



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Thursday, January 28, 2016

The Honourable GEORGE J. FUREY  
Speaker

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## THE SENATE

Thursday, January 28, 2016

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

Prayers.

### SENATORS' STATEMENTS

#### BOYS AND GIRLS CLUBS OF PEI

**Hon. Elizabeth Hubley:** Honourable senators, last month, I received a lovely Christmas card from the Boys and Girls Club of Summerside signed by children who take part in its programming. I was struck by the sheer number of names and want to highlight the great work that the Boys and Girls Clubs are doing across my home province. In Summerside, more than 100 Island children participate in its licensed Afterschool program, which includes transportation to and from five different schools. Last year it hosted nearly 300 summer campers at three separate locations, providing kids aged 5 to 14 with sports, arts and crafts, field trips, swimming and other community events.

At the Wellington and area club about 50 children take part in its Afterschool program, and its summer camp last year saw about 100 members participate in a variety of fun and educational activities.

In Charlottetown, almost 50 children and youth take part in the Afterschool program, and the 2015 summer camp hosted about 50 children a day. The Charlottetown club also has an evening drop-in centre for youth aged 16 to 29 that offers job-search and resume-writing help, hot meals, shower and laundry facilities and more. Starting next week, it will be offering a GED assistance program.

Last year the Charlottetown Club expanded its summer camp east to Montague, where more than 60 children participated in fun activities: trips to the beach and library, field trips and afternoons outside in the park. In the fall the club opened a permanent location in the town and now provides after-school programming to dozens of kids, with even more programming to come.

We are certainly fortunate on P.E.I. to have such opportunities for our children and youth. No child will ever be turned away based on inability to pay, and all Boys and Girls Club programming has educational components, including literacy programs, even in the summer.

I would like to recognize the incredibly dedicated staff, volunteers and supporters at these clubs across the Island. Every day they work hard to implement Boys and Girls Clubs'

core values of belonging, respect, encouragement and support, working together, and speaking out. Please join me in wishing them continued success in the future.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the Governor General's gallery of His Excellency Daeshik Jo, Ambassador of the Republic of Korea, accompanied by Counsellor Yungjoon Jo. They are the guests of the Honourable Senator Martin.

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

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

### CANADA-KOREA FREE TRADE AGREEMENT

#### FIRST ANNIVERSARY

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, I have the distinct privilege to rise today to speak about the first anniversary of the implementation of the historic Canada-Korea Free Trade Agreement, which was on January 1, 2016.

The signing of Canada's first Asia-Pacific trade agreement was realized through the hard work, leadership and vision of the Right Honourable Stephen Harper and former Ministers of International Trade Ed Fast, James Moore, Stockwell Day, and their predecessors. Additionally, the new Ambassador of the Republic of Korea, His Excellency Daeshik Jo, like his predecessors, also plays a key role in deepening Canada-Korea relations in strategic and tangible ways.

Honourable senators, I truly believe this historic agreement was possible because of the deep-rooted Canada-Korea relationship and firm foundation forged in sweat, blood and tears, through the service of Canadian missionaries over a century ago, and the service and sacrifices of Canadians during the Korean War 65 years ago. Over 26,000 Canadian men and women volunteered to defend a nation they knew little about so far from home — 516 of them never again seeing their beloved Canada, making the ultimate sacrifice fighting communist aggression and fighting for the democratic freedoms that the people of South Korea enjoy today and that Canadians value so much as well.

The sixty-fifth anniversary of the Korean War years began on June 25, 2015, and will continue until July 27, 2018. In 2016, we will commemorate the sixty-fifth anniversaries of the Battle of

Kapyong in April and the Battle of Hill 355 in November, along with the annual July 27 Korean War Veterans Day, which marks the anniversary of the armistice.

Thanks to the previous Conservative government's concerted efforts to implement the Canada-Korea Free Trade Agreement and under the stewardship of the new government, Canada's economy stands to gain \$1.7 billion, while increasing Canadian exports to South Korea by 32 per cent. With comparable but complementary economies, distinct assets and resources, and a unique relationship built on service and sacrifice of Canadians in Korea and Koreans in Canada, it's not only an important bilateral relationship but also a friendship in the truest sense of the word.

Honourable senators, please join me in celebrating the first anniversary of the Canada-Korea Free Trade Agreement. Enormous opportunities and benefits await Canadian and Korean producers, exporters, importers, entrepreneurs and consumers this year and in the years ahead. Thank you.

*[Editor's Note: Senator Martin spoke in Korean.]*

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the Governor General's gallery of The Honourable Elaine Taylor, Deputy Premier of Yukon and Minister of Tourism and Culture, Minister Responsible for Women's Directorate, Minister Responsible for the French Language Services Directorate and His Worship Dan Curtis, Mayor of Whitehorse. They are the guests of the Honourable Senator Lang.

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

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

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the Governor General's gallery of Elizabeth Anne Morgan, Zachery Bell, Caroline Sparks, Geoffery Ray, Frederick Lloyd Muise, Brenda Herchmer; and Timothy Van Dam; who are members of the Tri-Territorial Recreation Training (TRT) project. The goals of the project are to help people grow and be healthy, build strong families and communities, work with those who are disadvantaged, protect the environment, enhance economic growth, and add to the quality of life in northern communities. They are the guests of the Honourable Senator Lang.

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

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

• (1410)

#### ARCTIC INSPIRATION PRIZE

##### CONGRATULATIONS TO 2015 LAUREATES

**Hon. Daniel Lang:** Colleagues, I'm pleased to rise and salute the winners of the Arctic Inspiration Prize which was hosted last night by His Excellency the Right Honourable David Johnston, and emceed by Peter Mansbridge here in Ottawa, in conjunction with the annual showcase of the North.

The prize is recognition of Canada's Arctic, which is home to more than 100,000 northern Canadians, a majority of whom are indigenous peoples.

In 2012, Arnold Witzig and Sima Sharifi founded the Arctic Inspiration Prize to recognize the extraordinary contribution of teams working to gather and mobilize Arctic knowledge for the benefit of the Canadian Arctic, the Arctic's people and Canada as a whole. It awards over \$1 million each year to assist deserving organizations in carrying out their mandates.

Colleagues, at the ceremony last night three finalists were recognized for their contribution to the North.

Better Hearing in Education for Northern Youth was the recipient of a \$300,000 prize for their work to improve the lives of youth with hearing loss living in the Baffin region of Nunavut, through a multi-pronged approach that includes classroom-based sound amplification technology and professional development for educators.

The second group that was recognized, and received a prize of \$600,000, was the Qaggiq organization for nurturing the Arctic performing arts. Qaggiq aims to strengthen Arctic culture and subsequently improve resiliency, self-worth, belonging and pride, particularly among youth at risk in the North. The Qaggiq project proposes to nurture and develop the skills of performing artists and arts administrators.

The third finalist, the Tri-Territorial Recreation Training Project, based out of Yukon, received a prize of \$600,000 for its work, which utilizes recreation and sports to foster happiness and a better quality of life. In the North we are facing significant issues related to obesity. This initiative aims to empower people and communities across all three territories to enhance individual, community and environmental well-being by strengthening the capacity of recreation leaders in northern communities through the delivery of local and online training programs.

The goals of the project are to help people lead a healthy lifestyle, build strong families and communities, work with those who are disadvantaged, protect the environment and improve the quality of our way of life in northern communities.

I would like to recognize team leader Anne Morgan, Yukon's own Olympian Zach Bell, as well as all the other partners and supporters who are here today, along with the volunteers from across the three territories who contribute to making this program an outstanding success.

Finally, in closing, I would like to thank His Excellency Governor General David Johnston, Her Excellency Ms. Johnston and philanthropists Mr. Arnold Witzig and Ms. Sima Sharifi for making this award possible.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Dr. Richard Alway, *Praeses* (President) of the University of Toronto's Pontifical Institute of Mediaeval Studies as well as Chair and Ontario representative of the Historic Sites and Monuments Board of Canada. Dr. Alway is the guest of the Honourable Senator Eaton.

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

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

[Translation]

### FRANCE

#### MEDALS OF THE LEGION OF HONOUR FOR CANADIAN VETERANS OF WORLD WAR II

**Hon. Ghislain Maltais:** Honourable senators, last Friday, I had the honour of attending, as a representative of the Canadian Senate, a ceremony that is rather rare in Canada, where two military veterans in my senatorial district of Shawinigan were awarded a very special medal. Seventy years after their acts of bravery, France recognized their tremendous contributions in the Second World War.

I am talking about Georges Villemure and Albert Pellerin, who as young men voluntarily enlisted in the military in 1942 at the ages of 17 and 18 respectively, joining the ranks of the 3rd Battalion, Canadian Engineers. They participated in the Normandy landings, arriving not on June 8 but on June 9, because they were assigned to bring supplies to the soldiers. As a result, they travelled from Caen to Paris, from Paris to Ghent, Belgium, and then on to Germany. They helped build the biggest bridges — the iron bridges — so that General Patton's troops could cross the Rhine.

They came back to Canada and raised families, and believe it or not, they still have not retired at the ages of 96 and 97. On the contrary, they visit elementary schools in their region with the President of the Royal Canadian Legion to make sure that young people remember why they live in a fully free country today.

[ Senator Lang ]

These men sacrificed four years of their lives to defend not only their country, but also the entire world, which was living under the threat of Nazi rule at that time.

Honourable senators, I would like to thank the former commander of the 62nd Regiment who did the necessary research and finally secured this medal, 70 years later. It has been awarded to very few Canadian soldiers. I don't think that France knew these men had survived, but they are still alive today. They are an example to us all. It is thanks to them that we are here in an institution where freedom and democracy reign. It is thanks to people like them and countless others who sacrificed their youth or their lives. We need to remember their heroic acts.

I want to acknowledge not only their contributions during the war, but also their involvement in their respective communities after the armistice was signed. These people conducted exemplary lives. They devoted their lives to their families, of course, but also to their community and their business. Today, they live peacefully and refuse to retire. I believe they are an example to our young people. These two soldiers sacrificed their lives to defend their country, Canada, so that we could keep this beautiful, great land.

Thank you.

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

[English]

## ROUTINE PROCEEDINGS

### PUBLIC SAFETY

#### RCMP'S USE OF THE LAW ENFORCEMENT JUSTIFICATION PROVISIONS—2014 ANNUAL REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the 2014 Annual Report of the RCMP's Use of the Law Enforcement Justification Provisions.

#### SECURITY INTELLIGENCE REVIEW COMMITTEE—2014-15 ANNUAL REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the 2014-15 Security Intelligence Review Committee Annual Report, pursuant to section 53 of the Canadian Security Intelligence Service Act.

**ABORIGINAL PEOPLES****REPORT PURSUANT TO RULE 12-26(2) TABLED**

**Hon. Lillian Eva Dyck:** Honourable senators, pursuant to rule 12-26(2) of the *Rules of the Senate*, I have the honour to table, in both official languages, the first report of the Standing Senate Committee on Aboriginal Peoples, which deals with the expenses incurred by the committee during the Second Session of the Forty-first Parliament.

(For text of report, see today's Journals of the Senate, p. 95)

[Translation]

**SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY****REPORT PURSUANT TO RULE 12-26(2) TABLED**

**Hon. Kelvin Kenneth Ogilvie:** Honourable senators, pursuant to rule 12-26(2) of the *Rules of the Senate*, I have the honour to table, in both official languages, the first report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with the expenses incurred by the committee during the Second Session of the Forty-first Parliament.

(For text of report, see today's Journals of the Senate, p. 97)

**OFFICIAL LANGUAGES****REPORT PURSUANT TO RULE 12-26(2) TABLED**

**Hon. Claudette Tardif:** Honourable senators, pursuant to rule 12-26(2) of the *Rules of the Senate*, I have the honour to table, in both official languages, the first report of the Standing Senate Committee on Official Languages, which deals with the expenses incurred by the committee during the Second Session of the Forty-first Parliament.

(For text of report, see today's Journals of the Senate, p. 99)

• (1420)

[English]

**ABORIGINAL PEOPLES**

**NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO STUDY THE FEDERAL GOVERNMENT'S  
RESPONSIBILITIES TO FIRST NATIONS,  
INUIT AND METIS PEOPLES**

**Hon. Lillian Eva Dyck:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples be authorized to examine and report on the federal government's constitutional, treaty, political and

legal responsibilities to First Nations, Inuit and Metis peoples and on other matters generally relating to the Aboriginal Peoples of Canada; and

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.

[Translation]

**THE SENATE**

**NOTICE OF MOTION TO AFFECT QUESTION  
PERIOD ON FEBRUARY 3, 2016**

**Hon. Claude Carignan (Leader of the Opposition):** Honourable senators, having consulted with Senator Cowan, I give notice that, at the next sitting of the Senate, I will move:

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 Wednesday, February 3, 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;

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.

**BUSINESS OF THE SENATE**

**NOTICE OF MOTION TO ENGAGE SERVICES OF  
ALL COMMITTEES FOR REMAINDER OF  
CURRENT SESSION**

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

That, pursuant to section 1(2) of chapter 3:06 of the Senate Administrative Rules, all committees have power, for the remainder of the current session, to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of their examination and consideration of such bills, subject-matters of bills and estimates as are referred to them.

[English]

## BUSINESS OF THE SENATE

### NOTICE OF MOTION TO AUTHORIZE HUMAN RIGHTS, OFFICIAL LANGUAGES AND NATIONAL DEFENCE COMMITTEES TO MEET ON MONDAYS FOR REMAINDER OF CURRENT SESSION

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

That, pursuant to rule 12-18(2), for the remainder of this session, the Standing Senate Committees on Human Rights, Official Languages, and National Security and Defence be authorized to meet at their approved meeting times as determined by the Opposition Whip and the Senate Liberal Whip on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

## LEGAL AND CONSTITUTIONAL AFFAIRS

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY MATTERS PERTAINING TO DELAYS IN CANADA'S CRIMINAL JUSTICE SYSTEM AND REVIEW THE ROLES OF THE GOVERNMENT OF CANADA AND PARLIAMENT IN ADDRESSING SUCH DELAYS

**Hon. Bob Runciman:** Honourable senators, I give notice that, later this day, I will move:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on matters pertaining to delays in Canada's criminal justice system and to review the roles of the Government of Canada and Parliament in addressing such delays; and

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

**The Hon. the Speaker:** Senator Runciman, you're asking for leave?

**Senator Runciman:** I am.

**The Hon. the Speaker:** Is leave granted?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** Accordingly, it is ordered that this motion be placed on the Notice Paper for later this day.

### NOTICE OF MOTION TO CHANGE COMMENCEMENT TIME ON THURSDAYS AND TO EFFECT WEDNESDAY ADJOURNMENTS

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

That, for the remainder of the current session,

- (a) when the Senate sits on a Thursday, it shall sit at 1:30 p.m. notwithstanding rule 3-1(1);
- (b) when the Senate sits on a Wednesday, it stand adjourned at 4 p.m., unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and
- (c) where a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, immediately prior to any adjournment but no later than 4 p.m., to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

## NATIONAL SECURITY AND DEFENCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY SECURITY THREATS AND REFER PAPERS AND EVIDENCE FROM THE SECOND SESSION OF THE FORTY-FIRST PARLIAMENT TO CURRENT SESSION

**Hon. Daniel Lang:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on security threats facing Canada, including but not limited to:

- (a) cyber espionage;
- (b) threats to critical infrastructure;
- (c) terrorist recruitment and financing; and
- (d) terrorist operations and prosecutions.

That the papers and evidence received and taken and the work accomplished by the committee on this subject during the Second Session of the Forty-first Parliament be referred to the committee; and



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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO  
STUDY THE NATIONAL SECURITY AND DEFENCE  
ISSUES IN INDO-ASIA PACIFIC RELATIONS AND  
REFER PAPERS AND EVIDENCE FROM THE  
SECOND SESSION OF THE FORTY-FIRST  
PARLIAMENT TO CURRENT SESSION

**Hon. Daniel Lang:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on national security and defence issues in Indo-Asia Pacific relations and their implications for Canada's national security and defence policies, practices, circumstances and capabilities;

That the papers and evidence received and taken and the work accomplished by the committee on this subject during the Second Session of the Forty-first Parliament be referred to the committee; and

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

INTER-PARLIAMENTARY UNION'S COMMITTEE ON  
HUMAN RIGHTS OF PARLIAMENTARIANS

NOTICE OF INQUIRY

**Hon. Joan Fraser (Deputy Leader of the Senate Liberals):** Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the work of the Inter-Parliamentary Union's Committee on the Human Rights of Parliamentarians.

## QUESTION PERIOD

### NATIONAL SECURITY AND DEFENCE

#### NATIONAL SECURITY OVERSIGHT COMMITTEE—ROLE OF SENATORS

**Hon. George Baker:** I rise in Question Period according to rule 4-8(1), which says that, during Question Period, a senator may, without notice, ask a question of a committee chair on a matter relating to any of the activities of the committee.

I'd like to ask a question to two chairs. The first is to the Chair of the Standing Senate Committee on National Security and Defence regarding a substantial story that is in today's national news and in which he is quoted.

I want to say, Your Honour, that the reelected chair to that committee, Senator Lang, has done an outstanding job in his position as chair of the committee. He has treated senators who are not members of the committee with equal courtesy when we attend those committee meetings, and he did it for me in the last session. Now he did warn me twice about going on too long in my preamble. I don't know why he did that, but my question involves the story, which I'm sure he's aware of because he is quoted extensively. Two law professors agree with him in the story. He was asked a question relating to the reports from the Standing Senate Committee on National Security, recent reports concerning the oversight, I believe, of CSIS. The story is entitled, in one of the national press: "Senators demand role on planned national security committee."

• (1430)

I wonder if you could bring senators up to date on these questions relating to matters that have been dealt with by the committee and may be dealt with in the future by the committee as it relates to this oversight issue.

**Hon. Daniel Lang:** Thank you, senator. First of all, I would like to thank the members of the committee that saw fit to elect me as their chairman and give me their confidence. I appreciated the support that was forthcoming.

The question outstanding, I believe, to Canada, the House of Commons and the Senate is the commitment to create parliamentary oversight of the law agencies and the intelligence community for Canada. It is a serious issue and is one that I think all of us, as senators, should be very concerned about in view of the events over the last number of years. Terrorism, and how it applies to us, is an issue that is not going to go away; and it has global implications, not just national ones, for every Canadian in our country.

That said, I felt it was important, after reconstituting our committee, that we, as a Senate committee — and I as the spokesperson — make it very clear that we expect to play a part in a parliamentary oversight committee for a number of reasons. Obviously, the fact is that we have the responsibility, not unlike the House of Commons, to review all legislation required in respect to ensuring Canadians' public security is taken care of.

We also have, within this body, the expertise that can go a long way to making such a body work on behalf of Canadians, if and when it is created. It is very important, from the perspective of any such body, that representation comes from the Senate, because we, as opposed to the House of Commons, have much more longevity and security as far as our parliamentary positions are concerned.

To conclude, colleagues, I believe that senators playing an important part as members of such a body will bring further confidence to that particular organization so Canadians can feel

that both houses of Parliament have been recognized and will play a part. This will, I believe, bring down any non-partisan approaches that could or might have been brought forward to that committee as opposed to strictly membership from the House of Commons, which could then be said, to be a strictly government committee.

Thank you for your question, senator. I am glad to see that I could get this on the record.

#### FOURTEENTH REPORT OF COMMITTEE

**Hon. George Baker:** Chair, a recent report from the Standing Senate Committee on National Security and Defence that was tabled in this chamber suggested, from evidence heard before the committee which was not heard before the committee in the House of Commons regarding Bill C-51 — and that was an observation by the committee — that perhaps, according to certain witnesses, charges that could have been laid were not laid in Canada because of the circuitous route of laying charges. The police are not allowed to lay charges in Canada, and under the terrorism provisions of the Criminal Code CSIS is not allowed to lay charges. These are recommendations that go up the line to the chief of the Public Prosecution Service of Canada and the deputy, who consults with the government prior to the laying of charges. This was observed in your committee. It was not observed in the House of Commons committee.

Do you hope to revisit this matter in the future because it is of such importance to Canadians?

**Hon. Daniel Lang:** To follow up on your question, senator, I have to emphatically state that I believe this is an area of very serious concern for all Canadians. There is a question of whether or not our judiciary is laying the charges when necessary to ensure the adequate protection of every man, woman and child in this country. The seriousness of terrorism cannot be understated, and it cannot be understated how it is affecting this country.

I would like to say this: We did recommend that they make the necessary administrative changes so that the Royal Canadian Mounted Police, when appropriate, could move forward with charges. We did that in our recommendations in the terrorism report that we made public outside of session this past Parliament. It has not been tabled in this house as of yet. That is a decision that would have to be taken at a later date. I would recommend that all senators take the time to read that document, because I think it will bear the test of time from the point of view of the recommendations. It is very short — 24 pages with 24 recommendations — but I think it goes to many of the deep issues that Canadians face.

I would also say that, from the perspective of Bill C-51, we made the same observations when we went through that particular bill. We had very intensive hearings. I think the Senate acquitted themselves very well on that controversial bill.

The good news is that the government is committed to bringing forward some amendments to Bill C-51. My hope is that in that review the government would find another way of looking at that

legislation and the recommendations that we had put forward for the purposes of the bill.

I want to say to members that I will ensure that the ministers responsible for the legislation will directly receive copies of those reports that were issued by the Senate so that they can take them under review for their internal decisions that will have to be taken. But when that legislation does come forward, I want to assure you that my hope is that we, as a committee, will be looking for areas such as this. If they have not addressed them, then we will have fair opportunity to address them ourselves.

#### NATIONAL SECURITY OVERSIGHT COMMITTEE—ROLE OF SENATORS

**Hon. Serge Joyal:** Thank you. I apologize to my dear friend Senator Baker, but I would like to revert to the first subject he raised, which is the oversight issue.

It is a very fundamental question for this chamber. In fact, it is in this chamber that it was raised the first time in 2000, following the amendments, that the Canadian government at that time, under former Prime Minister Jean Chrétien, asked this chamber to do a pre-study of the bill in order to make sure that Canada would be in a position to answer the particular political and strategic context under which we found ourselves.

One of the key recommendations that we, at the time, made in that report — and, again, it was December 2000. I look at my colleague Senator Fraser because she was the chair of the committee leading the pre-study of those amendments to the various Canadian statutes. The first recommendation we made was for oversight. I remember it very well. It was with my colleague Senator Grafstein at that time —

**Senator Moore:** That is right.

**Senator Joyal:** — and Senator Moore that we introduced such a section in the report.

We have come back repeatedly with that recommendation in the various incarnations of the special committee that studies anti-terrorism measures. As a matter of fact, the last one was chaired by our esteemed former colleague Senator Hugh Segal, who happened to contact me two weeks ago to remind me of that report in which we centred our main recommendation on the need for oversight. That report came after the Paul Martin government introduced legislation — I think it was Bill C-61 — establishing an oversight mechanism. When the former government took over, they preferred to choose another option, for all kinds of reasons I will not debate this afternoon.

• (1440)

During the last election campaign, as I am sure honourable senators noticed, there was a specific pledge in the platform to establish an oversight mechanism.

Since you received the terms of reference from this chamber yesterday to concentrate on a certain number of general studies, would you consider choosing that very specific subject of oversight, looking at all the previous reports put together by this chamber and coming back with an interim report to advise us which system would be best to implement oversight under anti-terrorism activity in Canada, with all the federal agencies involved? That is the specific question I am addressing to you.

**Hon. Daniel Lang:** I appreciate the question. First, of course, I am not in a position to commit the committee at this stage to any particular area of study until we have made a decision as a committee. I know the issue was raised by one of my colleagues as a possibility. There are a multitude of issues out there, quite frankly, that deserve serious scrutiny.

The question that I will have as chair — and I am sure other senators will have — relates to the commitment that has been made by the present government, which has every intention within the next number of months of bringing forward legislation creating such a body. The question that will have to be put to us is whether we really have the time to have an effect on the actual writing of such legislation.

That is an issue that will be discussed, but I want to assure the member opposite that I am fully aware of the history of the creation of such a body for the purposes of overseeing our intelligence and law enforcement communities. The point is that the government has made a commitment, an election pledge, and then followed it up with ministerial directives as well as public statements that they intend to move forward on the issue. So I feel it imperative at this point in the discussion to ensure that they realize we do have a role to play and we will play that role.

I will bring your question forward to the committee the next time we meet, because we will be looking at the various areas we intend to scrutinize over the course of the coming months and even years.

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

### BUSINESS OF THE COMMITTEE

**Hon. George Baker:** My next and last question is to the Chair of the Rules Committee, another very capable chairperson, in the person of Senator Fraser.

Given the questions of privilege that have to be dealt with by the Rules Committee, could Senator Fraser bring us up to date on the activities of the committee and where it stands today in pursuing its objectives?

**Hon. Joan Fraser (Deputy Leader of the Senate Liberals):** Thank you for the question, Senator Baker.

Before I reply to it, I wonder if I could use this time to thank Senator Joyal for his retroactive, or maybe retrospective, promotion of me. I did not chair the Special Senate Committee

on Anti-terrorism, on which we both served and worked hard. Senator Fairbairn chaired it, but the work was, indeed, very intensive. His recounting of our reasoning and conclusions is, of course, entirely accurate.

With regard to Rules Committee, we had our organizational meeting, at which the committee did me the honour of electing me as chair. I would take this opportunity to thank Senator White for his extremely able chairmanship of that committee in the last Parliament. He is, fortunately, deputy chair of the committee now, so we will continue to benefit from his experience and guidance.

The steering committee has met, but the full committee has not yet met to consider its agenda and future business. It would of course be grossly improper of me to preempt the conclusions of the committee. We will do that next week, I expect.

However, I would note that there are already on the floor of the Senate a couple of motions for reference to the Rules Committee. One is following up on a Speaker's ruling this week; namely, Senator Hervieux-Payette's motion to refer a *prima facie* case of privilege to the Rules Committee involving leaks. And one is Senator Wallace's motion for the Rules Committee to study the rules affecting independent senators, if my memory serves.

We are all awaiting Speaker's rulings on a couple of other questions of privilege. Should the Speaker find *prima facie* cases, it would be normal practice for those, then, to be referred to the Rules Committee. As you know, matters of privilege take precedence over anything else that we might be interested in doing.

I would also note that the committee had done a great deal of work in the last Parliament on a discussion paper concerning the broad topic of privilege and how it is handled in Canada: what the law is; what the understanding of "privilege" is; what other jurisdictions have done or are contemplating doing to modernize their approach to privilege by taking into account modern life and sensibilities without, of course, diminishing the core nature of privilege. That is very important work, and I think it would probably be reasonable to assume that the committee would continue to be interested in that work. As I say, I don't want to prejudge what the committee decides to do.

However, a great deal of work had been done and a good discussion paper had been produced. You may have seen it when it was brought to the Senate. Beyond that, though, I can't be more precise.

**Hon. Bob Runciman:** I have a supplementary question for Senator Fraser following Senator Carignan's notice earlier today about bringing ministers in for Question Period.

Virtually every legislative chamber that I am aware of has time limits on questions and responses. We have heard some lengthy intros and responses. I am concerned somewhat, especially when we have ministers here, that more members of the chamber have an opportunity to ask their questions and that the responses are not "killing the clock," if you will.

I would encourage the Rules Committee, if it isn't looking at this, that it do so because I think it would be important to ensure as broad a level of participation as possible.

**Senator Stewart Olsen:** Hear, hear!

**Senator Fraser:** Thank you for the suggestion, Senator Runciman. Having just given a fairly long answer for myself, I feel guilty as charged.

This has not been, to the best of my knowledge, an item on the Rules Committee's agenda. You can cut it both ways. At its best, the Senate Question Period can lead to really fascinating and very instructive exchanges because we don't have those cut-and-dried time limits that they have down in the house.

On the other hand, we have all seen questioners whose question runs to 15 minutes and whose supplementary question runs out the clock. I don't foresee changing the rules in time to affect our session with the minister next Wednesday, if we are fortunate enough to have one. I think we will have to rely on our colleagues' sense of mutual respect for that event, but I take note of your suggestion.

• (1450)

## ORDERS OF THE DAY

### CRIMINAL CODE

#### BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dyck, seconded by the Honourable Senator Eggleton, P.C., for the second reading of Bill S-215, An Act to amend the Criminal Code (sentencing for violent offences against Aboriginal women).

**Hon. Nick G. Sibbeston:** Honourable senators, I am pleased to speak in favour of Bill S-215, which would require courts to consider it an aggravating circumstance if the victim of a violent crime was an Aboriginal female.

Yesterday, Senator Dyck made an extraordinary, touching and convincing case for why this bill needs all of our support. It is worthwhile to repeat a few of the points she made.

The proposals in this bill are similar to well-established Criminal Code provisions where the victim is a police officer. Bill S-221, introduced by Senator Runciman and passed into law last year, made assaults on taxi drivers and other transit workers an aggravating circumstance as well.

[ Senator Runciman ]

The statistics are clear. The RCMP has reported that Aboriginal women and girls are four times more likely to be murdered than their non-Aboriginal counterparts. Overall, Aboriginal women are three times as likely to be victims of violent assaults as non-Aboriginal women.

Undoubtedly, there are many factors that lead to these statistics: Men may think Aboriginal women are easy prey; there is a certain innocence, perhaps, in Aboriginal women, and not being aware of the dangers, the lifestyle and being away from their environment. Sometimes girls from the North travel south to cities like Montreal, Toronto, Winnipeg, Ottawa and places like that where they are not aware of all of the circumstances and all of the dangers that lurk there. Drinking, drugs and the environment that they are in all contribute to Aboriginal women being at greater risk.

Racism and hate are sometimes behind some of these crimes, with Aboriginal women targeted simply because they are Aboriginal.

In other cases, perpetrators have targeted Aboriginal women because they have come to believe that society does not care about their welfare or safety. They assume that they can escape justice because society just doesn't care.

These amendments will give the judge the ability to consider the circumstances and consider an aggravating situation, which will probably result in harder punishment given to the perpetrator.

The process to deal with this issue of murdered and missing women has begun. The Prime Minister has announced an inquiry into this issue, and the Minister of Indigenous and Northern Affairs, Carolyn Bennett, has begun the long process of meeting with relatives of these women, and looking at the issues of how to conduct the inquiry so that it is as effective as possible.

I met Minister Bennett in Yellowknife a number of weeks ago, and I could see that people in the communities were really responding to her. People were coming to meet with the minister and telling her about the issue and, I am sure, helping her to figure out what the best way would be to conduct the inquiry.

I have no doubt that once the inquiry is under way, it will focus attention on the issue, and people will see the extent to which there is pain, ache and trauma in the lives of people who have had their daughters or sisters go missing.

The latest figures from the RCMP are that there are 1,186 missing or murdered Aboriginal women in the Northern territories. In the Yukon, there are 35 confirmed cases of missing and murdered indigenous women; there are 31 in Nunavut and 14 in the Northwest Territories.

I have not had any personal experience with missing or murdered women. In the past 10 years, however, I have had three experiences with missing men. I have no doubt that the feelings, the trauma and the hurt are the same. The question of what happened lingers day after day for months and years later. There is always the question of what happened to a son or daughter or relative. There are a lot of suspicious ideas of what

may have happened, always the certainty that it did not happen by itself, that someone did harm to the person, and there seems to never be any closure. That is the trauma and experience that Aboriginal people go through when they have a missing or murdered person.

Through this bill, honourable senators, we can do our part to say we do care what happens to Aboriginal women, and we are going to do something about it.

One of the main purposes of the Criminal Code is to denounce acts and behaviours that society finds unacceptable. The changes proposed will make it clear that we find violence targeted at Aboriginal women repugnant. We will make it clear that the lives of Aboriginal women and girls matter to us.

I encourage all honourable senators to support this bill.

(On motion of Senator Marshall, debate adjourned.)

## TRANSPORT AND COMMUNICATIONS

### COMMITTEE AUTHORIZED TO STUDY EMERGING ISSUES RELATED TO ITS MANDATE

On the Order:

Resuming debate on the motion of the Honourable Senator Dawson, seconded by the Honourable Senator Fraser:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on emerging issues related to its mandate under rule 12-7(6);

That it be further authorized to examine and report on the elements related to its mandate found in the ministerial mandate letters of the Minister of Transport, the Minister of Infrastructure and Communities and the Minister of Canadian Heritage; and

That the committee submit its final report no later than June 30, 2017.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Question.

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

(Motion agreed to.)

• (1500)

## NATIONAL SECURITY AND DEFENCE

### COMMITTEE AUTHORIZED TO STUDY ISSUES CONCERNING VETERANS' AFFAIRS AND REFER PAPERS AND EVIDENCE FROM FORTIETH AND FORTY-FIRST PARLIAMENTS TO CURRENT SESSION

**Hon. Daniel Lang,** pursuant to notice of January 26, 2016, moved:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on:

(a) services and benefits provided to members of the Canadian Forces; to veterans who have served honourably in Her Majesty's Canadian Armed Forces in the past; to members and former members of the Royal Canadian Mounted Police and its antecedents; and all of their families;

(b) commemorative activities undertaken by the Department of Veterans Affairs Canada, to keep alive for all Canadians the memory of Canadian veterans' achievements and sacrifices; and

(c) continuing implementation of the New Veterans' Charter;

That the papers and evidence received and taken and the work accomplished by the committee on this subject during the Fortieth Parliament and the Forty-first Parliament be referred to the committee; and

That the committee report to the Senate 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.

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

**Hon. Joan Fraser (Deputy Leader of the Senate Liberals):** First, I have a question. I think Senator Lang was preempting me and was going to answer it before I asked it. He knows me by now.

**Senator Lang:** I want to take a moment to tell you the purpose of the motion. Unfortunately, Senator Day is not here to move the motion. I'm therefore moving it in his name to set up the terms of reference for the Subcommittee on Veterans Affairs so that they will have the authority to do the necessary work with which they are charged, with direction from the Senate.

**Senator Fraser:** You're familiar with my standard question: Are we talking about major budgetary implications here?

**Senator Lang:** At this time, colleagues, I'm not in a position to answer that definitively, but if you look at the history of this particular subcommittee, the financial commitments that have been made in respect to the work they have done have been minimal compared to the value of the work that has been presented to Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[Translation]

## AGRICULTURE AND FORESTRY

### STUDY ON THE IMPORTANCE OF BEES AND BEE HEALTH IN THE PRODUCTION OF HONEY, FOOD AND SEED—COMMITTEE AUTHORIZED TO REQUEST A GOVERNMENT RESPONSE TO THE NINTH REPORT OF THE COMMITTEE TABLED DURING THE SECOND SESSION OF THE FORTY-FIRST PARLIAMENT

**Hon. Ghislain Maltais,** pursuant to notice of January 27, 2016, moved:

That, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the Government to the Ninth Report of the Standing Senate Committee on Agriculture and Forestry, entitled: *The Importance of Bee Health to Sustainable Food Production in Canada*, tabled in the Senate on May 27, 2015 and adopted on May 28, 2015, during the Second Session of the Forty-first Parliament, with the Minister of Agriculture and Agri-Food being identified as minister responsible, in consultation with the Ministers of Health and Finance, for responding to the report.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

### COMMITTEE AUTHORIZED TO STUDY INTERNATIONAL MARKET ACCESS PRIORITIES FOR THE CANADIAN AGRICULTURAL AND AGRI-FOOD SECTOR AND REFER PAPERS AND EVIDENCE FROM THE SECOND SESSION OF THE FORTY-FIRST PARLIAMENT

**Hon. Ghislain Maltais,** pursuant to notice of January 27, 2016, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on international market access priorities for the Canadian

agricultural and agri-food sector. The study will focus on:

- (a) the expectations and concerns of stakeholders from the Canadian agriculture and agri-food sector;
- (b) sustainable improvements to the production capabilities of the supply chain;
- (c) diversity, food security and traceability; and
- (d) the competitiveness and profitability of Canada's agriculture and agri-food sector (including producers and processors).

That the papers and evidence received and taken and work accomplished by the committee on this subject during the Second Session of the Forty-first Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than March 31, 2017, and that the Committee retain until June 30, 2017, all powers necessary to publicize its findings.

**Hon. Joan Fraser (Deputy Leader of the Senate Liberals):** Whenever committees ask for authorization to conduct all kinds of grand studies, I tend to ask some questions, usually about the budgetary implications.

Does your committee plan to travel, either in Canada or abroad, as part of this study? What sort of budget are you seeking authorization for?

I do not oppose the topic of the study, but I want the Senate to understand what is involved.

**Senator Maltais:** I will be pleased to answer, senator. Unfortunately, I am not in a position to provide you with exact figures here today. A request will be duly and properly submitted to the Standing Senate Committee on National Finance.

We definitely do plan to travel within Canada, because our mandate requires us to visit the Prairie region. We will meet with witnesses from Ontario and Quebec in Ottawa, and we will travel to Moncton to gather evidence from the four Maritime provinces. As for Western Canada, we might go Calgary, Winnipeg or Saskatoon. We don't know yet.

Decisions regarding travel in Canada and abroad will be made at our next committee meeting. We need to verify a few things regarding certain free-trade agreements, specifically the Trans-Pacific Partnership, which is to be signed in the next few weeks. The Standing Senate Committee on Agriculture and Forestry wants to meet with some people regarding that agreement. Will that happen in a specific country or as part of an international conference? That has not been decided yet. Committee members are considering those very questions, and as soon as any decisions are made, we will communicate them to the Senate and submit a request for funding.

**Senator Fraser:** You are talking about the Asia-Pacific free trade agreement. If I'm not mistaken, this could involve some travel that would be extremely interesting in many respects and could involve considerable costs. We may also be signing a free trade agreement with Europe. Do you plan on travelling there?

**Senator Maltais:** Thank you for your question, Senator Fraser. We haven't yet made a decision about Europe, since the agreement will not be signed for a few years. It's still in progress. The Canadian government has announced that the Asia-Pacific agreement will be signed in the coming weeks. We will start by dealing with this agreement. It's a new agreement that will open new markets to Canadian farmers and processors.

As you no doubt know, 2.6 million people work in the agri-food sector, and I think this is a good way to create new jobs and opportunities.

However, we are not yet there, and to be honest, I don't think we will be looking at the Europe agreement this year. We want to do a thorough study of the new Trans-Pacific Partnership deal, which will keep committee members rather busy until the end of June.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[English]

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### COMMITTEE AUTHORIZED TO STUDY EMERGING ISSUES RELATED TO ITS MANDATE

**Hon. Richard Neufeld,** pursuant to notice of January 27, 2016, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on emerging issues related to its mandate:

- (a) The current state and future direction of production, distribution, consumption, trade, security and sustainability of Canada's energy resources;

- (b) Environmental challenges facing Canada including responses to global climate change, air pollution, biodiversity and ecological integrity;

- (c) Sustainable development and management of renewable and non-renewable natural resources including but not limited to water, minerals, soils, flora and fauna; and

- (d) Canada's international treaty obligations affecting energy, the environment and natural resources and their influence on Canada's economic and social development.

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.

**Hon. Joan Fraser (Deputy Leader of the Senate Liberals):** This is another of these motions that would enable the committee to do almost anything, almost anywhere in the universe. Could you give us a slightly more precise idea of what the committee is envisaging, Senator Neufeld? Believe me, I believe in Senate committees; I'm not trying to limit what they do. But I also believe that the Senate should be given some indication of what it is we are being asked to approve. So I'm wondering if you could give us those travel plans, among core elements.

**Senator Neufeld:** I appreciate the question, senator.

We just had our organization meeting. We want to ask the Commissioner of the Environment and Sustainable Development to come and talk about her reports. That's basically what we need to get done. So we need something to facilitate that.

We have not decided or even spoken yet about where we want to travel. It has been my experience since I've been chair that regardless of whether we travel within Canada or outside of Canada, we need to come to the Senate first to approve that travel — and the budget along with it — and that's exactly what we would do. We would not just travel the universe under this mandate without the approval of the Senate regarding what we want to do, what we want to study and the cost of it. We will maintain that procedure, as we have in past years.

**Hon. George Baker:** I wonder if the chair of the committee would consent in the coming weeks to the use of Question Period to pursue these matters and get the details of the activities of the committee, and does he agree that perhaps Question Period is the place in which we can ask those questions and the committee chairs can respond to them, as it's supposed to be according to the rules?

**Senator Neufeld:** It would be my pleasure.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO STUDY THE POLICIES, PRACTICES AND COLLABORATIVE EFFORTS OF THE CANADA BORDER SERVICES AGENCY IN DETERMINING ADMISSIBILITY TO CANADA AND REMOVAL OF INADMISSIBLE INDIVIDUALS AND REFER PAPERS AND EVIDENCE FROM THE SECOND SESSION OF THE FORTY-FIRST PARLIAMENT TO CURRENT SESSION

**Hon. Daniel Lang**, pursuant to notice of January 27, 2016, moved:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the policies, practices, and collaborative efforts of the Canada Border Services Agency in determining admissibility to Canada and removal of inadmissible individuals;

That the papers and evidence received and taken and the work accomplished by the committee on this subject during the Second Session of the Forty-first Parliament be referred to the committee; and

That the committee report to the Senate no later than June 30, 2016, and that it retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

He said: Colleagues, the purpose of the motion is to be able to give us the authority to table in this house the report that was completed in the last Parliament. I should point out that it's a very short report but very important to Canada with respect to the observations about the Canada Border Services Agency. I would recommend all members take the opportunity to read it when it is tabled in this house, especially in view of what's happening globally and nationally with respect to the outstanding questions on all aspects of immigration, including refugees.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO STUDY THE MEDICAL, SOCIAL, AND OPERATIONAL IMPACTS OF MENTAL HEALTH ISSUES AFFECTING SERVING AND RETIRED MEMBERS OF THE CANADIAN ARMED FORCES AND THE ROYAL CANADIAN MOUNTED POLICE AND REFER PAPERS AND EVIDENCE FROM THE SECOND SESSION OF THE FORTY-FIRST PARLIAMENT TO CURRENT SESSION

**Hon. Daniel Lang**, pursuant to notice of January 27, 2016, moved:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on:

- (a) the medical, social, and operational impacts of mental health issues affecting serving members and veterans of the Canadian Armed Forces and serving members and veterans of the Royal Canadian Mounted Police, including operational stress injuries (OSIs) such as post-traumatic stress disorder (PTSD);
- (b) the services and benefits provided to serving members and veterans of the Canadian Armed Forces and serving members and veterans of the Royal Canadian Mounted Police affected by OSIs, and to their families;
- (c) new and emerging technologies, treatments and solutions to aid mental health conditions such as PTSD for serving members and veterans of the Canadian Armed Forces and serving members and veterans of the Royal Canadian Mounted Police;
- (d) how those emerging technologies, treatments and solutions can be integrated into the benefit and services already provided by medical professionals working for National Defence and Veterans Affairs Canada;

That the papers and evidence received and taken and the work accomplished by the committee on this subject during the Second Session of the Forty-first Parliament be referred to the committee; and

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

He said: Colleagues, this is a very straightforward motion. It's the same as was presented in the previous Parliament. Before I conclude, it's the question on the study of post-traumatic stress disorder, which is of concern to all veterans. It's going to be an interesting report when it's concluded.



**Hon. Joan Fraser (Deputy Leader of the Senate Liberals):** I gather the work has begun, so for this Parliament are you looking at more expenses? I can't think of a more worthy subject, as I have said previously. It's not that I'm opposed; I just want to know what we're voting for.

**Senator Lang:** I'm not in a position to give an outline in respect to any travel that might arise from this particular study. To this point we've been able to do it strictly by video conferencing and having witnesses here. There may be one or two visits somewhere in the country, but that remains to be seen. We'll report back to the house, similar to my colleague Senator Neufeld, at the appropriate time.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## LEGAL AND CONSTITUTIONAL AFFAIRS

### COMMITTEE AUTHORIZED TO STUDY MATTERS PERTAINING TO DELAYS IN CANADA'S CRIMINAL JUSTICE SYSTEM AND REVIEW THE ROLES OF THE GOVERNMENT OF CANADA AND PARLIAMENT IN ADDRESSING SUCH DELAYS

**Hon. Bob Runciman,** pursuant to notice earlier this day, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on matters pertaining to delays in Canada's criminal justice system and to review the roles of the Government of Canada and Parliament in addressing such delays; and

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

He said: Honourable senators, the hope is that we're going to focus on delays in criminal law proceedings, examining the scope of the problem and the time it takes from a charge to a disposition. We're going to review research and listen to experts to identify the legal policy and operational issues that lead to delays. We're also going to look at the consequences of delays on victims, on police operations and resources, and at the mental health issues, the value and growth of specialized courts, and the positive impact that could have as well.

I read in an article recently that 60 per cent of individuals occupying cells across this country have not been convicted of any offence but are there on remand awaiting trial. So that's an indication of the significance of the problems we have across the country. We hope that we can add value from the Senate perspective in addressing many of those problems and assist the provinces in addressing them as well.

**Hon. Joan Fraser:** I have the same question I put to everyone: This is not a committee known for its expensive ways. I think once

we chartered a bus to go to an Ottawa suburb. Do you anticipate unusual expenditures, notably travel, for this study?

**Senator Runciman:** One of the members of the steering committee suggested today that we consider, perhaps during a break week, visiting a number of municipalities with significant problems in court delays. For example, Toronto was mentioned as one possibility, and even Ottawa as another. That hasn't been firmed up yet, but it is certainly under consideration.

**Hon. George Baker:** Will the committee also be examining the number of persons charged with an offence, and in some cases found guilty of an associated offence, but have been freed totally under section 11(b) of the Charter, which is trial within a reasonable time? That's in our Canadian Charter of Rights and Freedoms. Will the number of persons in Canada charged with very serious crimes, who are in prison and then let go, free of any charge, because our courts have not been able to deal with their case in a reasonable period of time be one of the subjects that the committee will examine in detail?

**Senator Runciman:** I would certainly hope so. You are especially familiar with *Askov* and the implications and the numbers of individuals who are released from a multitude of charges. That is obviously a clear concern, and continues to be a concern right across the country. It will be addressed.

**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. Joan Fraser (Deputy Leader of the Senate Liberals):** 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, February 2, 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, February 2, 2016, at 2 p.m.)

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**Adjournment**

Motion Adopted.

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