application of rule 12-18(1) being suspended in relation thereto; and
- (b) be authorized, notwithstanding rule 12-18(2), to meet from Monday to Friday, even though the Senate may be then be adjourned for more than a day but less than a week.

Hon. Joan Fraser (Deputy Leader of the Opposition): Would Senator Runciman explain the need for this motion? It's not the first time we've seen requests for committees to sit outside their normal times, but we're usually given something more specific than study of government legislation during the whole month of June. Could you explain a little more precisely, please, why you're asking for this umbrella motion?

Senator Runciman: I thank the senator for the question.

I don't know who would understand the need for this as well as the deputy leader of the opposition. As the former deputy chair of the Legal Committee, she appreciates the workload of Legal, especially as we approach the end of the session. Certainly this year there is no change in that.

There are a number of reasons for this motion. With the government legislation, we have five bills either with the committee now or heading our way in the near future. We want to ensure we have adequate time to study the legislation thoroughly. They are all, as I mentioned, government bills.

Also, at the request of the opposition, we are to hear the Privacy Commissioner on Bill C-26. He has indicated to us his availability, which I believe is next Tuesday at 3 p.m. We couldn't hear him unless this motion is approved.

There's a range of considerations there, being the workload plus trying to meet the requests of the opposition with respect to an important witness.

Senator Fraser: Thank you very much, Senator Runciman. Yes, I spent a long time on that committee, and I know it carries among the heaviest workloads of any committee. I would ask, however, that in future, when committees are asking for motions of this nature, that they be case specific. If there is a good reason, we never try to block passage of such motions, but I don't think it's the greatest precedent in the world to pass motions that are potentially as open-ended as this one.

In this case, I shall not propose to my colleagues that they vote against it. I'm just asking for future reference. Yes, I do know how hard the committee works.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Thursday, May 28, 2015, at 1:30 p.m.)

CONTENTS

Wednesday, May 27, 2015

	PAGE		PAGE
SENATORS' STATEMENTS		QUESTION PERIOD	
Hon. Serge Joyal, P.C., O.C.		Public Safety	
Hon. Linda Frum	3420	Anti-terrorism—Constitutional Protections.	
Syrian Crisis		Hon. Grant Mitchell	3422
Hon. Salma Ataullahjan	3420	Hon. Claude Carignan	3422
<hr/>		Employment and Social Development	
ROUTINE PROCEEDINGS		Temporary Foreign Worker Program—Child Care.	
Study on the Importance of Bees and Bee Health in the Production of Honey, Food and Seed		Hon. Jane Cordy	3423
Ninth Report of Agriculture and Forestry Committee Tabled.		Hon. Claude Carignan	3423
Hon. Percy Mockler	3421	Auditor General	
Anti-terrorism Bill, 2015 (Bill C-51)		Audit of Senators' Expenses—Confidentiality.	
Bill to Amend—Fourteenth Report of National Security and Defence Committee Presented.		Hon. Percy E. Downe	3424
Hon. Daniel Lang	3421	Hon. Claude Carignan	3424
Adjournment		Hon. Wilfred P. Moore	3424
Notice of Motion.		<hr/>	
Hon. Yonah Martin	3421	ORDERS OF THE DAY	
Inter-Parliamentary Union		Canada Pension Plan	
Inter-Parliamentary Union Assembly and Related Meetings, March 28-April 1, 2015—Report Tabled.		Old Age Security Act (Bill C-591)	
Hon. Salma Ataullahjan	3422	Bill to Amend—Third Reading.	
Canada-United States Inter-Parliamentary Group		Hon. Pana Merchant	3425
Annual Meeting with Members of the U.S. Senate and House of Representatives, June 6-9, 2014— Report Tabled.		Visitors in the Gallery	
Hon. Janis G. Johnson	3422	The Hon. the Acting Speaker	3426
Annual Meeting of the Southern Governors' Association, August 14-17, 2014—Report Tabled.		Official Languages	
Hon. Janis G. Johnson	3422	Budget—Study on Best Practices for Language Policies and Second-Language Learning in a Context of Linguistic Duality or Plurality— Fifth Report of Committee Adopted.	
<hr/>		Hon. Claudette Tardif	3426
		Legal and Constitutional Affairs	
		Committee Authorized to Meet During Sitings and Adjournments of the Senate.	
		Hon. Bob Runciman	3427
		Hon. Joan Fraser	3427

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