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OFFICIAL REPORT
(HANSARD)

Thursday, October 20, 2016

The Honourable GEORGE J. FUREY
Speaker

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THE SENATE

Thursday, October 20, 2016

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

Prayers.

SENATORS' STATEMENTS

OFFICIAL VISIT TO UKRAINE

Hon. Peter Harder (Government Representative in the Senate):

Honourable senators, Martin Luther King taught us that the arc of history is long but it does bend towards justice. With that analogy in mind, I would like to report to this chamber on a visit that Senator Plett and I paid last week to Ukraine, where we saw Canadians, Ukrainians and indeed people from many other countries holding on to that arc of history and trying their best to bend it towards justice more quickly than otherwise.

The soil of Ukraine offered refuge to my ancestors in the late 18th century. A century and a quarter later, in 1924, it was Canada that accepted my parents as refugees from the Soviet Union, due to persecution in that homeland.

Our visit was to represent the Government of Canada at the fifteenth anniversary celebration of the Mennonite Centre in Molochansk, the former Halbstadt, which was the centre of an historic Mennonite settlement in the Molochna River valley, which was virtually wiped out in the 1930s during the Stalin purges and earlier in the revolution.

But before I report on that segment of our visit, I want to refer to some of the people that we were able to meet with who on that arc of history are seeking to bend the arc more firmly towards justice.

The first category was, of course, government. As it was an official visit, I was able to be briefed by Lieutenant-Colonel Niven of the Joint Task Force-Ukraine from our Department of National Defence, providing support to Ukraine in the training of their military. I was able to visit the police force in Kiev, where a program provided through international assistance from Canada is literally reforming the police effort of that city with a young, 28-year-old chief of police who is determined to deal with the issues of corruption that have been endemic to the police force there and otherwise.

The Deputy Minister of Foreign Affairs spoke about the Ukrainian views on the process of engaging the international community with respect to the East, but I was particularly impressed meeting and discussing with the Acting Minister of Health, Uliana Suprun, who is a doctor and a returned member of the diaspora seeking to make the Department of Health more relevant to the very basic health needs of Ukrainians. I had the pleasure of assisting at the signing with the Minister of Ecology and Natural Resources of an agreement with Natural Resources Canada to provide geological survey support to Ukraine as it

seeks to build the capacity for mining and natural resource development in that country. So governments are working as best they can to move that arc.

International organizations, whether it was the OSCE, the Council of Europe, the International Republican Institute, NATO and the UN human rights and humanitarian organizations, all spoke of the desire to build capacity for civil society.

I want to briefly mention civil society, if I could, and Senator Plett will continue with respect to the celebrations in particular that we partook of. It is civil society that will actually strengthen the capacity of good governance in Ukraine, and it is civil society that we must, in our attention, develop a keener interest in.

I will close, as I know my time is up, by simply referencing my favourite theologian and public thinker, Reinhold Niebuhr, who said: "Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary." Nothing could be more apt in a setting for our visit to Ukraine, and I thank Senator Plett for his company.

Hon. Donald Neil Plett: Thank you, Senator Harder, for those opening comments. Honourable senators, I certainly want to echo as well the pleasure I had travelling with Senator Harder as we travelled to areas where both his ancestors and mine came from.

I want to thank the Mennonite Centre for their invitation to both of us to go there and celebrate their fifteenth anniversary. The centre is very active in helping Ukrainians make sure they have things they need, such as eyeglasses, access to medical help and so on. The Mennonites have pretty much left that area.

I want to thank Ambassador Roman Wolchuk for extending the invitation to both of us to travel to our ancestral home, if you will, and represent the Government of Canada.

It was an emotional trip for me, finding the abandoned gravesite of my great-great-grandmother and three of her children, who were buried in the village of Lindenau. An abandoned gravesite. It was destroyed by the Russian army as they came through simply because the Mennonites had German names, and they destroyed them. But there was somewhat of a dilapidated memorial there that my wife and I were able to visit.

We then travelled on to the village of Blumenhof. There I found what I believe was my great-great-grandfather's abandoned, broken-down home. As Senator Harder did — my luggage was checked, Senator Harder, so I know we were legal — we both found a brick from the abandoned buildings, so I now have a brick that the Mennonites used to build their homes. I now have that as a keepsake, something that my great-great-grandfather used to build his home back in 1870.

One of the more emotional parts of the trip, Your Honour and colleagues, was visiting a restored church that the Mennonites, our ancestors, built. It had been completely abandoned. There were trees growing inside the church. A Greek Catholic priest had a vision; he wanted to restore this church. He restored it. We were there at a service, and we heard, and I spent a good part of my

trip travelling with, a choir. They were the Mennonite Faith and Life Choir. It is a male choir composed of about 40 men; 22 of them were travelling with us. They sang in that church at that celebration, and Senator Harder and I both had tears in our eyes as we listened to them singing the song “Gott ist die Liebe,” which translates into “God is Love.” They sang it in the language that my grandparents and my parents sang in, as did Senator Harder’s. So it was very emotional hearing that song in this church, a song they would certainly have sung back in the 1800s and 1900s.

My ancestors came to Canada a little earlier than Senator Harder’s. My great-great-grandfather and his family travelled from Ukraine to southern Manitoba. Strangely enough, they have towns by the name of Kleefeld that we both had ancestors at, the village of Blumenhof. When they came to Manitoba, they renamed the settlements they settled in the same as they were there. My great-great-grandfather started a settlement in Manitoba called Blumenhof.

• (1340)

Senator Harder, my time is up. I want to leave you with this final comment that I found very interesting and quite enjoyed. As we travelled and as we were at the village of Kleefeld, not only did we find out our ancestors are from Kleefeld; we also found that we are in fact related.

Hon. Senators: Hear, hear!

Senator Plett: I do want to assure all colleagues this will not prevent me for one minute from criticizing the Liberal government for many of their broken promises. Now I can do it in the spirit of family feuding, and I know that at the end of the day we will break bread.

Senator Harder, thank you very much for your company.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of my wife Ms. Karen Furey; my son Dr. Andrew Furey with his wife Dr. Allison Furey and their three children: Maggie, Rachael and Mark; my daughter Ms. Meghan Gardner with her husband Mr. Benjamin Gardner and their two children: Sarah and Adam; my daughter Dr. Rebecca Rudofsky with her husband Mr. Mike Rudofsky and their two children: Luke and Matthew; and my son Mr. David Furey.

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

Hon. Senators: Hear, hear!

THE LATE HONOURABLE ISOBEL FINNERTY

Hon. Mobina S.B. Jaffer: Honourable senators, I rise before you today to remember my good friend and our former colleague Senator Isobel Finnerty, who passed away earlier this month on October 3, 2016. Although she retired 10 years ago from the Senate, many of us here still miss her.

Prior to serving in this chamber, Senator Finnerty was well known for her work as a tireless organizer of the Liberal Party of Canada. She was an extremely dedicated member of the party.

Isobel was a believer in changing the social landscape of Canada. She always responded, “Why not?” when told that something was not possible.

Like so many others, I had the extraordinary opportunity of working with Senator Finnerty on numerous campaigns and in the Senate during her illustrious career.

She also made a valuable contribution to the people in this chamber and in the other place and in legislatures and assemblies all over our great nation. She served on 10 different committees while she was here and served as Deputy Chair of the Standing Senate Committee on National Finance as well.

Senator Finnerty worked extremely hard during her career to improve our political system and make it more inclusive. I often heard Prime Minister Chrétien state that if you want something done for the party, you can count on Isobel Finnerty.

Yes, we could all count on Isobel Finnerty. She will be remembered fondly, especially for her contribution to Canadian women. She played a critical role as a trailblazer in this country for all Canadian women wanting to become involved in political activism. Isobel was my mentor, as she was to countless other Canadian women.

I want to share one personal story with you. In 1999, when Isobel Finnerty became a senator, I invited her to Vancouver as I wanted her to see Vancouver with my eyes. I took her to the Punjabi market, to Chinatown and to some very underprivileged parts of Vancouver. She spoke to all she met. She would start, “I am Isobel, your senator. How can I help you?” You should have seen the shock in people’s eyes to be asked this question. That was Isobel.

Isobel, rest in peace. We will all miss you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Eduardo Ibanez Lee, Publisher of Atin Ito Communications Limited, and his wife Maria Rita. They are the guests of the Honourable Senator Enverga.

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

Hon. Senators: Hear, hear!

NATIONAL SENIORS DAY

Hon. Tobias C. Enverga, Jr.: Honourable senators, as you may know, October 1 is National Seniors Day in Canada. It celebrated its sixth anniversary this year after the Celebrating Canada’s Seniors Act received Royal Assent on November 18, 2010. October is also provincially recognized as Seniors’ Month in

Manitoba and Saskatchewan. The intent of the act is “to acknowledge the contribution of seniors to Canadian society and to the Canadian economy” and that “the contribution of seniors is invaluable and ongoing.”

This is why I rise today to pay tribute to one of the notable seniors in my community — a senior who has been a beacon of inspiration and leadership for many Filipino Canadians in the Greater Toronto Area and beyond, Mr. Eduardo Lee.

Honourable senators, Mr. Lee is a great example of how our seniors have contributed to Canada’s success and multicultural mosaic. Arriving in Canada in 1972 to join his wife Maria Rita, Mr. Lee started a one-page newsletter, *Atin Ito Newspaper*, with some of his friends four years later. Since then, *Atin Ito* has undergone several transformations to reach its present form of a monthly 52-page, broadsheet newspaper. It is Canada’s oldest Filipino community paper, and it celebrated its fortieth anniversary last month. With 9,000 copies per issue, it is estimated to have a pass-on readership of nearly 100,000. *Atin Ito* is a true success story of how a publication can remain current and popular among its readership because of quality journalism.

Honourable senators, not only is Mr. Lee successful in the world of traditional print media, but he has ensured a high-quality, up-to-date online presence for his publication that covers breaking news from the Philippines, Canada and the world in general. This is testament to Mr. Lee’s forward-thinking and innovative mind, and clear proof that the age of a person does not limit their ability to be current and significant, and to actively lead younger generations in all areas, including cutting-edge technology.

Honourable senators, Eddie Lee, as he is best known, and his contribution to the GTA and Ontario have not gone unnoticed. He is the recipient of several awards, many including the terms “outstanding” and “merit,” but too numerous to list here today. Some more notable are the 1987 Ethnic Media Award for Excellence in Journalism from the Ontario Minister of Citizenship; the 1995 Better Understanding Among Ontarians through Journalism Award from the Honourable Bob Rae, the then Premier of Ontario; and the Award for Excellence in Journalism from the Honourable Sheila Finestone, the then Minister of State for Multiculturalism. Mr. Lee, a Queen Elizabeth II Diamond Jubilee Medal recipient, received a Distinguished Alumni Award in Community Service from his alma mater, the University of the Philippines, this summer.

All of this media excellence, honourable senators, was achieved while Mr. Lee had a full-time job and has been vigorously active as a volunteer in various community and civic organizations.

Honourable senators, I want to thank Eddie Lee for his contributions to our community and to Canada.

HURRICANE MATTHEW

Hon. Don Meredith: Honourable senators, I rise today to bring your attention to what has been called the greatest humanitarian crisis to hit the Caribbean since Haiti’s 2010 earthquake — the devastation caused by category 5 Hurricane Matthew.

On October 4, the Caribbean was struck once again by a catastrophic and unexpected natural disaster, bringing death and destruction across the islands.

Hurricane Matthew came in, hitting the coast of Haiti with seven-metre waves and winds of more than 250 kilometres an hour. The hurricane left the nation of Haiti in a state of total disaster. Early estimates showed that the death toll would be in the thousands, and currently over 1.4 million people may be without housing, food or sanitation in Haiti. UN Secretary-General Ban Ki-moon reported that “some towns and villages have been almost wiped off the map. Crops and food reserves have been destroyed.”

Seeing images from the ground show the unimaginable scale of suffering that Hurricane Mathew has left in its path, as well as the long-term effects that it will have on the citizens of Haiti. The homes of more than 120,000 families have been demolished or damaged. People are in desperate need of food, basic shelter and medicine to fight the ever-present threat of diseases such as cholera, which are rising in the wake of the hurricane. With the loss of crops, livestock and fishing boats, we must be ready to face widespread hunger and famine in Haiti.

Honourable senators, Haitians and many of our partners in the Caribbean are desperate for relief from hunger and sickness in the wake of this disaster, and it is up to developed nations like Canada to lend a helping hand.

I am pleased that our government has committed millions of dollars of humanitarian assistance to ensure the immediate need for drinking water, providing shelter and rehabilitating the agriculture sector. This is a first step in demonstrating our zeal and solidarity to our Caribbean neighbours.

• (1350)

I encourage each of you honourable senators to do your part in helping to bring relief and support.

Next week on Wednesday, October 26, the Canada-CARICOM Parliamentary Friendship Group will be meeting to select members of its executive and to discuss this and other pressing issues in the Caribbean community.

I invite you to join me at 12:15 in the Victoria Building, room 705, to discuss these issues. We look forward to hearing your thoughts. Thank you.

LOBSTER FISHERY

Hon. Rose-May Poirier: Honourable senators, as the fall lobster season ended last week for fishermen in my community, I want to share with you that it has been a very good season for our lobster fishermen. After years of having a difficult price, where it was hard for them to make ends meet, they have had a better price from the market — double compared to the past years. More importantly, there weren’t any major accidents on the water except one crew being saved by another boat. Overall, this was probably the most successful season in the past 10 years.

As much as the season was a success from an economic point of view, one of the rarest catches ever made clearly stole the show. A fisherman by the name of Eugène Richard of Richibucto-Village probably won the lobster lottery. On a beautiful, sunny morning, to his disbelief, he found a white lobster. After 50 years of fishing lobster, Mr. Richard had never come across such a lobster. It was so white that you could see the blue veins. That's why Mr. Richard and his wife Bernice nicknamed it the ghost lobster.

What are the odds of finding such a lobster? One in a 100 million was his chance of finding a white lobster. Just to give a measuring stick, you have 1 in 20 million chances to be canonized as a saint. So Mr. Richard had more chances to be a saint than of catching an albino lobster. But rest assured, honourable senators, the ghost lobster has been donated to the Marine Centre in Shippagan for further study and will help us better understand the very rare albino phenomenon.

It goes to show, honourable senators, that even in 2016, the ocean and our environment as a whole still has some surprises in store for us. As for Mr. Richard, he started fishing lobster at the tender age of 14 and now, 50 years later at 64 years old, he is nearing his retirement. Is there a better way to end a 50-year career of fishing lobster than finding the holy grail of lobster? I think not, honourable senators. Thank you.

Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

CANADA LABOUR CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-4, An Act to amend the Canada Labour Code, the Parliamentary Employment and Staff Relations Act, the Public Service Labour Relations Act and the Income Tax Act.

(Bill read first time.)

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

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

[Translation]

CANADA-FRANCE INTERPARLIAMENTARY ASSOCIATION

MISSION TO FRANCE, JULY 11 TO 14, 2016— REPORT TABLED

Hon. Claudette Tardif: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada-France Interparliamentary Association respecting its mission to Paris, France, from July 11 to 14, 2016.

[English]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE ROLE OF AUTOMATION IN THE HEALTHCARE SYSTEM

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the role of automation in the healthcare system, with a particular focus on robotics, artificial intelligence and 3D printing, in:

- Direct patient healthcare;
- Indirect patient healthcare; and,
- Home healthcare.

That the committee submit its final report no later than December 31, 2017, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE REPORTS OF THE CHIEF ELECTORAL OFFICER ON THE FORTY-SECOND GENERAL ELECTION

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

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on the reports of the Chief Electoral Officer on the 42nd General Election of October 19, 2015 and associated matters dealing with Elections Canada's conduct of the election; and,

That the committee submit its final report no later than December 31, 2016, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

NATIONAL FINANCE

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

Hon. Anne C. Cools: Honourable senators, on behalf of the honourable Senator Smith, I give notice that, at the next sitting of the Senate, I will move:

That, for the purposes of hearing the Minister of Finance, during its consideration of Bill C-2, An Act to amend the Income Tax Act, the Standing Senate Committee on National Finance have the power to meet, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[Translation]

SOFTWOOD LUMBER CRISIS

NOTICE OF INQUIRY

Hon. Ghislain Maltais: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the softwood lumber crisis.

QUESTION PERIOD

HEALTH

SUPPORT FOR MENTAL HEALTH CARE

Hon. Claude Carignan (Leader of the Opposition): My question is for the Government Representative in the Senate. I am following up on the series of questions I asked about this week's meeting between the provincial health ministers and the federal Minister of Health, Jane Philpott. Bearing in mind that the Liberals claimed that health care remains a priority, I want to draw your attention to the comments made by Quebec's health minister, Gaétan Barrette, in an article in the *Canadian Press* entitled "Ottawa se fait tirer l'oreille," or "Ottawa is reluctant to act."

Mr. Barrette said the following:

Ms. Philpott told us, "Help me help you." She said, "When I go to the offices of Mr. Morneau and Mr. Trudeau, they do not see the political interest in mental health, specifically" That is the conversation we had, with all of us, health ministers, around the table. She was asking us to help her convince Mr. Trudeau and Mr. Morneau of the merits of investing in mental health.

• (1400)

Can the Leader of the Government in the Senate tell us if it's true that the Liberal government will not invest in mental health care unless there is political gain to be had?

[English]

Hon. Peter Harder (Government Representative in the Senate): Before answering the question, I want to assure the Honourable Leader of the Opposition that we are not related, and I thank him for his ongoing interest in the issue of health and health provision and the health transfer.

I want to assure him and all senators that the Government of Canada remains committed to negotiating, discussing and reaching agreement with provinces with respect to the health transfer, and that collaboration is ongoing and is part of the

process of commitments the government made both a year ago and recently, including the \$3 billion commitment to home care delivery.

I would also point out that the discussions with respect to at what level the increase takes place are active, and the Government of Canada has stated its position, and I would expect that the discussions will continue until we have clarity on what the end point of the health transfer levels will be.

[Translation]

Senator Carignan: You talked about the Liberal election promise of a \$3-billion investment in home care. The government did not include that amount in the federal budget earlier this year, nor did it increase funding for mental health care. There seems to be some uncertainty over whether that promise will be kept. Yesterday, Minister Philpott indicated that she hoped there would be increased investments in health in next year's budget. Since one of the criteria for investing in health, and in mental health in particular, is political gain, can the Leader of the Government in the Senate tell us if the Liberals plan to keep their promise to invest \$3 billion in health care or if they are going to scrap that promise as they have others?

[English]

Senator Harder: The commitment by the minister has been made, and that is \$3 billion over the next four years in home care, and I expect that will unfold as promised.

IMMIGRATION, CITIZENSHIP AND REFUGEES

NUMBER OF REFUGEES

Hon. David Tkachuk: Senator Harder, before we adjourned for Thanksgiving, I asked you how many Syrian refugees the government brought in linked to three specific dates. Now I would like to ask you how many refugees from countries other than Syria and Iraq, not already in the pipeline under the previous government, were brought in by your government and private sponsors by December 31, 2015, by February 28, 2016, and by March 31, 2016.

Hon. Peter Harder (Government Representative in the Senate): I would be happy to find that information for the honourable senator.

Senator Tkachuk: Could you also, while you're doing that, see how many were brought in in the same time frame the year before by the previous government and private sponsors?

Senator Harder: Yes.

FOREIGN AFFAIRS

HUMAN RIGHTS IN CHINA

Hon. Thanh Hai Ngo: This question is for the Leader of the Government. On June 4, 2016, the Prime Minister and Minister of Foreign Affairs marked the twenty-seventh anniversary of

China's crackdown at Tiananmen Square. We have found, through the Access to Information Act, that the statement released that day was examined by 26 different pairs of eyes, 26 different trade-mindful filters that ended up removing what looks like any negative reference to China's violent crackdown.

The statement first removed mention of China's indiscriminate use of violence against peaceful demonstrators. The government also chose not to echo a call from Americans for a full public account of the atrocity. Even worse, the statement naively chose to suggest that under the Chinese constitution, Chinese citizens enjoy freedom of speech, freedom of assembly and freedom of association.

This becomes even more confusing when the Canadian government then called upon China to uphold all its human rights obligations.

On June 4 of every year, Canada is supposed to recognize China's crackdown against students who were rallying for liberty, human rights and the separation of powers. So why does the Trudeau government instead give China's anti-democratic past its seal of approval?

Hon. Peter Harder (Government Representative in the Senate): Without at all accepting the premise of the question, I want to assure the senator and other senators that the policy of the Government of Canada with respect to China is one of engagement and frank dialogue. Like other allies, including the United States and the United Kingdom, Canada recently established a high-level national security and rule of law dialogue with China to facilitate frank discussions on the issues that the honourable senator has raised so that we can advance our common understanding and ensure that our position is well articulated within the frameworks that are used by our allies for engaging with China.

Senator Ngo: Mr. Leader, concise statements like these are concerning, confusing and misleading, and they fail to uphold our basic constitutional values before authoritarian states. On what facts are you assessing China's human rights record, and are you considering its past and current treatment of pro-democratic movements? Canadians still don't know how you are measuring this.

Some Hon. Senators: Hear, hear.

Senator Harder: I think the answer to the question is that Canada's assessment of the human rights situation in China or in other countries is based on both departmental and NGO and international organization review, and how we deal with that in respect of our international relations is incorporated in our bilateral relations through the various mechanisms that are in place.

The ones with China, I would argue, are more robust today than they have been in the past, and that is only good.

FINANCE

TRADE AGREEMENTS

Hon. Tobias C. Everga, Jr.: My question is for the government leader. Yesterday I had the opportunity to ask the Governor of the Bank of Canada about your government's commitment to

work with China and global trade generally, and I know you have some experience in this area given your past assignments in government.

The governor and the Minister of Finance, on the rare occasion he speaks publicly, extoll the virtues of trade agreements; yet the Trudeau government has not signed one agreement since coming to power.

Is the minister not misleading Canadians? As I said yesterday, are they not leaving the impression that trade will help pay for out-of-control deficit spending? At this point are not higher taxes the only thing we can say with any certainty will bring the deficit spending under control?

Hon. Peter Harder (Government Representative in the Senate): Again, honourable senators, without accepting the hyperbole of the question, I want to assure the house and all Canadians that the Government of Canada remains committed to fulfilling trade agreements. These are always challenging in the context of today, and it is the intention of the government to pursue vigorously every opportunity, both those that are existing and those that will come forward in the course of this mandate.

Senator Everga: Given the growing winds of protectionism that we have witnessed in the U.S. presidential debates, in the United Kingdom and now in Brussels, does he think it's realistic to put all of Canada's eggs in the trade basket as a means to curtail the Trudeau government's out-of-control deficit?

Senator Harder: Again, I would advise the senator to not bring into the debate in Canada the hyperbolic Trumpism of the American debate on trade.

• (1410)

Surely, as a trading country like ours, it is incumbent upon us to pursue every opportunity to trade with the global partners, including those that are within existing trade agreements, some of which are under criticism by would-be governments, some of which are under negotiation and some of which are in the preliminary stage.

It is in Canada's interest, certainly as a small country representing 2 per cent of the global GDP, to trade. I would think that all members of the Senate would want to encourage a government to do so rather than discourage or cite public insecurity with respect to the advantages of trade.

Hon. Mobina S.B. Jaffer: There is no doubt that for us to prosper we have to trade with everybody, but I'm also sure that our government is looking at the human rights record in China, and it would be very helpful if you are able to share with us how they're arriving at that balance.

Senator Harder: Thank you, senator, for the question. I can assure the house, through both my personal experience and since I've left the service, that for various governments, going back as far as the ones with which I have been acquainted, which takes us back to Prime Minister Mulroney, the issues of human rights have always been incorporated into a government's approach with China. And while that has changed in particular circumstances as the issues have become more salient or hotter, that has always been the objective of all governments of Canada and remains the objective of this government.

What I am pleased with, as I referenced earlier, is that we now have a formal mechanism, as do our allies in the United States and the United Kingdom, to pursue a human rights and rule of law dialogue with China on an annual basis and also to have an annual premiers-level meeting where all issues of common interest can be explored.

I would hope all senators would agree that our objective is not to berate the country but to help tilt that arc of history towards justice, and that is a more complex task than simply rhetoric.

JUSTICE

LEGALIZATION OF MARIJUANA—SAFEGUARDS

Hon. Yonah Martin (Deputy Leader of the Opposition): I have a question for the Leader of the Government in the Senate.

My focus again is on youth, but this time I'm quite concerned about the government's agenda to legalize marijuana, and legitimate questions are being raised about the safety of the public on Canadian highways and roads. Provincial justice ministers are asking this question, and so far it seems the Prime Minister doesn't have an answer. A particular subgroup, youth aged 16 to 24, is particularly susceptible to driving while impaired.

According to the Canadian Centre on Substance Abuse, a report entitled *Cannabis, Driving and Implications for Youth*:

A random survey of nighttime drivers in British Columbia found 4.6% of all drivers tested positive for cannabis. Cannabis use was highest among drivers aged 16–24

Overall, among drivers killed in motor vehicle crashes in Canada between 2000 and 2010, 16.4% tested positive for cannabis. Drivers aged 16–24 were more than twice as likely as those 35 years of age and older to test positive for cannabis

The report concludes:

The high rates of motor vehicle use following cannabis use among youth would appear to be related to the fact that youth do not necessarily believe that cannabis impairs the ability to operate a motor vehicle safely. However, the evidence indicates that cannabis adversely affects the ability to drive safely and doubles the risk of being involved in a serious traffic crash.

If we look at our southern neighbours, the two states that legalized marijuana, Washington and Colorado, a dangerous pattern emerges. In the year following marijuana legalization in Colorado, there was a 32 per cent increase in marijuana-related traffic deaths. And Washington, which legalized marijuana a few years ago, is seeing a third of its impaired drivers testing positive for marijuana.

Leader, the question is what appropriate safeguards will be in place before any legislation legalizing marijuana will be tabled in the house to mitigate what we are seeing evidenced by legalization in the two southern states, as mentioned, and for the safety of other drivers on the road?

Hon. Peter Harder (Government Representative in the Senate): Appropriate safety measures.

Senator Martin: I have another report, entitled *Cannabis Regulation: Lessons Learned in Colorado and Washington State*, published by the Canadian Centre on Substance Abuse. Their key recommendations for the legalization of marijuana include the following, among others:

Take the time required to develop an effective framework for implementation

Develop the capacity to administer the regulatory framework

Ensure consistent enforcement of regulations by investing in training and tools for those responsible for enforcement

Can you assure Canadians that before legislation to legalize marijuana is in effect or even tabled, we are going to see support or measures that will ensure that the enforcement element, the police agencies, will have the proper tools and training to effectively and fairly enforce these regulations? That certainly would be a very important safeguard.

Senator Harder: Thank you for your question. I'm sure all honourable senators are well aware that there is a consultation process involving the other place at this time with respect to this issue. I would assume and believe that the issues that are being raised in the question, and indeed the organizations that are referenced, are part of a broader consultation that will lead to an informed decision by the government at the appropriate time.

Senator Martin: Yes, I realize there are consultations in progress, and that is another concern in terms of the expectation, the anticipation that it is generating.

In my home province, in the Lower Mainland there are many illegal marijuana shops, medical marijuana shops. I see them everywhere I go. They are quite visible on every main street that I drive in Vancouver, and it's actually quite shocking where some are located, in comparison to schools and where children would gather.

I would urge you, leader, to assure us and Canadians that these safeguards are being looked at carefully and that it will be in a timely manner — before legislation is tabled — because I think if it is done after the fact, we're going to see a whole slew of other problems.

Senator Harder: I do believe that these are part of the ongoing considerations in the consultations, and we will be, of course, as the government will be, considering all of these recommendations, including those that the honourable senator has brought to my attention.

TRANSPORT

SECURITY AT VIA RAIL

Hon. Leo Housakos: My question is to the government leader in the Senate. It has to do with passenger railway service in this country.

As we know, VIA Rail is an important provider of passenger services and is a fundamental infrastructure base encouraging economic activity, especially between the Montreal-Ottawa-Toronto corridors.

I want to know if you could highlight for us whether the government has a commitment in the back of their mind for trying to help VIA Rail. They will be facing some serious challenges over the next few years. They have an aging fleet that will require renewal. Time and again they have made requests, including to the previous government, for designated tracks, which have been refused. Security issues, of course, are a growing concern across the board in the transportation sector or across the country but particularly for VIA Rail, which right now seems, according to many security experts, to be quite porous when it comes to security. Could I have a comment on this?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. I have an ongoing interest in VIA Rail as transport. As he will know, the Minister of Transport will have the responsibility of making announcements with respect to VIA Rail. But I do know, and it is public, that VIA Rail has developed some views and proposals that they are in discussions with the minister on. They've had some public conversations about this as well, all with the effort of modernizing and making more efficient the rail service that is provided. At the appropriate time, I'm sure the minister will be making an announcement.

HEALTH

HEALTH TRANSFERS

Hon. André Pratte: My question is for the Government Representative in the Senate, and it concerns the current negotiations on a future health accord. The Prime Minister and the Minister of Health have repeatedly used misleading figures in that debate. Yesterday, Senator Harder, you said the growth of health transfers has exceeded the growth of health costs for the last number of years. Well, that's true if you choose to look at only the last five years. However, if you look at the five years before that, under the same 10-year health accord, you see that the opposite is true.

• (1420)

Instead of playing with numbers, why doesn't the government make a rigorous offer to the provinces and territories for long-term, predictable financing of our health care systems?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and ongoing interest in the issue of health transfers.

I just want to reaffirm the history books with respect to the Canada health accord. At the time of the 2004 agreement, the need for a 6 per cent escalator was more conducive to the existing provincial and territorial needs, as health spending by the provinces grew by an annual rate of 7.2 per cent between 1998 and 2010.

As noted by the Canadian Institute for Health Information, the annual average growth rate in health care spending by the provincial governments stood at 2.7 per cent between 2011 and 2015. Provincial health care spending has grown by roughly half of 1 per cent, while transfers to the provinces have been growing at 6 per cent annually. It is the government's view that increased health care funding to provinces by 3 per cent — or nominal growth to the economy, whichever is greater — is a reasonable objective and an important contribution to ensuring that provinces and territories can invest in critical areas such as home care and mental health services, while at the same time reforming and modernizing health care delivery as appropriate.

[Translation]

Senator Pratte: In an interview he gave to *Le Devoir* a few days ago, the Prime Minister said that the provinces were spending federal money intended for health care:

... to reduce taxes or on I do not know what programs.

When the federal transfer is \$34 billion a year and the provinces and territories spend \$144 billion a year on health care, that statement is quite simply ridiculous. Does the Government Representative believe that this insult to the provinces is a good example of the collaborative approach that the Liberal Party promised in its election platform?

[English]

Senator Harder: Again, I thank the honourable senator for his supplementary question and his comments, with which I would not associate myself. However, I do know that the CP story calls it a "baloney meter" in reviewing the comments that he referenced.

It is the government's commitment to have a collaborative relationship with the provinces, and from time to time that can lead to, in the period of negotiation or discussion, differing points of view. That engagement, though, is preferential to ignorance or ignoring provinces, and that engagement is presently under way.

The Government of Canada is of the view that a more innovative and creative approach to some of the health care delivery services is inherently in the interest of Canada and Canadian taxpayers. As the government contemplates a health transfer going forward, it is seeking that right balance between the appropriate level of health care support and the appropriate expectation of reform and innovation.

Hon. Frances Lankin: Thank you to the Government Representative in the Senate.

I appreciate that you indicated this is a preferable approach, one of consultation and discussion. Another preferable approach would be to not just look at nominal growth or actual growth in terms of GDP but to look at population growth and population demands — the aging demography. A huge number of the innovations that are required are to deal with end-of-life interventions.

You talked about home care and other things. The Social Affairs Committee will be looking at technology in health care. These are all critical, but in the meantime population demands are

growing for provincial delivery. Provinces are spending more in terms of reinvesting and redistributing those expenditures for more efficiency. If the federal transfers do not keep up with the population demands, more and more of the provincial decisions will be cutting at the bone instead of being able to make investments in both the interventions and innovations that will bring better health.

Could you tell us why the government is not looking at demographic growth issues and factoring that into the commitment in terms of a longer-term accord and growth?

Senator Harder: I thank the honourable senator for her question, and obviously her knowledge in this field is well recognized and appreciated.

It is the Government of Canada's view that the health transfer levels is one set of negotiations, with the objective of providing surety of growth rates for a period of time and with an expectation of certain innovations and improvements to the system, which has been spoken of over the last couple of weeks. In particular, I would reference the speech by the Minister of Health in Kingston about four weeks ago.

In addition to that, as the senator has herself referenced, with respect to the aging population, an additional commitment outside of that with respect to home care has been made: the \$3 billion to which I referred. I would leave it to further discussions in the health community as to whether there are other ways of including some of the pressures of demography, which would include early adaptation of cost-saving technologies.

The Canadian Institute for Health Information, CIHI, and other investments that have been made to foster our better understanding of health care delivery are very instructive for this, and I hope that all deliverers, provincial and federal, can benefit from this independent research-based approach to our understanding.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Ms. Laure Ann Paddock and her sons James and Edward. They are the guests of the Honourable Senator Sinclair.

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

Hon. Senators: Hear, hear!

[Translation]

FINANCE

APPEARANCE OF MINISTER BEFORE COMMITTEE

Hon. Claude Carignan (Leader of the Opposition): Thank you, Mr. Speaker.

Leader of the Government, we recently learned that the Minister of Finance, Mr. Morneau, organized fundraising activities where one could pay \$1,500 to have access to the

minister in the fancy homes of business owners, owners of mining businesses in particular, in the Maritime provinces. These meetings gave access to the minister. Earlier, the deputy chair of the finance committee presented a notice of motion to change the committee's meeting times because the Minister of Finance has to be persuaded to appear before the committee.

Could the Leader of the Government ensure that the minister will appear before the Standing Senate Committee on National Finance to answer the committee members' questions on Bill C-2 without requiring the senators to pay \$1,500 each?

[English]

Hon. Peter Harder (Government Representative in the Senate): Yes.

[Translation]

ORDERS OF THE DAY

THE SENATE

MOTION TO AFFECT QUESTION PERIOD ON OCTOBER 25, 2016, ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of October 19, 2016, moved:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, October 25, 2016, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

She said: Honourable senators, this is to allow the Minister of Public Safety and Emergency Preparedness, the Honourable Ralph Goodale, to come before us on Tuesday of next week.

[Senator Lankin]

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1430)

[*English*]

CRIMINAL CODE

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Runciman, seconded by the Honourable Senator Patterson, for the third reading of Bill S-217, An Act to amend the Criminal Code (detention in custody), as amended.

Hon. Murray Sinclair: Honourable senators, I rise in order to speak to Bill S-217, a bill introduced by our colleague Senator Runciman and is designed to amend the Criminal Code of Canada in the area of judicial interim release in the sentencing of accused who commit offences while on judicial interim release for other offences.

As Senator Runciman has stated, this bill was developed arising from the circumstances involving the tragic shooting of two RCMP officers, including the murder of one, by an accused named Shawn Rehn who had an extensive criminal record and was on release from a number of other offences at the time of the shooting. The circumstances of all of that are well laid out in Senator Runciman's speech, all of which I accept as accurate.

Despite that, however, I have concerns about this bill, and unless amended I intend to vote against it because I believe it to be a mirage, which appears to do more than it does and causes us to do something that is potentially harmful to the administration of justice, to which I have devoted my life as a judge for almost 30 years before arriving here.

I say that even though I have a much-loved nephew who is in the RCMP and who has recently been posted to Alberta; in fact, to an area not far from the location where Shawn Rehn shot and killed Constable David Wynn while trying to escape his lawful arrest.

I knew RCMP Constable Strongquill, an indigenous RCMP officer who, in December of 2010, along with his partner Constable Brian Auger, was shot at by two brothers named Michael and Robert Sand while approaching them during a routine traffic stop near Russell, Manitoba. The Sand brothers were well armed, on release from other charges, determined to kill an RCMP officer and the officers were outgunned. When they tried to withdraw from the shooting because they were outgunned and without reinforcements, the Sand brothers rammed their police vehicle, trapping Constable Strongquill inside, where they shot him four times at close range with a sawed-off shotgun. They were later located in a motel in Wolseley, Saskatchewan, and one

brother and his girlfriend were arrested only after a sniper shot and killed the other brother who had climbed up onto the roof to lie in wait.

Like Senator Runciman and others in this chamber, I know RCMP officers and I feel a powerful urge to do what I can to protect those who accept the responsibility to protect us. But this bill will not do that.

There is an old adage that my judicial colleagues often quoted when they would come across laws that resulted from terrible incidents and that adage was this: "Hard cases make bad law." That is so here.

This bill will do nothing to prevent the circumstances of the *Rehn* case, to which Senator Runciman referred, from happening again. That's because there were two significant errors made in the release of Mr. Rehn, which if they had not occurred would have resulted in his ongoing detention.

First, the prosecutor and the judicial officer presiding over the last release of Rehn failed to recognize that Rehn's status as a person already on judicial interim release for an indictable offence meant that the onus was on Rehn to prove that he should be released when he was arrested the last time. It was up to Rehn, therefore, to prove to the judge that he was a suitable candidate for release, and not up to the Crown to prove that he should be kept in custody.

At the committee hearing into this bill, I believe it was revealed that the person standing in for the prosecutor was an RCMP officer — a practice that is not followed in many other parts of this country because of situations such as this. This is not to criticize the officer who handled this matter. He followed the standard procedure, which I know they are instructed to follow in circumstances such as this. He did not ask to have the accused held while a Crown attorney reviewed the matter — 72 hours is permitted for that — and did not ask that the accused prove his eligibility for release.

Police officers are well aware of the offence provisions of the Criminal Code, but not so for the procedural provisions. That is likely why this issue was overlooked. If they had brought the issue to the attention of the judge hearing the matter, then the situation would have very likely turned out quite differently.

I am almost absolutely certain in saying that Rehn would have been kept in custody had the onus been kept on him, and he would not have been able to be in the community on the day he shot and murdered Constable Wynn. His release resulted from human error, and the amendments that are introduced by this bill will do nothing to overcome human error. Nothing really can.

Second is the fact that very little was done to apprehend Rehn from his failure to appear in September 2014, or shortly thereafter, until January 2016 — a period of over 15 months.

When people accused of violent offences are released and fail to appear, it is the common practice in Canada for the warrants that result to be left unenforced unless and until the accused is discovered by a police officer in other circumstances. That was just such a situation in the *Rehn* case, where only by chance did Constables Wynn and Boyd encounter Rehn and decide to try to

arrest him. Whether they knew of his history of violence is not clear, but what seems clear to me is that people such as Rehn who fail to abide by release provisions should receive special attention and undergo special apprehension techniques.

Police authorities need to be provided with adequate resources to establish and maintain warrant execution teams whose primary duty it is to search for and arrest those such as Rehn who are released from custody and breach the provisions of their release. At present, very few police agencies have such teams, and as a result warrants pile up and arrests are undertaken by officers who may not be aware of all that they need to know about an accused when apprehending them.

I worry for the safety of my nephew, that he is being placed in such a vulnerable position by a system that does not care enough to put in place a process that would be relatively easy to do, but it would take additional resources. I am well aware of the fact that policing is expensive, and searching for those who don't want to be found can be time and resource intensive. But when it comes to situations such as this, life is priceless.

I do not have much concern about the provisions of the bill calling attention to certain factors that a prosecutor and a judge need to take into account. The matters referred to in the list of factors indeed are now the law. Judges always take into account the fact that an accused has failed to appear in the past or that he has a criminal record or is awaiting trial on other matters before granting or refusing judicial interim release. The addition of those provisions in clause 1 of the bill causes me no concern.

I am concerned that the addition of the words "the fact" might require the prosecutor to prove a fact on a legal balance or beyond a reasonable doubt, but since that is not the law for other similar requirements in bail hearings at present, they may have no such impact in this case.

I am, however, more concerned that changing the word "may" to "shall" in paragraph 518(1)(c) might have the unintended consequences of rendering prosecutors vulnerable to discipline or discharge by their employers for failing to do so. Such a provision would also take the issue of prosecutorial discretion out of their hands and make the leading of that evidence mandatory.

There is good reason for prosecutors to retain such discretion. Deals can be made that call for the release of accused into protective custody or back into the community to work as police agents, for example. Sometimes a plea bargain is struck, where the prosecutor and police agree with the accused that he will plead guilty at a later time without burdening the state with his custodial care.

Not every accused who is charged with an offence or commits an offence while on release is a Shawn Rehn. This provision could result in other less evil people being kept in custody, especially indigenous people whose relationship with the administration of justice has long been problematic.

• (1440)

It could also cause problems concerning court delays, about which senators are already concerned, for one of the factors a court is called upon to consider, when considering an application

for undue delay, is whether or not an accused is in custody. We need to trust prosecutors to do their job properly without adding to their burden, and if the Crown has given careful consideration to the release of an accused on suitable conditions, it will facilitate and enhance the administration of justice.

This provision of the bill does not address and will not overcome what is the essential feature of the release of Shawn Rehn — somebody made a mistake. It is a mirage, therefore. You will not be able to take any comfort from its passage that you have enhanced the safety of society because of it. You will only be able to say that you appear to have done something helpful about a tragic situation. We should not be seduced into such an empty path.

MOTION IN AMENDMENT

Hon. Murray Sinclair: Honourable senators, I wish to amend the bill by changing the word "shall" back to "may." I would move the following to line 17 of the bill. Therefore, I move:

That Bill S-217 be not now read a third time, but that it be amended in clause 2, on page 1, by replacing line 17 with the following:

"(c) the prosecutor may, in addition to any other rele-".

Thank you, senators.

The Hon. the Speaker: On debate?

Hon. Bob Runciman: Honourable senators, I appreciate Senator Sinclair's concerns, but I don't think they have real merit in respect to what he's suggesting related to the impacts of this proposed change in the legislation.

He talks about the dangers of changing the word "may" to "shall," but I know part of the exercise and consultation that I was involved in prior to introduction of the bill, I talked to the Chief Justice of the Peace in southwestern Ontario about this, and he said that he had been on the job for approximately 15 years and had never once encountered a situation where the representative of the Crown did not lead with this kind of information. So there's no question this is routine in courts right across the country, that the Crown representative will lead with this kind of information in terms of the background of the individual appearing before them at a bail hearing.

So the concern about the Crown being disciplined if this happens versus a police officer's life being placed in jeopardy, think about that for a moment or two. There's no question this was human error. I don't think anyone is denying that. But this is double checking to hopefully prevent human error in the future.

I don't know if Senator Sinclair has read the bail hearing transcript. This was a very casual exercise, really no concern or consideration. Let's get this over with and let's get on with whatever we have to do.

There's no question this is a modest change, but I think it addresses the potential — and more than a potential, certainly, in the case of Shawn Rehn, where an officer died and another was

seriously injured. I think to just write this off as being worried about the possibility of discipline for a Crown is shameful.

Some Hon. Senators: Hear, hear.

Hon. Frances Lankin: Senator Runciman, would you accept a question?

Senator Runciman: Certainly.

Senator Lankin: Thank you. In listening to the discussion, I noted that Senator Sinclair made reference to special circumstances where it may be adverse to the interests of furthering justice and enforcement to lead with such a background and evidentiary statement. Particularly I think he talked about where someone may be released into performing the role of police informant in an ongoing case.

Was that part of any of the discussions that you have had in your consultations? Could you address that concern? It seems like there may be a need for some kind of an exception or exemption in those sorts of circumstances.

Senator Runciman: I don't believe there's anything that would preclude an application to the court to make that case.

The Hon. the Speaker: Are senators ready for the question? Senator Moore, on debate?

Hon. Wilfred P. Moore: Honourable senators, I heard what the good senator said, and it seems to me that if the information that was at hand with regard to the accused had been made known to the judge, then he would not have been released.

Whether or not the RCMP officer was filling in and did this because he wasn't accustomed to fulfilling this role, that's another matter. But the principle of the thing is that this information be in the hands of that judge. I believe this would have prevented this man from being released. That's all that this bill is trying to do, to get before the court all things to be considered in such a bail hearing. So I cannot support this amendment.

Some Hon. Senators: Hear, hear.

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

Hon. Senators: Question.

The Hon. the Speaker: In amendment, it was moved by the Honourable Senator Sinclair, seconded by the Honourable Senator Pratte:

That Bill S-217, as amended, be not now read a third time

—
May I dispense?

Hon. Senators: Dispense.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion in amendment will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion in amendment will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker: Two senators are rising. Senator Mitchell and Senator Plett?

Senator Plett: Fifteen minutes.

The Hon. the Speaker: Fifteen-minute bell? Is it agreed, honourable senators? The vote will take place at 3:02 p.m.

• (1500)

Motion in amendment negated on the following division:

YEAS THE HONOURABLE SENATORS

Bellemare
Brazeau
Campbell
Cools
Dyck
Gagné
Harder

Meredith
Mitchell
Omidvar
Ringuette
Sinclair
Wallin—13

NAYS THE HONOURABLE SENATORS

Andreychuk
Ataullahjan
Baker
Batters
Carignan
Cordy
Dagenais
Day
Eaton
Enverga
Housakos
Hubley
Jaffer

Munson
Nancy Ruth
Neufeld
Ngo
Ogilvie
Oh
Patterson
Plett
Poirier
Raine
Runciman
Seidman
Smith

Joyal
Maltais
Marshall
Martin
McInnis
McIntyre
Moore

Stewart Olsen
Tannas
Tardif
Tkachuk
Unger
Wallace
White—40

ABSTENTIONS THE HONOURABLE SENATORS

Lankin
McCoy

Petitclerc
Pratte—4

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

Hon. Senators: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Runciman, seconded by the Honourable Senator Patterson, that the bill, as amended, be adopted.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

NATIONAL SICKLE CELL AWARENESS DAY BILL

THIRD READING

Hon. Jane Cordy moved third reading of Bill S-211, An Act respecting National Sickle Cell Awareness Day.

She said: Honourable senators, I am pleased to speak to third reading of Bill S-211, An Act respecting National Sickle Cell Awareness Day.

This bill sets out to follow the lead of the United Nations and establish June 19 of each year as national sickle cell awareness day in Canada.

Honourable senators, sickle cell disease is a multisystem genetic blood disorder. It affects every organ of the body, including the eyes, kidney, liver, spleen and brain, and it can lead to stroke in children as young as two years of age.

Sickle cell disorder is the most common genetic disease in the world. The World Health Organization estimates that the sickle cell anemia trait is found in nearly 100 million people worldwide. It is estimated that 5,000 people live with sickle cell disorder in Canada. Many others in Canada are carriers of the sickle cell trait, and most do not even know they carry this trait.

With sickle cell, the red blood cells become deformed. Normal blood cells are doughnut-shaped and designed to move easily through the body's blood vessels to deliver oxygen to the organs.

• (1510)

In patients with sickle cell, the blood cells become stiff and sickle-shaped and they do not function as healthy cells. A deformed cell does not flow easily through the blood vessels and can get caught up in the vessels and break apart. This can result in clogged blood vessels and low blood count or anemia. The sickle-shaped cell has a life span of only 20 days, unlike a healthy cell which has a 120-day life span. The problem of clogged blood vessels and low blood count hampers the body's ability to bring oxygen to the organs. The body cannot keep up with the rate of blood cell deterioration and is unable to replace the cells as quickly as they are breaking apart. This starves the body of oxygen and most commonly manifests itself as severe pain in the bones. This lack of oxygen to the organs can damage shoulder and hip joints and cause severe chest pain.

Infection is a major concern for children with sickle cell disorders, and an immediate regimen of daily penicillin is required to manage infection.

Older children and adults with sickle cell disease may have few problems or they may have a pattern of ongoing complications.

I had the pleasure of meeting a wonder young man, Adeniyi Omishore, who has just received a hip replacement because of sickle cell disorder. He spoke on September 29 during the Sickle Cell Disease Association Advocacy Day on Parliament Hill. He spoke to parliamentarians as he reflected on the challenges of living a so-called normal life when you are a teenager with sickle cell. Honourable senators, a 17-year-old should not have to have hip replacement. Adeniyi is a courageous young man who remains positive about his situation. He is truly an inspiration to others.

Honourable senators, sickle cell disorder is hereditary. The disorder is passed on when a person inherits a sickle cell gene from their mother and another from their father. At this time, there is no proven absolute cure, but since 2009, the Alberta Children's Hospital has been performing non-chemotherapy-based hematopoietic stem cell transplant as a possible cure. The results to date have been positive. The sickle-shaped cells have been replaced with healthy cells and there have been no cases of transplant rejection or graft-versus-host disease. This is very encouraging. However, at this time, the treatment is not viable for everyone as not all those with sickle cell disorder are eligible candidates for this procedure.

For the vast majority of patients at this time, treatment consists of managing the symptoms. Research is showing that a healthy lifestyle and diet have a positive effect on quality of life. Of course, early diagnosis is the catalyst for the most effective treatment and managing quality of life.

Honourable senators, knowledge is power. The more we know about an issue, the more power we have to effect change, whether that change is in our policies, our institutions, or our understanding. The reality of sickle cell disorder and the sickle cell trait is that a staggering number of people who carry the trait are not even aware of it. There is also an alarming lack of knowledge of the disorder, not only among Canadians, but also within the medical community. However, this is starting to change.

I previously told the story of a mother and her experience with her young son who was crying because of extreme pain in his arm. She and her husband thought he must have injured his arm in a fall, but they couldn't find any signs of bruising or swelling. They brought him to the hospital for examination by the doctor. An X-ray showed nothing out of the ordinary, and the doctor told the parents to take their son home and give him Tylenol.

After three days with their child continuing to cry in pain, they returned to the hospital, and this time they were blessed. The doctor on duty that day had just learned about sickle cell disease. Because of this new knowledge, the doctor ordered a blood test. The boy's test came back positive for sickle cell. The parents were both carriers of the sickle cell gene, but they had not even heard of the disease before that day.

Now that the child's doctors and parents were aware of his condition, a suitable treatment and pain management plan was put in place. This doctor has changed the life, not only of this young boy, but also of his family. How fortunate they were that this particular doctor, who was knowledgeable about sickle cell disease, was on duty that day. Unfortunately, this is not an isolated experience. Many patients have similar stories to tell, and these experiences highlight exactly why an awareness day is necessary. Honourable senators, health care should not depend on being lucky.

Universal newborn screening for sickle cell and other genetic blood disorders would make a big difference. Newborn screening will identify those born with sickle cell and also will identify children who are carriers of the sickle cell trait. Managing sickle cell disease is a life-long process. The logical first step is early and proper diagnosis. When people are made aware they are carriers of the sickle cell trait, it will help those individuals make informed decisions later in life when planning a family.

When asked about this in committee, Lanre Tunji-Ajayi, the President of the Sickle Cell Disease Association of Canada said:

How do we prevent sickle cell disease? By people even knowing that they carry the trait. I've heard parents say, "If I had known that I am a carrier and my partner is a carrier, perhaps I would choose a different partner." I've had parents say that when they go through the pain that their child goes through with this disorder, and they realize it's not worth it.

Again, we ask people to get tested and make their own informed decisions. Even if you still want to be with this person and possibly end up having a child with sickle cell disease, knowing ahead of time and educating yourself as to the treatments available... can help reduce the heartache and confusion that comes with being told out of the blue that your child has sickle cell disease.

This simple test provides the information needed to ensure early and proper treatment. Lacking this knowledge can lead to misdiagnosis or ineffective treatment as was the case for the parents of the young boy who experienced extreme pain in his arm on a visit to the hospital.

In some cases, because of the persistent pain and need and desire for pain management medications, it is not uncommon for doctors to dismiss a patient as someone just wanting drugs,

especially if the patient is a teenager. Senator Stewart Olsen asked some excellent questions about this during the committee study of the bill.

Honourable senators, something as easy as a simple blood test at birth would prevent these situations and would provide medical personnel with the information needed to properly treat the patient.

At this time, Ontario, Quebec, British Columbia, Yukon, New Brunswick, Prince Edward Island, Nunavut and Nova Scotia currently perform universal newborn screening for sickle cell. Nova Scotia began screening in 2014. The one-year report card showed three babies flagged with sickle cell and another 63 babies were flagged as carriers of the sickle cell trait.

The Sickle Cell Association of Canada is aggressively advocating that the remaining provinces and territories begin universal newborn screening as soon as possible. The association is also advocating that the newborn screening program should be national in scope.

Universal screening for sickle cell disorder of all babies will provide doctors and researchers with the ability to track the disease. Honourable senators, because it is genetic, it can be tracked.

So why should we have a National Sickle Cell Awareness Day in Canada?

Honourable senators, the United Nations, the African Union and the World Health Organization have all recognized sickle cell disease as a public health priority. They also all recognize June 19 as World Sickle Cell Awareness Day to help raise awareness of the condition worldwide.

World Sickle Cell Awareness Day has been held annually on June 19 since 2008. The day, June 19, was chosen to commemorate the day on which a resolution was officially adopted by the General Assembly of the United Nations recognizing sickle cell disease as a public health concern.

I am pleased that my province of Nova Scotia has recognized June 19 as World Sickle Cell Day.

I would like to congratulate and thank Premier McNeil and Health Minister Leo Glavine and Rugi Jalloh the President of the Sickle Cell Disease Association of Nova Scotia.

Bill S-211 would add Canada's voice to this important cause by marking June 19 as National Sickle Cell Awareness Day in Canada. We are a diverse country, and many Canadians can trace their roots to sub-Saharan Africa, India, Saudi Arabia and the Mediterranean, all regions where the sickle cell trait is common. It is important that Canadians learn more about this disease.

• (1520)

I have been fortunate to meet many wonderful, courageous people who live with sickle cell. They would like Canadians to be more aware of sickle cell disorder. They would like newborn screening to detect sickle cell at birth so that suitable treatment can begin immediately. They want treatment that will improve the

quality of life of those with sickle cell disease and their families. They would like more education of health professionals, caregivers and school personnel about sickle cell disorder, and, honourable senators, they would like to see a national strategy for sickle cell disease.

Honourable senators, Bill S-211 would recognize June 19 as national sickle cell awareness day. It is just a start, a small start on the road to making things better, but when I attended the sickle cell advocacy day on Parliament Hill, those present were excited and hopeful about this bill. They're excited because it means that people, particularly parliamentarians, are listening. It means that on June 19 of every year, there will be an opportunity to raise awareness about sickle cell disease to all Canadians.

Honourable senators, I may have introduced Bill S-211, and Bill S-227 before it, but this bill is far from being my bill. The credit for this bill belongs to those optimistic people I met who have sickle cell disease and who are advocates for sickle cell awareness and to all those Canadians across the country that they represent.

I must thank you, honourable senators, for the support I have received from so many of you including Senator Meredith, who spoke at second reading, and Senator Ogilvie and Senator Eggleton and the entire Social Affairs, Science and Technology Committee, who engaged in such meaningful discussion on this bill and the issues surrounding sickle cell disease in Canada.

I must also thank Lanre Tunji-Ajayi, President of the Sickle Cell Disease Association of Canada, for her dedication and perseverance in promoting awareness of sickle cell disease in Canada. This bill is before you today in no small part because of the work she has done. Thank you.

Hon. Carolyn Stewart Olsen: Honourable senators, my remarks will be very brief. Sometimes the term "critic of the bill" is a bit of a misnomer. I support this bill, and I commend Senator Cordy for bringing it forward and for paying attention to her constituents in Nova Scotia, for working with them and coming forward and doing exactly what senators should be doing, in my opinion.

We name a lot of days, and sometimes people wonder why we do that, but in this case it was brought to us very clearly in committee that we're doing this because the awareness of sickle cell disease in Canada is very low, and I think anything that we as senators and parliamentarians can do to raise awareness of a disease which affects a lot of people and is carried by a lot of people who have no idea they have it is something we should be proud of doing, and we will work hard every year to raise the awareness of this.

Just the simple fact that the Senate is urging people to be tested for this is a really good thing, and I think if we pass this bill, and I hope we will, we should be very proud of having done so.

Hon. Don Meredith: Honourable senators, I also want to rise in support of this very important bill. Senator Cordy, thank you for your eloquent speeches on this particular bill.

Another region greatly affected by this is the Caribbean region, and as Chair of the Canada-CARICOM Parliamentary Friendship Group, I had an opportunity this August to lead a

delegation to Jamaica, where I connected with the association and told them about this bill in this chamber and your initiative to make June 19 sickle cell awareness day in Canada.

It's important, honourable senators, that we look at how this particular day will affect those families who visited our offices, who went to the associations here on the Hill, and we saw the pain especially of that 16-year-old young man in a wheelchair and now having his hip replaced.

As I shared in my second reading speech, at 40 years old my friend Mr. Trench passed away of sickle cell. My wife's childhood friends were suffering as they thought of ending their own children's lives because they were unaware of how to deal with this.

I begin to reflect on the personal experiences that I have had with those individuals. This past summer I visited with Lillie Johnson but was unable to meet with other individuals because they were in crisis. There is also a stigma for young people with respect to those who interpret them and look at them as if they're seemingly well, yet they're in crisis and need; they are on medication, and some health practitioners think they're just there for another hit.

This day, honourable senators, is so critical to so many communities who are affected by this disease. It's important to begin to look at how we can raise and support this national day just like the United Nations and the African Union has done. I think it's time that Canada did the same.

Honourable senators, I call upon you today to support Bill S-211 and allow for June 19 to become sickle cell awareness day in this great country. This is the right thing to do. Thank you.

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

Hon. Senators: Agreed.

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

[Translation]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Claude Carignan (Leader of the Opposition) moved the second reading of Bill S-230, An Act to amend the Criminal Code (drug-impaired driving).

He said: Honourable senators, I rise today at the second reading stage of Bill S-230, An Act to amend the Criminal Code (drug-impaired driving).

Bill S-230 seeks to prevent a little-known but terrible problem, and that is drug-impaired driving. Every year, drug-impaired drivers kill hundreds of Canadians and injure thousands of others. They destroy families.

• (1530)

You will be surprised to learn what types of drugs the police regularly detect in the systems of impaired drivers. These include the most commonly used street drugs, such as methamphetamines or crystal meth, cannabis, depressants such as GHB, cocaine or coke, and opiates such as heroine.

[English]

Unfortunately, the number of drug-impaired drivers is underestimated due to the lack of screening tools. Indeed, the United Nations Commission on Narcotic Drugs has passed Resolution 54/2, which underscores the importance of tackling the increased consequences of drug-impaired driving on public safety, among others.

[Translation]

All scientific evidence shows the dangers of driving under the influence of drugs. Drug-impaired drivers may have a slower reaction time, be sleepy or disoriented, and have difficulty concentrating, judging distances, staying in their own lane and maintaining a constant speed.

These factors increase the number of accidents, injuries and deaths. However, we can help to prevent such tragedies by passing this bill, which provides for additional screening tools.

According to the Canadian Centre on Substance Abuse, just as many drivers die in road crashes after using drugs as those who have been drinking. The statistics from MADD Canada say basically the same thing. They show that, in 2012, there were 614 road fatalities where a driver had drugs present in their system, compared to 476 fatalities where a driver had alcohol in their system.

[English]

However, in 2013, according to the Canadian government, 97 per cent of prosecutions caused by impaired driving in Canada were alcohol-related, as opposed to only 3 per cent due to drugs, because there are currently no roadside screening devices to identify drug-impaired drivers.

Officers could use a roadside device to ask drivers to stick out their tongues as a sample of saliva is taken with an instrument that would indicate, within a few minutes, the presence or absence of drugs in the body of the driver. This would save time and allow the gathering of evidence before the drug is absorbed by the body.

[Translation]

Honourable senators, the police chiefs and representatives from prevention organizations that I met with told me about a troubling phenomenon, one that many parents do not know about. Teenagers are telling each other that drunk driving is detectable. However, since there is a zero-tolerance policy for alcohol, they choose to drive after taking drugs, knowing full well that the police will have a hard time detecting drug-impaired drivers.

Drug use is on the rise, and drug-impaired driving is a growing problem, especially among young people. The latest data show

that drivers between the ages of 16 and 24 are responsible for 26.9 per cent of fatal accidents involving drugs in Canada.

Esteemed colleagues, I have here some photographs of impaired driving victims. Many of them are in the prime of life, young people in their twenties. Hundreds of Canadian lives could be saved if police officers had the tools to detect drug-impaired drivers and stop them from driving. As a father, I was deeply moved by my meetings and conversations with victims' representatives.

Police officers have been calling for this bill. At its 109th annual conference in 2014, the Canadian Association of Chiefs of Police passed resolution 2014-01 on the subject. The Canadian Association of Police Governance endorsed Bill S-230, and its Alberta chapter moved and passed a similar resolution.

Police officers are urgently calling for tools that are actually non-invasive because they use saliva samples to detect the presence of drugs in drivers. I had an opportunity to attend a demonstration of all 12 steps of the process followed by a drug evaluating officer, and I observed how time-consuming and meticulous the proper evidence-gathering process was.

Police officers need new tools to do their jobs as well as possible. Victims spoke of deaths that could have been avoided if police officers had these tools, which are in use around the world. The Katherine Beaulieu foundation, created in memory of a victim named Katherine, supports this bill. The Association des familles des personnes assassinées ou disparues, AFPAD, also supports Bill S-230.

According to Nancy Roy, the general manager of the association:

The consequences of impaired driving for the family and the victims are disastrous.

[English]

Unfortunately, though police forces in Canada have the means to detect alcohol, they lack the tools to detect drugs in the bodies of people suspected of drug-impaired driving. But these tools are in use elsewhere in the developed world. Repeated calls from various organizations clearly indicate that Canada must catch up on the drug detection technology used in all major industrial nations.

[Translation]

That is why Bill S-230 is vitally important for road safety in Canada, given that drugs are a growing problem. Bill S-230 amends the Criminal Code to authorize the use of an approved screening device to detect the presence of drugs in the body of a person who was operating a vehicle or who had the care or control of a vehicle.

The bill also authorizes the taking of samples of bodily substances to determine the concentration of drugs in a person's body, based on physical coordination tests and the result of the analysis conducted using an approved screening device.

Bill S-230 is the result of the thorough consideration of the tenor of legislation and what was learned from many exchanges with representatives of police forces and victims of impaired driving.

[English]

The amendments proposed to the Criminal Code, which I will discuss, are the result of a lot of research on police best practices elsewhere in the world. Canada lags far behind developed countries in reducing the number of drug-related traffic deaths. We absolutely have to catch up.

[Translation]

Allow me to speak to the content of the bill. First, clause 2 proposes amendments to section 254 of the Criminal Code. Subclause 2(1) changes the definition of “approved screening device” in subsection 254(1) of the Criminal Code to provide for the use of these devices and to ascertain the presence of drugs in the blood of a person.

It is important to point out that this is an enabling provision. Drug screening devices must be approved by an order of the Attorney General of Canada. This will be done by regulation, as is the case in the Criminal Code, after consulting scientists and forensic science experts.

Subclause 2(2) of the bill amends subsection 254(2) of the Criminal Code to make measures available to a peace officer who has reasonable grounds to suspect that a person has alcohol or a drug in their body while operating a motor vehicle. The Criminal Code as currently worded provides two alternative or cumulative measures for alcohol, namely coordination tests and alcohol screening devices, as well as one single measure for drug use, the coordination tests.

The proposed change will ensure that these two measures, the coordination tests and the screening devices, will henceforth be available for alcohol and drugs. Paragraph 254(2)(b) is amended to add a reference to “oral fluid” to allow for the analysis of the presence of drugs by means of a screening device approved for saliva.

• (1540)

Measures like physical coordination tests and detection devices could then lead to an order for the taking of bodily substances, which, incidentally, already exists for alcohol, namely an approved breathalyzer test, and, for drugs, following an assessment by a drug recognition specialist.

Subclause 2(3) of the bill amends subsection 254(3.4) of the Criminal Code. This amendment means that samples of an individual’s bodily substances may be taken if the peace officer has reasonable grounds to suspect that that individual’s driving may be impaired. Samples may be taken henceforth by the drug recognition specialist, or, thanks to Bill S-230, following physical coordination tests in conjunction with a screening device.

The reference to “evaluating officer” is replaced by “peace officer” to take into account the fact that the peace officer who gives the order to take a sample will not always be an evaluating

officer. This will be the case when reasonable grounds are based on physical coordination tests in conjunction with a screening device. It is important to remember that an evaluation officer is a peace officer by definition.

Paragraphs (a) and (b) are also amended to replace “whether the person has a drug in their body” with “the concentration of drugs.” The change aims to correct an inconsistency identified in the Criminal Code. In fact, section 253(3.4), which authorizes the taking of bodily substances, really aims to measure a quantity of drugs or alcohol. It is not intended to determine the presence of a substance, but rather to establish the level or quantity of a substance.

Finally, clause 3 of the bill stipulates that the law will come into force six months after the day on which it receives Royal Assent. Once it comes into force, the law will give the Attorney General of Canada the authority to approve one or more screening devices by regulation.

The Criminal Code already makes use of regulations to authorize physical coordination tests and tests conducted by evaluating officers, also known as drug recognition specialists.

The administration of these coordination tests could easily be added to the new tools if the government deems it appropriate.

[English]

In the last decade, driving under the influence of drugs has been identified as a significant public safety concern by leading local, national and international organizations. Various studies have also shown that the combined use of an illegal drug plus alcohol is associated with significantly greater cognitive impairment and risk of collision.

Surveys and research suggest drug-impaired driving is becoming as prevalent as driving under the influence of alcohol.

[Translation]

It is vital that law enforcement officers be given the most sophisticated tools, tools which, by the way, are already being used in other industrialized western countries, such as Australia, the United Kingdom, France, Germany, Italy, Spain, the Netherlands, Switzerland and many jurisdictions in the United States, to quickly and effectively detect drivers who pose a serious threat to public safety.

[English]

Honourable colleagues, drug detection technology exists. What we are doing now is bringing this technology into the body of our law to modernize the Criminal Code the way other countries have.

According to preliminary police data, in 2015 in the United Kingdom, arrests for drug-impaired driving went up 800 per cent in one year after the government passed stronger legislation to catch and convict offenders. Drivers impaired by marijuana or ecstasy are now detectable with devices on the roads of the United Kingdom.

[Senator Carignan]

Honourable colleagues, driving is a privilege; it is not a right. Every one of us, our friends and children have the right to life and safety on the road. Drug detection devices using saliva can make a real difference in the identification and apprehension of drug-impaired drivers. These devices are becoming increasingly commercially available and are currently being used in other countries. I had the opportunity to meet the Canadian distributor of one of these companies. He ships, from Toronto, drug detection devices to Australia and elsewhere around the world.

In Europe, this technology has been around for 10 years — yes, 10 years. And, as I said, Canada lags far behind comparable countries in reducing the number of drug-related traffic deaths. This is a tragedy.

[Translation]

We cannot allow the preventable problem of drug-impaired driving to go unpunished. We can prevent the deaths of innocent people on our roads. We can prevent families from being destroyed by the death of a loved one.

Bill S-230 does not create a new offence. It will give police officers access to new, approved screening devices to detect the presence of drugs in a person's body.

I hope that many of you will support my bill.

[English]

Hon. Lillian Eva Dyck: Would you take a question, Senator Carignan?

Senator Carignan: Yes.

Senator Dyck: I was following your speech very carefully. Thank you for that. I think the intention of the bill is wonderful.

You said that countries like Britain, Australia and Switzerland have used these approved screening devices for about 10 years. Have there been any reports of problems with the accuracy of these screening devices? Have there been any challenges in the courts that they're not doing the job that they've claimed to do?

[Translation]

Senator Carignan: Thank you, senator, for your question. The tests are currently 95 per cent accurate. Again, this is a test to determine whether the peace officer has reasonable grounds to believe that a person is driving while impaired. It is a preliminary test that is done at the side of the road, and administered when the peace officer can reasonably suspect an offence or impaired driving. He or she can confirm those suspicions with a test. When the peace officer administers the test, the result simply indicates the presence or absence of drugs, and can identify the type of drug.

When drugs are detected in a driver, the peace officer will now have reasonable and probable grounds of drug-impaired driving and will take a second saliva sample that will be sent to a certified

lab, which will identify all the drugs the person consumed and precisely how much. That analysis is done in a science lab.

[English]

Senator Dyck: When you are talking about what types of drugs it is detecting, would there be three or four? Would they be the most common ones you might be interested in, such as marijuana or some of the narcotics? Does it detect five or six, or two or three?

[Translation]

Senator Carignan: Thank you, senator, for your question. It all depends on the devices that might be approved. Most devices can detect six categories of drugs, with each including 25 of the most common drugs. We know that the most commonly used drugs are cannabis, with THC, and cocaine. Those are the two drugs found in 90 per cent of drug-impaired driving cases.

I should say that the science labs sending the results are able to detect every drug.

• (1550)

When I met with police officers, including drug evaluating specialists, they told me it was very rare for offenders to have just one drug in their system. Most had several. I saw some test results, without names, and it scared me to think that those people had been driving a vehicle. I even saw one test result that showed the presence of 15 different drugs. It can be a mix, and according to the numbers, about 25 per cent of drivers have consumed a mix of alcohol and drugs.

[English]

Hon. Nancy Greene Raine: Are you aware of whether the states of Colorado and Washington in the U.S. are using these devices? How did they introduce them, and how has that gone?

Senator Carignan: Yes, they were introduced. From our conversations with Colorado police officers, I understand that they introduced them at the same time marijuana was legalized. They told us to make sure we were prepared because they were not prepared when it happened. If that is the direction we're taking, there will be a significant increase. In Colorado, it went up 68 per cent after legalization.

The purpose of the bill is to enable us to take action now, whether legalization happens or not. This is an extremely important issue now. There are just as many drug-impaired as drunk drivers, but we don't have the tools to detect those drivers. What we need to do is make sure the detection tools are in place so that if Parliament one day decides to legalize marijuana, we will at least have statistics and proven tools to detect impaired driving.

(On motion of Senator Baker, debate adjourned.)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF STEPS BEING TAKEN TO FACILITATE THE INTEGRATION OF NEWLY-ARRIVED SYRIAN REFUGEES AND TO ADDRESS THE CHALLENGES THEY ARE FACING

Hon. Jim Munson, pursuant to notice of October 19, 2016, moved:

That, notwithstanding the order of the Senate adopted on Thursday, April 14, 2016, the date for the final report of the Standing Senate Committee on Human Rights in relation to its study on steps being taken to facilitate the integration of newly-arrived Syrian refugees and to address the challenges they are facing, including by the various levels of government, private sponsors and non-governmental organizations be extended from October 31, 2016 to December 31, 2016.

He said: Honourable senators, the Standing Senate Committee on Human Rights has been studying the integration of Syrian refugees into Canadian society. Over the last few months you may have seen many news stories and reports as a result of our interim observations made in June. We had a news conference and made seven observations.

Basically, the people who appeared before us spoke of the difficulties of integrating into Canadian society. There are a lot of growing pains developing as we welcome the 25,000 to 30,000 Syrian refugees with open arms. And this is about more than waving flags; it's about facilitating their lives in our country.

We have come to learn that there are even more troublesome issues facing families; in fact so much so that we extended our hearings to yesterday, and we heard some heartfelt testimony about refugees dealing with long processing lines, bureaucratic issues of getting residency cards, serious issues of the lack of language training in both English and French and the lineups for that language training. We also heard about the inadequate child care for the parents who want to learn English and French and want to work in our Canadian society.

There was also troubling testimony about the fact that among the 32,000 refugees here, some 6,000 are facing post-traumatic stress disorder, and there are very few facilities in this country able to treat these families, particularly culturally and in the Arabic language. There have also been some very troubling stories of domestic violence and children acting out.

• (1600)

We felt as a committee dealing with the processing lines, that reunification of families is one of the big issues for them. They feel almost guilty being here while their families are under stress in, of course, cities like Aleppo and Homs and other troubled areas in Syria.

All we are asking for is a two-month extension for our major recommendations. There is anticipation for it. We were going to have this out on October 31. We would like to have an extension to December 31. We sincerely hope to have it out towards the end of November, with new recommendations incorporating the observations we had with the integration of Syrian refugees.

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

Hon. Senators: Agreed.

(Motion agreed to.)

ADJOURNMENT

MOTION ADOPTED

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

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, October 25, 2016, at 2 p.m.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, October 25, 2016, at 2 p.m.)

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