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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Wednesday December 6, 2006

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

Prayers.

[Translation]

SENATORS' STATEMENTS

NATIONAL DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

SEVENTEENTH ANNIVERSARY OF TRAGEDY AT L'ÉCOLE POLYTECHNIQUE

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, on December 6, 1989, the lives of 14 young women ended in tragedy at the École polytechnique, in Montreal. On this National Day of Remembrance and Action on Violence against Women, first established in 1991, Canadians everywhere are asked to remember these young women, and we are also called to action.

[English]

We know that far too many women and girls in Canada face violence each and every day of their lives. This is unacceptable.

Canada's new government has taken steps, such as strengthening our justice system and supporting initiatives such as Sisters in Spirit, a program that seeks to end violence against Aboriginal women. We know that combating violence must be a collective effort.

[Translation]

Today's commemoration represents an opportunity for all Canadians, individually and collectively, to think about concrete action that we can take to prevent and eliminate all forms of violence against women and girls. Honourable senators, let us strive to build a Canada in which our daughters, our mothers and our sisters can live without ever fearing violence.

[English]

Hon. Joyce Fairbairn: Honourable senators, today men and women across this country remember in sadness that we live in a society in which violence against women is a regular occurrence.

• (1335)

We did not choose December 6 as the day to focus on this issue. It was chosen for us 17 years ago when a deeply disturbed individual with a semiautomatic weapon broke into a classroom at L'École Polytechnique in Montreal, separated out the men, proclaimed his hatred for feminists and gunned down 14 young women before killing himself.

Most recently, on September 13, again in the city of Montreal, the whole country watched in horror, once again, as another place of learning, Dawson College, was invaded by a man with a

gun who shot 20 people, killing one — 18-year-old Anastasia Rebecca de Sousa.

These tragedies force us to remember not only the victims but the women who face violence in Canada every day, resulting in serious health, economic and social consequences for individual families and our entire society.

In 2004, Statistics Canada showed us that 51 per cent of all Canadian women have experienced at least one incident of physical or sexual violence since the age of 16. Earlier statistics show that 80 per cent of women with a disability will be sexually assaulted in their lifetime, and that among Aboriginal women the rate of abuse may be as high as 80 per cent.

These statistics do not tell the whole story. It is estimated that only 38 per cent of all incidents of spousal violence and only 8 per cent of sexual assaults are reported to the police. As well, women live every day with a threat that impacts their lives.

Public awareness of the problem has increased, and that is good. Increasing numbers of men across this country have actively taken up this cause, and that is good. In recent years, the government has taken a number of concrete steps towards such progress.

Legislation, honourable senators, is not enough. We must speak out to change the attitudes that produce violence against women as well as against men, children and seniors. Together, we must attack the economic and social problems that foster the kinds of fear, insecurity and ignorance that in turn breed anger, desperation and violence.

Although it is a painful symbol, we must remember those young women and their families, not only on December 6 and September 13, but every day because they are symbols of each and every individual in Canada who is threatened, abused or forfeits their life through violence.

As parliamentarians, we must send a strong signal and a clear message that we cannot, and will not, tolerate such acts against anyone in our society.

MR. WILLIAM GILKERSON

TRIBUTE

Hon. Wilfred P. Moore: Honourable senators, I rise today to pay tribute to William Gilkerson of Martin's River, Lunenburg County, Nova Scotia.

On November 21 last, he was named the winner of the Governor General's Literary Award for Children's Literature (English) for his book, *Pirate's Passage*, which he also illustrated. A sailor, a noted artist, a scrimshander and a writer, Mr. Gilkerson drew upon his many experiences to create a book that the Canada Council for the Arts called "a challenging children's novel with a dangerous edge" and "a work of genius, a benchmark in Canadian literature."

My friend Bill's book also won the New York Library Association "Book of the Season" Award, Young Adult Book Category. Further, there are two competitive offers on his publisher's desk from Hollywood producers who want to make a movie out of *Pirate's Passage*.

We salute William Gilkerson for this well-deserved recognition, and we wish him well as his creative juices continue to flow.

[Translation]

OFFICIAL LANGUAGES

FRENCH LANGUAGE EDUCATION

Hon. Claudette Tardif: Honourable senators, several articles have appeared recently in our newspapers concerning the difficulties facing the field of second language education. Whether right here in Ottawa, or in Victoria or Nova Scotia, it seems that the challenges are much the same.

[English]

According to an article on November 22 in the *Chronicle Herald* in Halifax, the Annapolis Valley Regional School Board is considering consolidating its French immersion programs into fewer schools.

Right here in the nation's capital, according to an article in the *Ottawa Citizen* on November 21, the Ottawa-Carleton District School Board is studying the possibility of eliminating one or more of the three entry points into its French immersion programs.

• (1340)

[Translation]

Furthermore, according to a recent poll of 1,300 teachers conducted by the Canadian Association of Second Language Teachers, many teachers across the country do not have access to sufficient educational resources, computer software and quality library resources.

Honourable senators, if it is true that French and English are Canadian languages, that linguistic duality is a fundamental value of this country, and that we wish to train a highly skilled and competitive workforce, should we not continue to encourage our children to learn French? Do you not think that every Canadian student should have access to courses in their second language?

If we are to believe the recent report prepared by Canadian Parents for French, it seems that there has been a negligible increase in enrolment in immersion programs across Canada, although there are exceptions such as British Columbia and Alberta. Should we not also endeavour to create more opportunities for our bilingual youth who complete immersion programs?

Honourable senators, I hope that you will encourage your local decision-makers and school boards to keep up the good work and continue supporting French immersion and second language programs.

[Senator Moore]

[English]

THE HONOURABLE MARIE-P. POULIN

CONGRATULATIONS ON BECOMING PRESIDENT OF THE LIBERAL PARTY OF CANADA

Hon. Vivienne Poy: Honourable senators, I would like to extend my heartiest congratulations to our colleague, and my seatmate, Senator Marie Poulin, who was elected President of the Liberal Party of Canada on Saturday, December 2.

I have no doubt that she will carry out her duties with all the energy and determination she applies to everything she does. We all know that the Liberal Party is at a crucial point in its history, and "renewal" is the word on everyone's lips. I am sure Senator Poulin, as president, will lead the party and tackle the many challenges that the party will face as it moves forward. Senator Poulin is a natural leader with the ability to bring people together for a common purpose.

This past weekend, we saw that the grassroots of the party want to be heard. There was a lot of energy and excitement at the convention as the Liberal Party delegates had a chance to make their will known through the voting process.

I know that the election of Senator Poulin is part of this process of engagement with the grassroots, as she is the kind of person who will listen. The party can benefit from the new ideas of the members, and I expect that Senator Poulin will welcome their input.

Let me say that I am proud that one of our colleagues has been chosen for this important position. I join with honourable senators in wishing her success with this new challenge. Given her personal and professional attributes, I know she is the ideal individual for this position. I am sure that I speak for many in this chamber in offering her my greatest support.

CONCERT ON THE HILL

Hon. Francis William Mahovlich: Honourable senators, I rise today to offer my congratulations to those who performed this past Monday at the Concert on the Hill that was organized by the Parliamentary Spouses Association, with great efforts by Ms. Kathy Hays. It was truly a wonderful event enjoyed by all.

Not only was the concert a great way to get into the holiday spirit, it was also a fundraiser for Roger's House, which provides pediatric palliative care with the objective of enhancing the comfort and quality of life for children and their families. Over \$6,000 was raised for this worthy cause.

• (1345)

I should like to give a round of applause to all the great acts, with a special tip of my hat to those from the Senate family who performed, particularly concert pianist André Sébastien Savoie, who is the husband of our Senator Andrée Champagne, and our very own talented "three tenors" — oops, I mean three senators. When I heard them singing, I told my wife they sounded like Peter, Paul and Mary. She said, no, it was Jean, Guillaume and Pierrette. Next year, I hope to add my own talents to the show!

[Translation]

ROUTINE PROCEEDINGS

INFORMATION COMMISSIONER

CERTIFICATE NOMINATING
MR. ROBERT MARLEAU TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the certificate of nomination of Robert Marleau as Information Commissioner.

[English]

NATIONAL DEFENCE ACT CRIMINAL CODE SEX OFFENDER INFORMATION REGISTRATION ACT CRIMINAL RECORDS ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Donald H. Oliver, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Wednesday, December 6, 2006

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

FIFTH REPORT

Your Committee, to which was referred Bill S-3, An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act, has, in obedience to the Order of Reference of Thursday, June 22, 2006, examined the said Bill and now reports the same without amendment but with observations, which are appended to this report.

Respectfully submitted,

DONALD H. OLIVER
Chair

(For text of observations, see today's Journals of the Senate, Appendix, p. 894.)

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

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

CRIMINAL CODE

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Donald H. Oliver, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Wednesday, December 6, 2006

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

SIXTH REPORT

Your committee, to which was referred Bill S-213, An Act to amend the Criminal Code (cruelty to animals), has, in obedience to the Order of Reference of Tuesday, September 26, 2006, examined the said Bill and now reports the same with the following amendment:

1. Delete clause 2, page 5.

Respectfully submitted,

DONALD H. OLIVER
Chair

The Hon. the Speaker: Honourable senators, when shall this report, as amended, be taken into consideration?

Senator Oliver: Honourable senators, with the leave of the Senate and notwithstanding rule 58(1)(g), I move that the report be taken into consideration now.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted.

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

• (1350)

SCOUTS CANADA

PRIVATE BILL TO AMEND ACT OF INCORPORATION—REPORT OF COMMITTEE

Hon. Donald H. Oliver, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Wednesday, December 6, 2006

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

SEVENTH REPORT

Your committee, to which was referred Bill S-1001, An Act respecting Scouts Canada, has, in obedience to the Order of Reference of Thursday, October 26, 2006, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

DONALD H. OLIVER
Chair

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

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

[Translation]

THE SENATE

ROYAL ASSENT—NOTICE OF MOTION TO PERMIT ELECTRONIC COVERAGE

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

That television cameras be permitted in the Senate Chamber to record the Royal Assent Ceremony on Tuesday, December 12, 2006, with the least possible disruption of the proceedings.

ADJOURNMENT

NOTICE OF MOTION

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

That when the Senate adjourns on Thursday, December 7, 2006, it do stand adjourned until Monday, December 11, 2006, at 6 p.m. and that rule 13(1) be suspended in relation thereto.

FIRST NATIONS JURISDICTION OVER EDUCATION IN BRITISH COLUMBIA BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-34, to provide for jurisdiction over education on First Nation lands in British Columbia.

Bill read first time.

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

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate, at the next sitting of the Senate.

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

Hon. Senators: Agreed.

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading at the next sitting of the Senate.

[English]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

ORDINARY SESSION OF OSCE PARLIAMENTARY ASSEMBLY OF COUNCIL OF EUROPE, JULY 3-7, 2006—REPORT TABLED

Hon. Consiglio Di Nino: Honourable senators, I have the honour to table, in both official languages, the report of the delegation of the Canada-Europe Parliamentary Association to the fifteenth annual session of the OSCE Parliamentary Assembly held in Brussels, Belgium, from July 3 to 7, 2006.

• (1355)

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET ON MONDAYS AND FRIDAYS DURING SITTINGS AND ADJOURNMENTS OF THE SENATE

Hon. Colin Kenny: 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 empowered, in accordance with rule 95(3), to sit anytime on Monday or on Friday even though the Senate may then be adjourned for a period exceeding one week; and

That the Standing Senate Committee on National Security and Defence have the power to sit on Mondays and Fridays even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

AGING

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

Hon. Sharon Carstairs: Honourable senators, I give notice that at the next sitting of the Senate, I shall move:

That the Special Senate Committee on Aging have the power to sit on Monday, December 11, 2006, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

[Translation]

YOUNG VOLUNTEERS

PRESENTATION OF PETITIONS

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I have the honour to present a petition signed by citizens from across Canada who are calling on Parliament to enact legislation or take measures that will allow all young Canadians who wish to do so to serve in communities as volunteers at the national or international levels.

[English]

Hon. Wilbert J. Keon: Honourable senators, I have the honour to present a petition from residents of Canada concerning young Canadians who wish to volunteer in communities at the national and international levels.

Hon. Terry M. Mercer: Honourable senators, I have the honour to present a petition signed by thousands of young Canadians from across Canada who are calling on Parliament to enact legislation or to take measures that will allow young Canadians who wish to do so to serve communities as volunteers at the national and international levels.

QUESTION PERIOD

THE CABINET

GOVERNMENT INITIATIVES TO COMBAT VIOLENCE AGAINST WOMEN— CUTTING OF LONG GUN REGISTRY

Hon. Mobina S. B. Jaffer: Honourable senators, my question is to the Leader of the Government in the Senate.

First, I wish to congratulate Senator Fortier and Senator Fairbairn, who so eloquently spoke on the important issue of violence against women on this very difficult day for many people, December 6.

As honourable senators know, today is the National Day of Remembrance and Action on Violence Against Women. It is a day when we remember the massacre that occurred at L'École Polytechnique in Montreal, where 14 women were targeted and murdered because they were women. This was a defining moment in a much larger struggle to end the senseless violence that continues to target women in our society.

Sadly, we were reminded of this terrible struggle women have even in my province. This year, more remains of vulnerable women were found on the Picton farm. Aboriginal women near Prince George were brutally murdered. My community in British Columbia was rocked when three South Asian women were brutally murdered. One of them was pregnant, and her charred remains have really changed the face of the issue of violence against women in my province.

Honourable senators, today is the day we remember what happened to the women in Montreal and to many women who have been murdered, but the time has come when we have to stop remembering and take action on this issue.

I know that the Honourable Leader of the Government in the Senate cares deeply about this subject. Can she tell us about her government's actions in this regard, particularly the efforts to dismantle the federal long gun registry, which even the police tell us is useful in protecting women who face violence?

Hon. Marjory LeBreton (Leader of the Government): I thank the Honourable Senator Jaffer for the question. I am sure not one of us will ever forget what we were doing the day of the horrific

tragedy at L'École Polytechnique in Montreal. I recall that it was an extremely cold winter day and I was working at the time as the deputy chief of staff to former Prime Minister Mulroney. I remember the horrified feeling that came over me when I watched the events unfold on that awful day.

• (1400)

Honourable senators, we agree with what the Prime Minister said earlier today, that violent crime in any form is unacceptable. We must renew our national resolve to prevent and eliminate violence against women.

The government takes the safety of our citizens, particularly women, seriously. We are working with the Status of Women Canada to support projects that will directly assist women in the communities where they live.

Minister Oda and Minister Prentice have programs to deal with violence in the Aboriginal community.

We are assisting the more vulnerable Canadian women.

In Budget 2006, the Finance Minister removed 650,000 low-income Canadians from federal tax roles. We are also putting more resources in the hands of parents. This money will support women in the workforce.

Minister Prentice is working on the issue of matrimonial property rights for women who live on reserves. This has not been done previously, and it will help move women into safer environments.

The previous Conservative government brought in the toughest gun-control laws in the history of this country. It was done in response to the tragedy at L'École Polytechnique.

Licensing and application measures are still in place for gun owners.

Statistics show that gun crimes committed in this country against women and society in general usually involve illegally obtained handguns smuggled across the border.

The Dawson College crime was committed by a person who was deranged and had obtained the firearms through legal means.

Senator Jaffer: The Honourable Leader of the Government has not answered my question about the dismantling of the federal long-gun registry. Will the long-gun registry be kept in place?

Senator LeBreton: Honourable senators, it is clear people confuse the issue of strict gun-control laws with the long gun registry. Hunters, farmers and people belonging to target-shooting clubs adhere to strict laws to obtain firearms. Those laws were brought in by a previous Conservative government.

As the Auditor General pointed out, the long gun registry was a \$2 billion failed experiment. That money would have been better spent securing our borders and equipping our police. When this issue was before Parliament in the mid-1990s, I specifically said at the time that it would be better to spend this money on homes for battered women and more border security.

• (1405)

Honourable senators, the long gun registry is not to be confused with our strict gun-control laws. The government has already made it clear that we agree with the Auditor General that the \$2 billion was not a good use of taxpayers' dollars. People who own long guns are responsible individuals.

I have mentioned to you I was raised on a farm. We had a long gun in our farmhouse. My father was a responsible long-gun owner and would never have abused the gun or left it available for improper use.

Therefore, the long gun registry is not to be confused with the strict gun-control laws that we already have in this country.

Hon. Terry M. Mercer: Does the Leader of the Government in the Senate not find it a bit hypocritical that on this day, when we are honouring the memory of the women tragically killed at L'École Polytechnique, Canada's new government continues to talk about the cancellation of the gun registry? Canada's new government has closed 12 offices of Status of Women Canada, when it is clear that women today are still at the same level of risk as they were when the shooting took place at L'École Polytechnique.

Some people say this registry would not have prevented the tragedy at Dawson College, but prevention is a lot about perception. It is what government does that is perceived to help protect the citizens who are vulnerable in this country, and in the discussion we are having now, the protection of women who are vulnerable to the use of guns, whether handguns or long guns. Particularly, on this day I find it startling that we are still talking about the cancellation of the long gun registry, and are allowing the closing of 12 offices of the Status of Women Canada.

Senator LeBreton: I thank the honourable senator for the question. The problem with the Liberals is that they create perceptions that are quite unlike reality. We are talking about this today because I have been asked a question on this issue. As a woman and a person much moved by what happened at L'École Polytechnique, I do not need to take any lessons in perception of reality from Senator Mercer.

On the cuts to Status of Women Canada, we, as a government, will work with women where the programs will help women: not by having an administrative person sitting in an office monitoring or talking on a cell phone, as Senator Gustafson said.

We will direct money at the community level where it is required; where people live and work.

The perception that the long gun registry has anything to do with our strict gun-control laws is something perpetuated by others. I wish to point out an important statistic: According to the Canadian Centre for Justice Statistics, nearly 7 million long guns are registered in Canada. Of the 549 murders recorded in Canada in 2003, two were committed with long guns that were registered.

• (1410)

Senator St. Germain: Smarten up, you Liberals.

[Senator LeBreton]

Hon. Jane Cordy: Honourable senators, I find it unusual that the Conservative solutions are to build more prisons and homes for battered women rather than caring and compassionate solutions. Their solutions are cutbacks, cutbacks, cutbacks for those who are most vulnerable. That is not my question, but I could not refrain.

HEALTH

PROPOSAL TO CREATE NATIONAL MENTAL HEALTH COMMISSION

Hon. Jane Cordy: My question is directed to the Leader of the Government in the Senate. On October 26, I asked the leader a question about an extremely important initiative. I asked her if and when this government plans to establish a Canadian mental health commission. I know that the former Liberal government and former Health Minister Dosanjh were committed to establishing the commission, and I know that the leader is personally in favour of the commission.

It has been over one year since the Standing Senate Committee on Social Affairs, Science and Technology released this proposal and, believe it or not, it is getting close to one year since the Conservatives formed the government.

When I last raised this issue to the minister in October, she said that she would forward her arguments to the Minister of Health. I will ask the question again because I so firmly believe in it. I do hope that her arguments to the minister were successful.

Does the government plan to establish a Canadian mental health commission as recommended by the Standing Senate Committee on Social Affairs, Science and Technology? If the answer is yes — and I dearly hope it is — when will this commission be established?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the recommendation of the Senate committee was very important. During the election campaign in January, we committed to establishing a mental health commissioner. As the honourable senator knows, we are working toward living up to all of our campaign commitments. The creation of a mental health commission is receiving urgent attention from the Minister of Health.

When the Minister of Health is in a position to do so, he will make an announcement. I will not presuppose anything he may say.

AGRICULTURE AND AGRI-FOOD

CANADIAN WHEAT BOARD—FIRING OF PRESIDENT AND CHIEF EXECUTIVE OFFICER

Hon. Lorna Milne: Honourable senators, my question is directed to the Leader of the Government in the Senate. Last week, it was reported that the Minister of Agriculture plans to remove Mr. Adrian Measner as CEO of the Canadian Wheat Board unless he provides reasons why he should not be terminated. This unilateral firing is being done even though Mr. Measner has the support of the 14 other board of directors who elected him as CEO in 2002 and again in 2005.

It is clear from Minister Strahl's decision to send a notice of termination before consulting with the board of directors that he does not care about the views of the 85,000 Canadian farmers who elect a majority of that board's members. It is also clear from his actions that he has no regard for the health of the Canadian Wheat Board, preferring to watch it die a death of a thousand cuts.

This is the latest in a constant barrage of edicts from the office of the Minister of Agriculture designed to destroy the competitiveness of the Canadian Wheat Board. This week, the chair of the Wheat Board is being forced to defend himself here in Canada when he is supposed to be in Japan selling Canadian wheat on behalf of those 85,000 Western farmers.

Why is the government, through its Minister of Agriculture, choosing this approach to undermining the effectiveness of the Canadian Wheat Board?

• (1415)

If the government wants to destroy it, why not be upfront about it and let the wheat growers themselves decide its fate through a plebiscite, or through Parliament by introducing a clearly written piece of legislation?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for her question.

The government remains committed to implementing marketing choice for Western Canadian wheat and barley producers. Grain producers should be able to decide for themselves if the Canadian Wheat Board marketing is beneficial to them. We campaigned on marketing choice. We never said the Canadian Wheat Board would no longer be an entity; we simply believe in marketing choice. Farmers who produce wheat and barley will have the choice of selling it directly to market or through the Canadian Wheat Board.

With regard to the CEO of the Canadian Wheat Board, this person is not elected by its directors. This person has always been an at-pleasure government appointment.

Minister Strahl and I have said on many occasions that our government is committed to moving forward in an orderly fashion on our campaign commitment to provide marketing choice for Western farmers. As the honourable senator already knows, there will be a plebiscite for barley producers early in the new year.

Senator Milne: Honourable senators, I agree with the Leader of the Government in the Senate that farmers should be able to decide for themselves, but from this perspective, it appears that the Minister of Agriculture is making Mr. Measner the victim of a Conservative vendetta simply because he has done his job well and has a long and honourable history in that job. To say this matter reflects poorly on the Minister of Agriculture would be the ultimate understatement. With so many other important issues to address within the Canadian agriculture industry, why would this government spend its energies on attempting to disband what has proven to be an effective vehicle for Canadian farmers when it has absolutely no mandate from the electorate to do so?

Senator LeBreton: Honourable senators, we do have a mandate. It was clear in the last election that we campaigned on marketing choice and, as my colleague, Senator Tkachuk, says, we were successful in those ridings.

We are talking about marketing choice. We are not talking about disbanding the Canadian Wheat Board. If farmers decide that they want to continue to sell their wheat through the Canadian Wheat Board, that is their choice. If they decide they want to sell it directly to market, that is their choice as well. It is simply a question of providing choice in this new era. The Canadian Wheat Board has been around for a long time. Because something has been around for a long time does not necessarily mean that it should be the same forever.

Having said that, the government has never said that we will disband the Wheat Board. We simply said that we will provide marketing choice for our Canadian wheat and barley producers.

Senator Milne: Honourable senators, perhaps the Leader of the Government in the Senate can explain why Art Macklin, a Canadian Wheat Board director for northern Alberta, said last Friday in Mr. Measner's defence: "Our farmer-elected board of directors selected Mr. Measner and he has been performing in an excellent manner on behalf of the organization."

Why fire him?

Senator LeBreton: Honourable senators, obviously, this gentleman has one opinion, and others on the Canadian Wheat Board, the minister and many farmers have another. Far be it from me to choose one person's opinion over another's because everyone has a right to an opinion.

Senator Mercer: Not next time. Better say goodbye to them now.

CANADIAN WHEAT BOARD— PROPOSAL TO MAKE ORGANIZATION SUBJECT TO ACCESS TO INFORMATION

Hon. Grant Mitchell: Honourable senators, under Bill C-2, the government will require or subject the Canadian Wheat Board to access to information legislation, meaning that the wheat board will be subject to revealing information that could make it uncompetitive — information that would be valuable to its competitors.

This requirement suggests that the government does not only want to open the Canadian Wheat Board to competition; in fact, the government wants to make it impossible for the Canadian Wheat Board to compete at all.

• (1420)

If they end up proceeding with this initiative, has the government given any thought to requiring that Cargill, ADM, and any number of other multinational competitors of the Canadian Wheat Board be subject to access to information to level the proverbial playing field?

Senator Mercer: Good idea!

Hon. Marjory LeBreton (Leader of the Government): I will not comment on Senator Mitchell's speculation about what might develop from an access to information request.

Senator Gustafson: It is a hypothetical question.

Senator LeBreton: My honourable friend is quite right; it is a hypothetical question.

Yesterday, at the latest round of Legal Committee meetings on the message regarding the accountability bill, the Assistant Information Commissioner said that the government was right. He supported the government in its desire to include the Wheat Board under access to information.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

PROPOSAL TO EXTEND EMPLOYMENT INSURANCE BENEFITS TO CAREGIVERS

Hon. Sharon Carstairs: Honourable senators, my question is to the Leader of the Government in the Senate. Both men and women, and sometimes quite young children, provide care for those in their family who are suffering from chronic disease or are in the last stages of their lives. The vast majority of caregivers in this country are women. I want to congratulate this government because it broadened the definition of the compassionate care benefit, and many Canadians, including myself, are extremely grateful for that expansion. However, that recommendation for expansion was just one of a number of recommendations made by the review committee. One of the other recommendations was that the number of employment insurance weeks of paid benefits be increased from six weeks to 16 to 20 weeks, as that would be much more appropriate for the needs of family members.

Can the Leader of the Government in the Senate tell this house today when we can anticipate that the number of EI weeks will be increased?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank the honourable senator for her valid and proper question. I will take it as notice and get back to her with a response as quickly as possible.

Senator Carstairs: The other recommendation was for a change in the definition. Many Canadians simply cannot deal with the fact that their loved one may be in danger of death within six months. This is the case particularly with respect to children. Can the Leader of the Government in the Senate indicate when her government will make a recommendation with respect to changing that wording so that more Canadians will feel comfortable applying for this benefit?

Senator LeBreton: I totally agree that this situation is something that especially young children cannot even comprehend. As with the honourable senator's very reasonable first question, I will take the second question as notice and provide an answer at the same time.

HEALTH

NATIONAL STRATEGY ON PALLIATIVE CARE

Hon. Sharon Carstairs: Honourable senators, my final question concerns a motion passed by this chamber. Would the government leader take a recommendation to the Minister of Finance asking that as he prepares his new budget, he provide

funding for a national strategy on palliative care? They have done it for cancer, and I congratulate them. However, Canadians die of much more than cancer. We need a national strategy on palliative care if we are to have end-of-life quality care for all dying Canadians.

Hon. Marjory LeBreton (Leader of the Government): On the issue of palliative care, there is probably no parliamentarian who is more committed than the honourable senator. I would be happy to present the Minister of Finance with the motion that was passed in this place.

HERITAGE

CANADA POST—POSTAL SUBSIDY FOR PUBLICATIONS

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I have a question for the Leader of the Government in the Senate. To the dismay of many Canadian publishers, especially small publishers, it has been learned that Canada Post plans to stop contributing about \$15 million a year to Heritage Canada's Publications Assistance Program. It is one of the oldest and probably one of the most effective support programs Canada has for cultural and information activities. The program consists of subsidizing the postal rates that would otherwise be paid in full by Canadian publications, hundreds of magazines and hundreds of small newspapers, particularly small, community newspapers, which are such an important feature of small-town, rural life in Canada. Those small newspapers are part of the fabric of those communities.

• (1425)

The postal subsidy can contribute — depending on the nature and size of the publication — anywhere from 30 to 60 per cent of the postal costs. Again, particularly for the small publications, the postal costs are very important, and postal distribution is their main avenue of distribution.

Therefore, when Canada Post announces that it will withdraw what amounts to 25 per cent of the total funding of the program, there will be an extraordinary cry from those affected asking the government to please step in.

I suspect the minister may be getting ready to answer, "We were not the first ones to cut this program. The Liberals did, too." Let me beat the honourable leader to it: The Liberals, in my view, made a mistake.

Senator Mercer: Liberals made a mistake?

Senator Fraser: Yes, they did. We told the Liberals that in a committee report signed by members on both sides of this house.

I would hate to see the Conservative government not only repeat that mistake but intensify it with what amounts to an even greater cut. I know Canada Post is not the government, but the government is being asked to produce what is a very modest amount of money with a huge impact.

Can the Leader of the Government in the Senate give us any assurance that this will, therefore, happen?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for her question. I was not intending to state what Senator Fraser was expecting, so I am glad she put it on the record.

As the honourable senator would understand, this is a matter of great concern to many Canadians. Having been born and raised in a rural community, where we relied on farm periodicals and weekly newspapers that were read from cover to cover, I can understand the concern.

Our government supports the publication assistance program and is committed to the magazine, periodical and community newspaper industry. Our Canadian Heritage Minister, the Honourable Bev Oda, and the Minister of Transport and Infrastructure, the Honourable Lawrence Cannon, are actively working together to find a solution in order to continue to support this very important Canadian industry.

ROYAL CANADIAN MOUNTED POLICE

RESIGNATION OF COMMISSIONER

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, while I am on my feet, I want to report to the house that Commissioner Zaccardelli of the RCMP has resigned and that, a few moments ago, the Prime Minister accepted his resignation.

Senator Fortier: I think you have taken the air out of her supplementary.

Hon. Joan Fraser (Deputy Leader of the Opposition): No, no. The resignation of —

The Hon. the Speaker: Honourable senators, the time for Question Period has been exhausted. We are on house business. Do you have anything to add to house business, Senator Fraser?

Senator Fraser: With my leader being in conference a few chairs away, let me just say that obviously the resignation of the commissioner of the RCMP is far too important a matter for an instant response. I certainly thank the Leader of the Government for informing this chamber so quickly.

While I am on my feet, let me thank her for her response to my question about the postal assistance program and say that I await rapid and very constructive news.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table delayed answers to an oral question raised by Senator Grafstein on November 22, 2006, in regard to British Columbia — Report on the State of Drinking Water in the Lower Mainland, and to a question raised by Senator Campbell on November 23, 2006, in regard to funding for a pilot project for a medically supervised injecting site.

HEALTH

BRITISH COLUMBIA—REPORT ON STATE OF DRINKING WATER IN LOWER MAINLAND

(Response to question raised by Hon. Jeremiah S. Grafstein on November 22, 2006)

This study was conducted in the Greater Vancouver Regional District (GVRD) under the leadership of Health Canada's Population and Public Health Branch, now the Public Health Agency of Canada, and in partnership with academia and the Vancouver/Richmond Public Health Board. The study findings have been posted on Health Canada's Website since the report, "Drinking Water Quality and Health Care Utilization for Gastrointestinal Illness in Greater Vancouver", became available. The study was a contributing factor in the decision made by the Greater Vancouver Regional District to install an ozone disinfection plant in 2000 and build a filtration plant. The filtration plant is presently under construction and will be in operation starting in 2008-09.

At the time of the study, the GVRD relied on watershed protection and chlorination to safeguard drinking water quality, an approach that prevents most but not all disease-causing organisms from reaching the consumer. The study was designed and conducted to confirm an association between turbidity levels in drinking water and gastrointestinal illness in consumers. It did find evidence that elevated turbidity levels present in each the GVRD's three drinking water sources contributed to gastroenteritis among residents.

The recent boil water advisory in the GVRD was issued to prevent an increase in gastrointestinal illness related to increased turbidity levels. Symptoms, if any, would take several days to appear in the population.

Although the department has not conducted subsequent research in this area in the GVRD, Health Canada did work in collaboration with the provinces and territories to strengthen the Guideline for Canadian Drinking Water Quality for turbidity. Health Canada continues to conduct research related to drinking water contaminants and their potential effects on human health.

FUNDING FOR PILOT PROJECT FOR MEDICALLY SUPERVISED INJECTING FACILITY

(Response to question raised by Hon. Larry W. Campbell on November 23, 2006)

The initial research that has been completed to date has raised some new questions regarding the effectiveness of the supervised injection site in Vancouver's Downtown Eastside. In fact, there is still much more that can be learned about these sites and the issue of injection drug use.

The Minister of Health believes further research is needed to determine how these sites affect crime, prevention and treatment before an informed decision can be made about the future of supervised injection sites in Canada.

For this reason, the Minister of Health has instructed his officials to initiate a process whereby the advice of external experts in areas such as public health, epidemiology, criminology, law and ethics, addictions, and evaluation can be utilized to develop research questions.

Through an open bidding process, proposals will be sought from researchers knowledgeable in prevention, treatment and crime. This will be an open and transparent bidding process, aimed at garnering the best possible evidence to foster decision making.

This is an important public policy issue and the answers to these research questions will provide the Minister with information that can be used as part of the decision-making process.

Steps are underway to initiate this research, which will be led and funded by Health Canada, and to ensure that it is done in a timely fashion to inform the Government's future decisions.

filed in the spring. The normal cycle for financial matters is from the first of April of one year to the end of March of the following year, running over two years; each fiscal year then starts April 1. The main estimates are made available for review prior to the beginning of a new fiscal year. Typically, an interim supply bill takes us to June, and then in June we have full supply based on the Main Estimates.

Because of the change of government that took place in the spring of this year, the same cycle was not followed. In fact, the full supply based on the main estimates is now before you in Bill C-38, which I hope to be speaking on later today.

In addition to that, the supplementary estimates, which normally appear about this time, late November or early December, have been delivered, and they deal with new matters, matters that were not fully developed at the time of development of the main estimates.

Honourable senators, the Standing Senate Committee on National Finance is a diligent and hard working committee. I should like to thank all the members of that committee for attending and participating effectively on your behalf in dealing with representatives of the Treasury Board Secretariat. Members of the committee, including the deputy chair, Senator Nancy Ruth, questioned Treasury Board Secretariat representative Mr. David Moloney, who is Senior Assistant Secretary, Expenditure Management Sector, and Ms. Laura Danagher, Executive Director, Expenditure Operations and Estimates Division, also with the Expenditure Management Sector.

These officials appeared to explain changes in the government's spending plans, contained in Supplementary Estimates (A). We had an opportunity to question them extensively on the issues.

Each year, the federal government tables Part I and Part II of the estimate documents. The government expenditure plan appears in Part I; Part II is the Main Estimates.

Honourable senators, as an overview of these Supplementary Estimates (A), which we now have before us, I propose to give you a bit of a background on terminology, which is a helpful exercise when we are going through the estimates.

Budgetary expenditures and non-budgetary expenditures are the first two terms I shall describe. Budgetary expenditures refer to spending initiatives, such as cost of servicing the public debt, operating and capital expenditures — the typical kinds of expenditures that you would expect.

Non-budgetary expenditures refer to loans, investments and advances — outlays that change the fiscal relationship of the government but not spent for the purposes of operations or that type of thing.

Voted expenditures and statutory expenditures are the other two terms I should like to describe. Voted expenditures are those for which "parliamentary authority is sought through an appropriation bill." In other words, if we do not pass Bills C-38 and C-39, which are before us, the government will not have the funds to conduct its business.

• (1430)

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 27(1), I give notice that, when we proceed to Government Business, the Senate will begin with Item No. 1, under "Reports of Committees", followed by all other items in the order in which they stand on the Order Paper.

[English]

THE ESTIMATES, 2006-07

REPORT OF NATIONAL FINANCE COMMITTEE ON SUPPLEMENTARY ESTIMATES (A) ADOPTED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on National Finance (Supplementary Estimates (A) 2006-07), presented in the Senate on November 29, 2006.

Hon. Joseph A. Day moved the adoption of the report.

He said: Honourable senators, this report has been in our hands for approximately one week. I would propose, honourable senators, to go through the report briefly, to bring the chamber up to speed on what our committee has been doing on behalf of honourable senators, specifically with respect to Supplementary Estimates (A). Honourable senators will have received in their offices some time ago Supplementary Estimates (A) 2006-07, which is a blue book.

Supplementary estimates, honourable senators, deal with matters that were not fully developed at the time of the main estimates or with new initiatives since the main estimates were

[Senator Comeau]

Statutory expenditures appear in the estimates. They are there for information purposes. We have already voted on authorizing the executive to expend those funds. Statutory expenditures appear in the estimates to help us understand the full financial picture of the government. Hence, we have voted expenditures, which honourable senators, I hope, will authorize in the next day or so, and statutory expenditures.

In these Supplementary Estimates (A), the total amount of budgetary expenditures, that is both voted and statutory, is \$9.2 billion. That is an amount in addition to what was in the main estimates previously. These budgetary expenditures represent new commitments made by the current government in the May 2006 budget, subsequent decisions the government has taken and policy initiatives from previous budgets that have been reconfirmed by the current government. We will vote for \$5 billion of that, and there is \$4.2 billion of statutory spending. They are outlined here, as I indicated, for the information of honourable senators. Hence, roughly \$5 billion is to be voted, \$4 billion statutory, for a total of \$9 billion in round figures.

With respect to the major changes in budgetary spending, there are four key government commitments that amount to almost half of those additional expenditures.

The first commitment is the Universal Child Care Benefit program introduced by this government, and there is \$1.6 billion statutory already approved expenditure in that regard. For defence spending, there is almost \$1 billion, \$955 million, and that is voted. Honourable senators will be voting on that. The Canadian Agricultural Income Stabilization program, another established program, is statutory and almost \$1 billion, \$873 million. Finally, honourable senators, there are transfers to provinces and territories for early learning and child care programs, \$650 million.

Honourable senators, we discussed items like expenditure restraint initiative, a new federal government initiative. The officials of the Treasury Board Secretariat outlined to the committee the expenditure restraint initiative that was first announced in the budget of 2006 this spring. The strategy is to secure \$1 billion in savings over two fiscal years, this fiscal and next fiscal year.

• (1440)

It was pointed out that the savings are being achieved through a combination of tighter management of spending and identification of savings from government programs. I will mention shortly some government programs that have helped contribute to the savings.

These supplementary estimates include \$223 million of these estimated savings. Of the \$1 billion over two years in estimated savings, these supplementary estimates identify \$223 million. They are shown as separate items because the reductions are to programs or activities for which the government had initially requested spending. Once they request spending, they must ask for approval to cancel it. The government is required to return to Parliament to indicate that the amounts previously authorized will not be spent as originally indicated.

Reductions, therefore, are important for us to look at. Here are some of the areas where the government will not spend what it previously indicated it would: The Department of Health,

\$17.6 million; Human Resources and Skills Development Canada, \$22 million; Canada Mortgage and Housing Corporation, \$30 million; Treasury Board Secretariat, almost \$21 million; Statistics Canada, \$15 million; and Industry Canada and various programs there, \$28 million.

The balance of the two-year spending restraint exercise, almost \$777 million, represents funding that may have already received cabinet and Treasury Board approval, but has not yet been included in any appropriation bills before us. The details on the balance will be reflected in future estimates or in reductions in planned spending not yet in departmental reference levels. We will keep an eye on that, honourable senators, on your behalf.

The committee members highlighted two programs that have been identified under the expenditure restraint initiative, one being the Canadian Firearms Program and the other, funding to the Status of Women Canada. Treasury Board Secretariat officials confirmed that \$3 million from the Canadian Firearms Program has been identified in these supplementary estimates as part of expenditure restraint. However, the administrative savings identified by the government in September of this year in the Status of Women Canada are not included in these supplementary estimates. We anticipate that we will see those savings in further supplementary estimates.

Some senators questioned the relationship between the savings under the expenditure restraint initiative under this current government, and the savings identified by the Expenditure Review Committee — expenditure restraint, current administration, and Expenditure Review Committee, previous administration — in the 2005 budget. David Moloney clarified that the current initiative is a new one. The savings identified in Budget 2005, a total of \$11.9 billion over five years, have already been removed from departmental reference levels. Thus, the expenditure restraint amounts highlighted in these supplementary estimates are over and above the amounts announced in the previous government's Expenditure Review Committee of 2005.

I will touch briefly on other areas that may interest honourable senators. The first is regional responsibilities. We found it interesting that when a minister is given regional political responsibilities, it is charged to the department that the minister represents, as opposed to being shown somewhere else, such as in the Prime Minister's office expenditures.

We did, however, support the concept of transparency and openness because it is a separate item. As long as we know who the regional minister is for our area, we can go to the supplementary estimates or to the Main Estimates and if we know what department the minister represents, we can find out the cost of operating the political office for that particular area.

The Lebanon evacuation is another area that we questioned. It was made clear to us that there is not a full picture yet on the cost of the Lebanon evacuation. There is \$63 million listed in supplementary estimates. However, it was suggested that other charges may well be forthcoming and requested under Foreign Affairs and International Trade Canada, as well as other amounts in departments such as Canadian International Development Agency, the Department National Defence and Citizenship and Immigration Canada. We have asked what we call a horizontal listing to be initiated in the estimates. When there are expenses in

various departments, we have asked that they all be picked up so we can easily find them. That horizontal listing is helpful in finding the full cost of an initiative. That was not something that had been there previously and our committee had been urging this listing for some time.

With respect to the Department of National Defence, honourable senators, there is an interesting change as a result of the government moving from a cost-based or a dollar-based analysis of accounting to an accrual basis. The change has some impact on the numbers that you see. Since we are in a transition period, some confusion still exists.

In the 2005 budget, there was a commitment to \$12.8 billion in funding for the Department of National Defence budget over five years. Honourable senators will remember that the Conservative government in the spring budget committed another \$5 billion. We have been asking for some time if that money is new or whether it is part of the earlier government's money. Honourable senators, it turns out that we cannot add the two of them because of this change.

Honourable senators, I draw your attention to a number of other points in the report. I would be pleased if any of you were anxious to come to our committee at any time and raise issues. We have a continuing mandate from the chamber to deal with these estimates, and your committee is hard at work on the estimates. I would respectfully request that honourable senators accept and adopt this report, which has been unanimously accepted by our committee.

[Translation]

Hon. Eymard G. Corbin: Will Senator Day take a question?

Senator Day: Yes.

The Hon. the Speaker: Honourable senators, Senator Day must seek leave for more time.

Senator Day: Honourable senators, I would like your leave to take the senator's question and I therefore request additional time.

The Hon. the Speaker: Honourable senators, is leave granted for an additional five minutes?

Hon. Senators: Agreed.

[English]

Senator Corbin: In his report, with respect to the Lebanese evacuation, Senator Day spoke about the horizontal reporting. On page 11 of the English text, it is stated that Treasury Board officials offered two options to address the issue of reporting full costs for operations such as that because of the involvement of other departments, which Senator Day named in the course of his presentation.

However, I am puzzled that there does not seem to be a solution to the conundrum. The officials from Treasury Board said there would be two options to address this unknown; but I wonder if, in

fact, the committee has any power to insist with the officials that they report in a certain way and not send parliamentarians around the post trying to find out the total costs.

I find the answer of the officials that you have reported to lead nowhere. I would like to quote the last sentence of the paragraph:

The second option would be for parliamentarians to examine the information found in the departmental performance report of the lead department involved in a horizontal initiative to piece together the total cost of a certain initiative.

I do not think it is for parliamentarians to piece these facts together. It is for officials to table them. What is the honourable senator's response?

• (1450)

Senator Day: I thank the honourable senator for the question. It gives me the opportunity to highlight one of the horizontal initiatives that the committee requested. Honourable senators will understand that this problem occurs when expenditures on an initiative appear in more than one department. In such cases, the expenses are brought together in a separate section for inclusion in the Supplementary Estimates (A).

The problem discovered by the committee during its deliberations was highlighted in the report. Treasury board has implemented the horizontal initiative only for expenditures for part of the fiscal period reported. With respect to Supplementary Estimates (A), the horizontal initiative reported for the Lebanon evacuation applied only to the period from March-April to November.

The committee asked officials whether the other expenditures should be reflected as well but because those expenditures had not been posted yet, they will be reflected in a later document, Supplementary Estimates (B), which will come forth in March 2007. However, it is not the usual practice of Treasury Board to return to expenditures in that fiscal year that had been reported earlier. The committee questioned officials about this conundrum and advised that it would like to compare the expenses from year to year to simplify patching the information together. That was the request of the committee to officials. It was suggested that the committee review departmental performance reports to try to patch the information together but I am confident that Treasury Board officials will comply with the request of the committee to reflect, year-to-year, a full initiative in a horizontal manner.

Hon. Hugh Segal: Would Senator Day take a brief question?

Senator Day: I would be pleased to try to answer Senator Segal's question.

Senator Segal: I have been listening to the honourable senator's thoughtful response to Senator Corbin and the notion that if Treasury Board reported in the same way on a regular basis it would be easier for parliamentarians to examine comparable numbers. This place gave unanimous consent at second reading to Bill S-217, which would impose that obligation on all federal government departments and Crown corporations. While I do not

[Senator Day]

want the Finance Committee to hold up the adoption of these important public finances today, the committee does have the authority to consider Bill S-217 at an appropriate time and make recommendations to Her Majesty with respect to the deployment of those rules. I would ask what is the disposition of the honourable senator on that matter?

Senator Day: I thank Senator Segal for his question. I have made note of his comment and question on my blue copy. The committee would be pleased to consider Bill S-217 in light of how it affects these initiatives taken over a number of years. All honourable senators know that supply is important to the government and that the committee has a continuing mandate to study this supply, even following the adoption of the supply bills.

The Hon. the Speaker: It was moved by the Honourable Senator Day, seconded by the Honourable Senator Furey, that this report be adopted now.

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

Motion agreed to and report adopted.

APPROPRIATION BILL NO. 2, 2006-07

THIRD READING

Hon. Nancy Ruth moved third reading of Bill C-38, for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007.

Hon. Joseph A. Day: Honourable senators, I do not intend to speak at length to the bill. Honourable senators will be aware from the deliberations yesterday that the house will proceed directly from second reading to third reading with respect to supply bills, having had the advantage of studying the estimates previously. With respect to the Main Estimates, the typical full supply would be in late June before the house adjourns for the summer. However, because of the change of government, interim supply to November was done, which was nine-twelfths of supply. It was an unusual way to proceed but now the supply cycle is coming to completion with respect to the Main Estimates for the period from now until March 31, 2007. Honourable senators are aware that the next bill deals with supplementary estimates, which are new initiatives during the year. Currently, we are dealing with Bill C-38, which follows the earlier interim supply bill, Bill C-8, that we dealt with in June.

In addition to questioning specific departmental expenditures and various line items, the committee checks to ensure that the schedule attached to the bill is the same as the schedule attached to the estimates, which was pre-studied. I confirm that the committee has done that. Bill C-38 provides for the release of the balance of supply for the 2006 and 2007 Main Estimates. I urge honourable senators to support the bill as presented.

Hon. Daniel Hays (Leader of the Opposition): Would Senator Day take another question?

Senator Day: Yes.

Senator Hays: My question pertains to the honourable senator's speech on Bill C-38, to the recent economic statement by the Minister of Finance on the objective of reducing the net debt-to-GDP ratio and to the honourable senator's comments on the adjustments being made in public accounts to adapt to a modified accrual accounting structure. I believe the move to a modified accrual accounting structure arises out of an earlier recommendation from the Auditor General.

Can the honourable senator be helpful and explain how this adaptation to modified accrual accounting for public accounts might affect the definition of, or what is now, the net debt being used by the Minister of Finance?

Senator Day: I thank Senator Hays for his question but my response might not be particularly helpful. Treasury Board officials were queried in this regard. The committee had difficulty understanding the impact on financial statements as they go through the transition. Part of the problem is that much of the reporting, such as budgetary, is still done on a cash basis, whereas some reporting is done on the accrual basis as the transition to the new system of accounting slowly takes place. I highlighted the difficulty with respect to the Department of National Defence, where \$12.8 billion was promised by the previous government, and the current government has said that it will honour the amount and up it by \$5.3 billion. It should be possible to add \$12.8 billion and \$5.3 billion and get \$18.1 billion. However, officials said that could not be done because of the transition. I will read from page 7 of the report:

Mr. Moloney indicated that this reconciliation is complicated given that there are new government accounting practices. Therefore, these two amounts cannot be added one to the other. He explained that a number of years ago, the government moved to accrual accounting for the purposes of overall fiscal framework.

Government is already committed to that system but the transition is incomplete.

However, budgets and parliamentary appropriations are still largely based on a cash method of accounting. The \$12.8 billion provided in the February 2005 Budget was the amount of cash outlays that were being committed. In contrast, the May 2006 budget amount of \$5.3 billion represented the actual budgetary amounts over five years. The \$12.8 billion represents a cash outlay to cover \$7 billion in budgetary spending....

That was Mr. Moloney's explanation. The committee has additional work to be done on the reconciliation but two promises cannot simply be added to come up with the figure that most people would expect.

• (1500)

Hon. Grant Mitchell: Honourable senators, I wish to make several points about this funding bill — far more to deal with what is not in the bill than what is in it. I am struck by what the bill fails to do, far more than anyone could actually be inspired by what it tries to do.

First, and a priority concern of mine, is the fact that the bill embodies cuts to women's programs. Just as an aside, we have heard confusing and conflicting comments from the government. Originally, we understood that these cuts were part of the

\$1 billion of expenditure reductions the government had promised it would find and presumably had found. Part of that \$1 billion cut was cuts to women's programs. However, on Monday, in the other place, what we saw and what we heard in response to a question by our new leader on that very issue was the Prime Minister saying, no, they have just reallocated this money so that it will be more effectively utilized. In fact, the Leader of the Government in the Senate today said the same thing.

The obvious questions, honourable senators, are these: Which explanation is the correct one? Where are we being misled? Are we being misled in this document, or are we being misled in the announcement some weeks ago of where the cuts were found — the \$1 billion? Are we being misled in the assertion that this money has been applied “more efficiently”? I should like to see that clarified.

Honourable senators, it is interesting that today, on the anniversary of the Montreal massacre, we would be debating a bill that actually cuts programs to women — programs that are critical to one of the areas that remain an area of inequality in our society and as such diminishes the overall quality, spirit and depth of our society.

I wish to quote from the “Activities Update” of the P.E.I. Advisory Council on the Status of Women. The article I shall quote was written by Kirstin Lund and contains a quote from Bev Oda, the Minister Responsible for the Status of Women, who has indicated that the reason for the cuts to women's programs is that “the new government of Canada fundamentally believes that women are equal.” Well, the new Government of Canada fundamentally believes that there is not really climate change. It fundamentally believes any number of things. That does not make it reality. Ms. Lund goes on to say — and she is referring here to the statement by Bev Oda:

That statement is staggeringly unbelievable. If Canadian women are equal, how is it that they made just 62 per cent of men's incomes in 2003....If Canadian women are equal, why is it that 43 per cent of all children living in poverty live with a single mother? If Canadian women are equal, why are there over six times as many female victims of sexual assault as male victims? Why are female victims of spousal violence more than three times as likely as male victims to fear for their lives? And why do women make up 84 per cent of all victims of spousal homicide?

The amount of money that the government cut in this case is hardly significant in the context of the huge amounts of money that it spends, but it is very significant in the context of the contribution that it made to righting the inequality issues that face women every day in this society and that were so glaringly evident in the Montreal massacre on December 6 years ago.

Second, I should like to emphasize my concern that this proposed funding legislation aids and abets the breaking of laws. The fact of the matter is that there are cuts here that should have been accompanied by repeal of legislation, cuts to programs that are established in legislation, but rather than facing it head on with real political courage, rather than addressing the issue, the government simply cut the money.

This is a government that talks about being hard on crime, being tough on crime and obeying the laws. There are a litany of laws that this government has failed to obey and continuously breaks. The government should understand that often leadership by example is an effective way to express policy initiatives and policy concerns.

I am also concerned that the bill before us embodies a reduction to the quadrennial commission's recommendation for pay to judges. There is an important principle at stake here, namely, judicial independence. While there may be some reasons why the quadrennial commission was incorrect, the one that the government gave was not correct in turn.

The government said that the financial context within which the quadrennial commission's pay recommendation was made was one of tight fiscal demands; however, honourable senators, the recommendation was made at a time when the surplus was projected to be \$3 billion. By the time the government introduced Bill C-17, the surplus had risen to \$13.5 billion.

The principle at stake here is judicial independence. The quadrennial commission was established to ensure judicial independence in coming up with pay recommendations for the judiciary. My concern is that there is one reason, and one reason alone, that this government has cut the recommendation of the commission by upwards of a third, and that is because the government does not like the idea of “judge-made law.” That very assertion on the part of the government simply underlines its misunderstanding of the judiciary, and for that matter many of the other institutions of our government — institutions that are unparalleled, unequalled, admired and emulated around the world. Our judiciary is one of the best judiciaries in the world. It is one of the fairest and best judicial systems on the face of the earth, and that was a cheap shot to make a cheap point.

The fact that the literacy cuts are embodied in this bill concerns me. Again, that action underlines the predisposition, the propensity, for this government to cut, to attack, to undermine the weakest in our society. Lack of literacy affects some of the people who have the least influence in our society. Lack of literacy can, in particular, affect women, immigrant women, such that they end up locked in their homes because they do not have the chance to learn English and become fully functioning members of society.

Lack of literacy also — and this should be something that particularly perturbs a Conservative government — affects productivity, because there were upwards of 42 per cent of adult Canadians who are not adequately literate to fully and productively contribute and participate in our economy. I am disturbed that the bill before us contains cuts to literacy programs.

Clearly, there have been massive cuts to the environment, to Kyoto programs, and again I find that we have been misled. The government, the minister, the leader here have said that somehow our Kyoto programs were inefficient, and yet there is clear documentation from the Department of Natural Resources indicating that in fact these programs were very efficient. Ironically, a government that would criticize the former government for not doing enough on Kyoto has answered that criticism by doing far less — in fact, all but nothing.

I am concerned that the Kelowna Accord and funding for that accord is not in this document. Once again, this is a government finding resources on the backs of some of the weakest, most vulnerable members of our society. That is not a legacy about which this government should be particularly proud.

I am concerned that there is no money in this bill for new prisons. Mandatory minimums and initiatives on conditional sentences will not reduce crime. What they will do is put enormous pressure on prisons, and we will need hundreds of millions of dollars to create new spaces in prisons for the people who will be imprisoned more often and longer. There is none of that money in this proposed legislation.

I am concerned by the fact that this bill also incorporates a reduction in infrastructure funding to the Pacific Gateway strategy. The Pacific Gateway strategy, which originated under the former government, represents a breakthrough for the diversification particularly of rural and agricultural economies in the Western provinces — in B.C., the Prairie provinces, in northern Alberta, my home province. Instead of pursuing that initiative, with its great value for diversification for an economy of the future, this government has cut the program dramatically, from \$590 million over five years to \$163 million only over five years for infrastructure.

• (1510)

More important, honourable senators, is they have also completely and utterly retreated. In fact, they have not just neglected China; they have actually provoked China, and relationships with China are fundamental to that Pacific Gateway strategy.

I will close simply by saying that I am fundamentally disappointed in what I see in this piece of legislation. I see themes that pick on women and on the more vulnerable of our society. It misses opportunities to promote productivity and misses the opportunity to be a leader on one of the major issues facing our generation and our world in this 21st century, which is Kyoto and the environment. It fails to address the leadership that we can provide on another important international issue: AIDS. It also fails to provide leadership on equality.

Honourable senators, this legislation diminishes whatever status this government thought it might once have had.

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

Motion agreed to and bill read third time and passed.

APPROPRIATION BILL NO. 3, 2006-07

THIRD READING

Hon. Nancy Ruth moved third reading of Bill C-39, for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007.

Hon. Joseph A. Day: Honourable senators, as indicated earlier, this is the supply bill, appropriation bill, based on the Supplementary Estimates (A). It is for a little over \$5 billion

and deals with new initiatives that were not reflected in the Main Estimates that we looked at earlier.

The only point that I would like to make specific to this particular document, honourable senators, is to point out that there are schedules 1 and 2, and some of the appropriation that honourable senators are being asked to approve now runs over a period of two years.

Honourable senators may have felt that what they are agreeing to is appropriation that must be used before the end of March 2007, but there are listed here a number of departments requesting appropriation over a two-year period. In addition, there is a provision for a 5 per cent carry-forward in operating budgets for departments, and that is to avoid the rush to spend what had been approved before the end of March. That was a good initiative, and Senator Murray asked some questions in that regard. I was glad to hear that it was not kept at the 5 per cent. It is a safety gauge, but it is not being abused. My recollection is that the average is about 3 per cent, which is an indication that it is being used for the purpose for which it was created.

Honourable senators, we have checked and verified that the schedules attached to this appropriation bill are the same schedules that form part of the Supplementary Estimates (A) document that we have had for over a month to study, and we are prepared to support the government's request for this appropriation.

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

Motion agreed to and bill read third time and passed.

JUDGES ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Meighen, seconded by the Honourable Senator Comeau, for the second reading of Bill C-17, to amend the Judges Act and certain other Acts in relation to courts.

Hon. Mobina S. B. Jaffer: Honourable senators, I want to begin my remarks on Bill C-17 by speaking briefly about the role of judges in society and of Parliament's role in relation to them.

As Senators Meighen and Grafstein have reminded us, Parliament is called upon by section 100 of the Constitution Act, 1867, to "fix and provide" the salaries, allowances and pensions of judges of the Superior Courts. Judges are the only persons in Canadian society whose compensation is set by Parliament, and section 100 is the only section of the Constitution that mandates the expenditure of money. This reflects the role of the judiciary as a third, equal, branch of government.

The Lang Triennial Commission of 1981 specifically addressed the place of the judiciary in Canada in the following terms:

The Commission believes the position of judge in our society and in our political framework to be unique and vital. A free and independent judiciary is the single greatest guarantee of our constitutional rights and liberties.

Under the Canadian Constitution, the judiciary exercised its authority independently of the executive and the legislature. The Constitution Act itself evidences this intent, by fixing the power to appoint the judges of the superior, district and county courts of the provinces upon the Governor General, and by imposing the duty upon Parliament to fix and provide their salaries, pensions and allowances.

The current McLennan commission report described the legal principles and constitutional imperatives underlying judicial compensation as necessary in order to ensure they “may function fearlessly and impartially in the advancement of government and all litigants appearing before them.”

Honourable senators, this is a very important section. Section 100 does not give us a free hand to choose any level of remuneration we like. Constitutionally, it must “fix and provide” for judges in a way that reflects the constitutional status of the judiciary and the requirement that they be able to devote their full time to their responsibilities and discharge them with absolute independence.

It is also important that we recognize the role judges play in our society because judges cannot speak out for themselves. Because of their position, they are constitutionally prohibited from negotiating any part of their compensation arrangements with the executive or with representatives of Parliament. This is a prohibition that applies to no other class of person in Canada. This obviously imposes upon parliamentarians a duty of good faith toward the judiciary and toward the protection of the interests of Canadian society in their independence. For this reason we have the constitutional requirement of an independent commission process to provide a forum for these matters to be addressed.

Judges are also prohibited from engaging in any other occupation or business: What Parliament “fixes and provides” is what they get. They have no means of supplementing their incomes.

The role of the judiciary is such that we should be seeking the best possible people to place in that office. They must be respected among lawyers as leaders of the legal profession. Of course, it goes without saying that they must also have the respect of all Canadians, as their role is fundamental to our rights and to the functioning of our society.

As someone who has practised in front of judges for over 30 years, I can vouch for their complete commitment to their work. For the most committed, dedicated judges, their work is their vocation. They work long hours in order to serve all Canadians.

When we ask qualified people to devote themselves entirely to the demands of this office, to put the other things aside, to turn their backs on the marketplace and on public life, to live the

relatively isolated life of a judge, not only for themselves but also for their families, we take on an obligation to recognize those sacrifices and to treat the judges fairly.

All of us in this chamber understand the rewards and demands of public service, but we are not required to sacrifice everything else; however, judges are. We want the office of judges filled with lawyers who have earned the respect of the members of their profession. Therefore, the notion that judges’ salaries should be based only on the availability of applicants completely misses the point. We want to attract the very best from among people of the highest qualifications.

• (1520)

I want to now turn to what Senator Meighen said when introducing this bill. One of his first remarks was that “a government must publicly respond to the report of the commission within a reasonable period of time.” A little later, he stated that “the Judges Act was amended in 1998 in order to strengthen the current procedures of the commission consistent with the constitutional requirements defined by the Supreme Court of Canada.”

This should not be allowed to pass without comment. The principal way the Judges Act was strengthened, as Senator Meighen suggests, was by adding a time limit for the government’s response. This was because there had been problems in the past with the government responding too slowly to commissions.

The time limits are clear. Section 26(7) of the act states:

The Minister of Justice shall respond to a report of the Commission within six months after receiving it.

This is not “within a reasonable time,” as Senator Meighen suggested. It is a mandatory six months from the time the report is received. The McLennan commission reported on time and the Minister of Justice of the day responded by accepting the principal recommendation of the report, the 10.8 per cent salary increase.

That was the opportunity the Government of Canada had to address the report. There is absolutely no legal basis for the new Minister of Justice to behave as if the report had not been received by his office. This is a completely irregular reading of the statute, one that goes against the very strengthening, by means of effective time limits, that Senator Meighen spoke about.

This government believes, to quote the Honourable Senator Meighen, that “it had a responsibility to take the time to consider the report and recommendations in light of the mandate and priorities upon which it had been elected.” With the greatest respect, this government had no such right and the act provides no such opportunity. The statute is clear and the time limit for the response had long passed before this minister took office. However, this is not the only way the government has failed to respect the process.

Senator Meighen states that Bill C-17 proposes to implement virtually all of the commission’s recommendations, the exception being the commission’s recommendation for a 10.8 per cent salary increase. However, the salary increase is the principal

recommendation of the commission, and it was the main focus of the report. The other matters are largely of a housekeeping nature. The government has in fact rejected most of the commission's work.

The government finally decided on a 7.25 per cent increase. The government states that it arrived at this figure by giving careful consideration to all four criteria established by the Judges Act and to two of them in particular — the prevailing economic conditions in Canada and the need to attract outstanding candidates to the judiciary.

This is very interesting. If one turns to the report of the commission, one can find a summary of the submissions by the government and the judiciary. There, we can see that an increase of 7.25 per cent was in fact the original proposal of the government; it was an opening offer. This is to say that what this government calls "careful consideration" of the commission's recommendations has led it to conclude that its original position was correct and that the work of the commission, which Senator Meighen has told us was very careful and thorough, was, in respect of its principal recommendation, a complete waste of time.

How does making a submission to the commission, awaiting its recommendations and then saying, "Thanks, but we prefer our opening position," respect the process? Could the process be accorded less respect?

The senator also alluded to the very balanced guidance that has been provided by the Supreme Court in the *P.E.I. Judges Reference* and in the *Bodnar* decision. He went on to say:

In both decisions, the court has quite rightly acknowledged that allocation of public resources belongs to the legislatures and to governments.

Careful reading of these cases also indicates that governments are fully entitled to reject and modify commission recommendations provided that a public, rational justification is given, one that demonstrates overall respect for the commission process.

With the utmost respect to Senator Meighen, the context of the *Bodnar* decision must also be understood. Following the *P.E.I. Reference*, provincial governments were obliged to set up commissions similar to the quadrennial commission for the judges of the provincial courts. The first experiences with these new commissions were not happy. In four of the ten provinces, litigation resulted. When the cases came before the Supreme Court, Madam Justice McLachlin observed that the guidance given by the *P.E.I. Reference*, which was meant to depoliticize the process, had been frustrated in practice.

The Supreme Court then added a third stage of consideration to the two-step analysis set down in the *P.E.I. Reference*. This new test is as follows: First, has the government articulated a legitimate reason for departing from the commission's recommendations? Second, do the government's reasons rely upon a reasonable factual foundation? Third, viewed globally, has the commission process been respected and have the purposes of the commission process been respected and have the purposes

of the commission — preserving judicial independence and depoliticizing the setting of judicial remuneration — been achieved?

The Chief Justice went on to note that "a bald expression of disagreement with the recommendation of the commission, or a mere assertion that judges' current salaries are 'adequate' would be insufficient."

Looking at what this government has done, how can we say that the goal of depoliticization has been achieved? The judges have seen the government's position relative to the current commission change to their disadvantage as a result of politics. How does that honour the strengthened process that Senator Meighen spoke of?

When we actually look at the reasons given for rejecting the commission's recommendation, one again sees a complete lack of respect for the process. The government feels that "the commission did not pay sufficient heed to the need to balance judicial compensation proposals within the overall context of economic pressures, fiscal priorities and competing demands on the public purse." With respect, this seriously misstates the responsibilities of the commission.

Section 26(1.1)(a) of the Judges Act obliges it to consider:

The prevailing economic conditions in Canada, including the cost of living and the overall economic and current financial position of federal government.

This provision obviously addresses what the government can afford to pay.

The commission's observation was as follows:

We interpret this direction as obliging us to consider whether the state of economic affairs in Canada would or should inhibit or restrain us from making the recommendations we otherwise would consider appropriate. An economy providing large surpluses, lower taxes, etc. should not influence a commission to make recommendations that would be overly generous or spendthrift. The consideration to be applied is whether economic conditions dictate restraint from expenditures out of the public purse.

While this consideration may well impose difficulties for future commissions, we conclude that the economic condition in Canada does not restrain this Commission from arriving at the compensation recommendations we believe are appropriate.

The several sources supporting this conclusion are set out at pages 10 and 11 of the report. Against this, the government apparently suggests that the obligation of the commission is to anticipate the government's spending priorities and to give effect to them. This reasoning is deeply flawed. So, too, is the second objection, that the commission accorded "a disproportionate weight to the incomes earned by self-employed lawyers and, in particular, to those practitioners in Canada's eight largest urban centres."

This was the subject of detailed consideration by the commission, which was specifically critical of the data submitted by the government. In the circumstances, the government's response is exactly the sort of "bald statement of disagreement" the Chief Justice identified in *Bodnar* as an insufficient or inadequate response.

The government says it was not satisfied that the appropriate weight had been given to judicial annuity. This was, however, addressed by the commission in some detail, and it was again critical of the state of the data, including the data tendered by the government. This is another completely unsupported statement of disagreement.

• (1530)

It must be said that the government's position that it can — almost two years later, on the basis of vaguely stated misgivings — undo the work of a commission before which it had every opportunity to make its case violates the most basic norms of fairness.

The report was based on the conditions at the time it was presented, a point made by Mr. McLennan when he appeared before the committee in the other place. For the government now to take the position that it has, based on its view of current circumstances, completely negates the purpose of a periodic review and again shows its utter disregard for fairness and due process.

Lastly, honourable senators, Honourable Senator Meighen's observation that it was up to Parliament and not the executive alone to decide on judicial compensation is again misleading —

The Hon. the Speaker *pro tempore*: I am sorry to interrupt, but I must advise that the honourable senator's time has expired. Is she asking for more time?

Senator Jaffer: May I have two minutes?

Hon. Gerald J. Comeau (Deputy Leader of the Government): Two minutes.

Senator Jaffer: Thank you.

I was saying that Honourable Senator Meighen's observation that it was up to Parliament and not the executive alone to decide on judicial compensation is again misleading, given the government's refusal to commit to a Royal Recommendation, should Parliament have expressed a will to raise the amounts proposed by the government. Before the House of Commons Justice Committee, a motion to restore the commission's salary recommendations was ruled out of order. Parliament's hands were completely tied by this manoeuvre.

Honourable senators, I fear we are faced with a bill based on a reasoning that is, on the one hand, deeply flawed and, on the other hand, extremely overdue. We have a responsibility to give this bill careful consideration, but we also have a responsibility not to further delay. On that note, I hope we can refer this matter quickly to committee and look at many of these issues more closely.

Hon. Jeremiah S. Grafstein: I have a question.

[Senator Jaffer]

The Hon. the Speaker *pro tempore*: Senator Grafstein has a question, but there is only one minute left in Senator Jaffer's time. Will Senator Jaffer accept questions?

Senator Jaffer: Yes.

Senator Grafstein: I was out of the chamber, and I hope I did not mishear the honourable senator. The constitutionality of Parliament to deal with the measure of judicial compensation under sections 99 and 100 of the Constitution is clear. Is that so?

Senator Jaffer: I think that is something that the committee will have to look at.

Hon. Grant Mitchell: Honourable senators, I spoke about this earlier in the context of the supplementary estimates, and I would like to get it on the record on this bill as well.

I am concerned about the implications of this bill. It will reduce a more than 10 per cent increase in the salaries of judges down to about 7.25 per cent. In doing so, it negates the recommendations of the quadrennial commission. That commission was set up with one fundamental principle in mind, and that was to maintain the independence of the Canadian judiciary. That is a fundamentally important principle. It is one of the pillars that makes our judicial system as successful, fair and world renowned as it is. If there were a good reason for the government to make that decision, I have not heard it. The reason they gave is that there are parameters under which they can review the recommendations of the quadrennial commission. One key parameter is whether or not the recommendation is consistent with the current fiscal or financial context of the government. At the time when the bill was originally initiated, there was a \$3 billion surplus. At this time, there is a \$13 billion surplus. The government said there was a tight fiscal circumstance, and therefore they had to cut the percentage. In fact, there is not anywhere near that tight a fiscal circumstance; therefore, logic dictates they do not have to cut it.

Having come to that conclusion, one has to ask: What would be the reason to cut the amount of the increase? The conclusion I have come to is this "judge-made law" concern of the Conservative government. This is not about doing what is right. This is not about worrying about the independence of the judiciary. This is about penalizing the judiciary because this government thinks they are not interpreting the legislation and the Constitution in a way that is appropriate. In fact, this judiciary is above reproach. It does not deserve to be penalized. This is a cheap shot, and it should not occur.

On motion of Senator Cools, debate adjourned.

INFORMATION COMMISSIONER

MOTION TO APPROVE APPOINTMENT OF MR. ROBERT MARLEAU—ORDER STANDS

On Motion No. 1 by Senator Comeau:

That in accordance with section 54 of the *Access to Information Act*, Chapter A-1, R.S.C. 1985, the Senate approve the appointment of Robert Marleau as Information Commissioner for a term of seven years.

Hon. Marcel Prud'homme: Could I ask if it is the intention to call in Mr. Marleau, as has been the established practice in the Senate?

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I would like to thank Senator Prud'homme for his question. We have had discussions with members from the other place, and we intend to discuss it with you soon. We hope to arrange for Mr. Marleau to appear before a Committee of the Whole on Tuesday evening, at 8 p.m., but for now, discussions are ongoing.

Order stands.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY ASSISTED HUMAN REPRODUCTION ACT

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of December 5, 2006, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to undertake a review of the proposed Regulations under section 8 of the *Assisted Human Reproduction Act*, deposited with the Clerk of the Senate on October 27, 2006; and

That the committee submit its final report no later than thirty sitting days after the proposed regulations were laid before the Senate.

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

[English]

Hon. Art Eggleton: I have a question of Senator Comeau. As the chair of the committee, I am concerned about the timing of this motion, which states that the regulations were received by the Clerk of the Senate on October 27. Today is December 6. It says in the following paragraph that the committee would submit its final report no later than 30 days after the proposed regulations were laid before the Senate. Is the October 27 date considered to be the start of the clock, or is today the start of the clock?

Senator Comeau: I think my honourable friend read it right on the first count. It is October 27.

Let me provide a bit of information. Referring regulations to committee is a fairly new process. As a matter of fact, this is only the second time that such regulations were asked to be referred to committee.

A letter was sent to Senate officials, which was deposited by the clerk through what I think we refer to as the back door, and for some reason it did not reach our attention until notice was given yesterday. It was an oversight. It is a fairly new process, and it was not done with any ill intention at all. We are instituting a procedure so that we do not miss these things in the future.

I can assure the committee chairman that there still is quite a bit of time. Approximately half of the 30 days that were to be used for dealing with the motion have passed. This means that the

committee would have roughly until February 14 or 15 to deal with the regulations. There is still a little time.

• (1540)

I understand that the reproductive technology bill was a huge bill, and a lot of attention was placed on it by both sides, and a huge amount of work was done.

We are cognizant that such regulations will need time. We are hopeful that if the committee needs extra time prior to the 2007 sitting, we would be prepared to look at that requirement as well. We are instituting the proper procedures so that we are now more familiar with the process and will try to avoid problems in the future. I apologize for any inconvenience this oversight might have caused to the committee and the committee members.

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

Hon. Senators: Question!

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

Motion agreed to.

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY ON FUNDING FOR TREATMENT OF AUTISM—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the seventh report of the Standing Senate Committee on Social Affairs, Science and Technology (budget—study on the issue of funding for the treatment of autism—power to hire staff), presented in the Senate on November 23, 2006.—(*Honourable Senator Eggleton, P.C.*)

Hon. Art Eggleton: Honourable senators, I move the report be adopted.

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

Motion agreed to and report adopted.

STATE OF LITERACY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fairbairn, P.C., calling the attention of the Senate to the State of Literacy in Canada, which will give every Senator in this Chamber the opportunity to speak out on an issue in our country that is often forgotten.—(*Honourable Senator Robichaud, P.C.*)

Hon. Nick G. Sibbeston: Honourable senators, I want to say something about the issue of literacy from a northern perspective. I have come to appreciate that the Senate is a place where we come from all regions of the country and express our concerns. Often, I am discovering, decisions that are made by government have the big majority in mind, the southern centres in mind, and

so I want to show how a decision that was made by government concerning literacy has an effect in the far reaches of the country in the Northwest Territories.

Over the past few weeks, many senators have stood up and expressed their concern about the government cutting programs for literacy. On the other side, I heard Senator LeBreton say that the cuts were only to regional and local programs because the government will focus on national objectives. She said the government will spend \$81 million over two years to meet these national objectives. I wonder what they mean by national objectives. How will these national objectives better the people, particularly the Aboriginal people, in communities that have concerns about literacy?

The whole thrust of government, it seems to me, is to help Aboriginal people enter Canadian society. Everyone is concerned about Aboriginal people. They are concerned about the difficulties that Aboriginal people have and one may even say that the biggest social problem, something that is on the conscience of Canadians, is the Aboriginal situation. A lot of effort has gone into helping Aboriginal people with housing, education and so forth. I am trying to show how a government, sitting so far away in Ottawa, affects people in the small remote communities of the North when the government makes decisions to cut money for literacy.

My understanding is that the Conservative government has cut funding for literacy programs in our country. The \$17.7 million reduction is a real cut. Spending in other areas does not mean that real damage has not been done to good and important programs. In the Northwest Territories, \$600,000 was cut from three organizations who deliver literacy programs to people in the communities. The Northwest Territories Literacy Council, the Federation FrancoTenoise and the Aurora College all had their budgets cut. Two Aurora college programs in Yellowknife and Inuvik that provide direct training to adults were impacted.

Federation FrancoTenoise will reduce their family literacy programs for francophones and cancel plans to begin offering direct literacy training to adults. For the Northwest Territories Literacy Council, whose budget was cut by nearly 40 per cent, the reductions will affect their ability to train literacy workers and develop resources for literacy training that are directly relevant to northerners. At the same time, they will withdraw their support to small Aboriginal communities that are recently getting organized to deliver literacy programs to these citizens.

Honourable senators must appreciate the situation in the North. We have Aboriginal people who are emerging from the traditional way of life of hunting, trapping and fishing. This process has been going on since the 1960s, with people moving into towns, trying to change their way of life; working in jobs in towns instead of on the land. They come to town and they make sure their young children are educated in English.

We have made good progress, but the problem is that the cuts in literacy programs will affect adults: people who are 30, 40 and 50 years old. We have development coming to the North. We have the prospects of a pipeline. Training is taking place. There is safety training and training how to work on rigs, among other things. All these courses are given in English, which makes it difficult for those who do not know English.

This literacy program in the Northwest Territories was aimed at helping these people who are not in school, who are adults. I am reminded of my uncle who, years ago in the 1930s and 1940s, went to school to obtain a grade 3 education. He said that he went to the University of Fort Providence and received a grade 3 education. At the time, grade 3 was sufficient to make a living in the North. You could hunt and trap and talk sufficient English. This was enough and he made a good life hunting, trapping and eventually working in town. However, grade 3 now is not enough to make a living in the North, with the industrial development that is coming. That is the problem.

• (1550)

We are talking about a \$600,000 cut from the literacy program, a cut that will have a direct impact on teaching English to adults so that they can get a job. The government says that it will direct money toward a national objective, but the teaching that needs to be done must take place in the community, right on the ground. That is why the literacy program is so important. It is for that reason that I have to express my concern as to the impact of this cut on the people in the North.

The impact of these cuts was particularly felt in the Northwest Territories, as I am sure was the case in small jurisdictions. The \$600,000 cut in the Northwest Territories represented 3.5 per cent of the total program reduction; that is a big burden for a region with only 45,000 people.

The territorial government and local community governments do not have the resources to take over the programs from which the federal government is withdrawing. These cuts are real cuts, and these organizations will be severely handicapped. Some might have to close programs and shut down altogether.

There are many Aboriginal people in the North who still speak their own language. Our society was based on an oral tradition; literacy was not an issue. However, in the last generation or two, as I said, we have been getting involved in the modern economy. Literacy — that is, the ability to write and read English — is important if we are to be part of modern life. We have no choice.

That is the thinking — that we have no choice but to get on with a modern economy, because hunting and trapping is becoming a very difficult way of life. People recognize they have to get jobs. With the prospect of industrial development coming to the North, it is so important that people be given a chance to learn and write English.

This is why I express my concern. I express my concern in the name of the people in the far reaches of the North who are being affected and who have been affected by the cuts of the government. I want to make the point that government, whoever you are — whether it is a federal Liberal or Conservative government or a territorial government — in the future, when you cut programs, be very sure you know how it is going to affect people in the remote parts of the country. I think too many decisions are made with Toronto, Edmonton and the big southern cities in mind, and with not enough thought about the small rural communities in the North.

Honourable colleagues, my concern is sincere. I did not suddenly just decide to speak today. I researched the issue. I obtained information, got some statistics about the organizations that are doing these programs and talked to

people that are being affected. I speak truthfully and sincerely today in the hope that in the future, when cuts are being considered, the people in the more remote parts of the country will be kept in mind.

On motion of Senator Robichaud, debate adjourned.

HUMAN RIGHTS

MOTION TO STUDY ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE 2006 RESOLUTION ON ANTI-SEMITISM AND INTOLERANCE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Fraser, for the Honourable Senator Grafstein, seconded by the Honourable Senator Cook:

That the following Resolution on Combating Anti-Semitism and other forms of intolerance which was adopted at the 15th Annual Session of the OSCE Parliamentary Association, in which Canada participated in Brussels, Belgium on July 7, 2006, be referred to the Standing Senate Committee on Human Rights for consideration and that the Committee table its final report no later than March 31, 2007:

RESOLUTION ON COMBATING ANTI-SEMITISM AND OTHER FORMS OF INTOLERANCE

1. Calling attention to the resolutions on anti-Semitism adopted unanimously by the OSCE Parliamentary Assembly at its annual sessions in Berlin in 2002, Rotterdam in 2003, Edinburgh in 2004 and Washington in 2005,
2. Intending to raise awareness of the need to combat anti-Semitism, intolerance and discrimination against Muslims, as well as racism, xenophobia and discrimination, also focusing on the intolerance and discrimination faced by Christians and members of other religions and minorities in different societies,

The OSCE Parliamentary Assembly:

3. Recognizes the steps taken by the OSCE and the Office for Democratic Institutions and Human Rights (ODIHR) to address the problems of anti-Semitism and other forms of intolerance, including the work of the Tolerance and Non-Discrimination Unit at the Office for Democratic Institutions and Human Rights, the appointment of the Personal Representatives of the Chairman-in-Office, and the organization of expert meetings on the issue of anti-Semitism;
4. Reminds its participating States that “Anti-Semitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and

religious facilities”, this being the definition of anti-Semitism adopted by representatives of the European Monitoring Centre on Racism and Xenophobia (EUMC) and ODIHR;

5. Urges its participating States to establish a legal framework for targeted measures to combat the dissemination of racist and anti-Semitic material via the Internet;
6. Urges its participating States to intensify their efforts to combat discrimination against religious and ethnic minorities;
7. Urges its participating States to present written reports, at the 2007 Annual Session, on their activities to combat anti-Semitism, racism and discrimination against Muslims;
8. Welcomes the offer of the Romanian Government to host a follow-up conference in 2007 on combating anti-Semitism and all forms of discrimination with the aim of reviewing all the decisions adopted at the OSCE conferences (Vienna, Brussels, Berlin, Córdoba, Washington), for which commitments were undertaken by the participating States, with a request for proposals on improving implementation, and calls upon participating States to agree on a decision in this regard at the forthcoming Ministerial Conference in Brussels;
9. Urges its participating States to provide the OSCE Office for Democratic Institutions and Human Rights (ODIHR) with regular information on the status of implementation of the 38 commitments made at the OSCE conferences (Vienna, Brussels, Berlin, Córdoba, Washington);
10. Urges its participating States to develop proposals for national action plans to combat anti-Semitism, racism and discrimination against Muslims;
11. Urges its participating States to raise awareness of the need to protect Jewish institutions and other minority institutions in the various societies;
12. Urges its participating States to appoint ombudspersons or special commissioners to present and promote national guidelines on educational work to promote tolerance and combat anti-Semitism, including Holocaust education;
13. Underlines the need for broad public support and promotion of, and cooperation with, civil society representatives involved in the collection, analysis and publication of data on anti-Semitism and racism and related violence;
14. Urges its participating States to engage with the history of the Holocaust and anti-Semitism and to analyze the role of public institutions in this context;
15. Requests its participating States to position themselves against all current forms of anti-Semitism wherever they encounter it;

16. Resolves to involve other inter-parliamentary organizations such as the IPU, the Council of Europe Parliamentary Assembly (PACE), the Euro-Mediterranean Parliamentary Assembly (EMPA) and the NATO Parliamentary Assembly in its efforts to implement the above demands.
—(*Honourable Senator Fraser*)

Hon. Hugh Segal: Honourable senators, I had undertaken to speak on this motion with respect to anti-Semitism — which, like others in this chamber, I am deeply opposed to. However, being mindful of the clock, if it is acceptable to honourable senators I wish to move the adjournment of the debate in my name.

On motion of Senator Segal, debate adjourned.

[*Translation*]

**SOFTWOOD LUMBER PRODUCTS
EXPORT CHARGE BILL, 2006**

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-24, to

impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence, to which they desire the concurrence of the Senate.

Bill read first time.

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

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate, at the next sitting of the Senate.

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

Hon. Senators: Agreed.

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading at the next sitting of the Senate.

The Senate adjourned until Thursday, December 7, 2006, at 1:30 p.m.

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