



CANADA

Debates of the Senate

2nd SESSION

•

40th PARLIAMENT

•

VOLUME 146

•

NUMBER 53

OFFICIAL REPORT
(HANSARD)

Thursday, September 17, 2009



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

CONTENTS

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

Debates Service: D'Arcy McPherson, Chambers Building, Room 943, Tel. 613-995-5756
Publications Centre: David Reeves, Chambers Building, Room 969, Tel. 613-947-0609

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, September 17, 2009

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

Prayers.

SENATORS' STATEMENTS

CULTURAL AND MEDIA COOPERATION

Hon. Janis G. Johnson: Honourable senators, I was a guest last weekend at the Toronto International Film Festival, TIFF, and a highlight for me was the event held by the Nordic Council of Ministers. Iceland has the Chair of the Council in 2009, and Minister Katrin Jacobsdottir presented the plans now in place for their response to the challenges and opportunities in arts and culture posed by globalization.

They have adopted a "pro active strategy for cultural and media cooperation making culture a separate and distinct topic with the overall Nordic efforts to address globalization."

The aim is to create a "more visible Nordic region, a more knowledgeable Nordic region and a more prosperous Nordic region." They want to be at the forefront of the global development of the creative industries.

I feel Canada can learn from this initiative by the Nordic Council, for we have much in common. Like them, we also have creative industries that see film and computer games as the biggest growth areas. Like them, we are highly regarded internationally for our film, movies, literature, art and our focus on human rights, including the new federal Canadian Museum for Human Rights in Winnipeg.

As a result of these areas in common, honourable senators, I feel we, too, are in a strong position to play a key role in the production and transfer of international cultural knowledge.

We can begin in the schools and develop cooperation between cultural institutions and schools, and other institutions of higher learning, like universities, to support creativity in its many forms. We can study what other countries are doing to strengthen creativity in their cities, towns and communities, and see where we can work together on arts and culture and follow up on the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The convention is based on human rights. It stresses, above all, the notion of the right of sovereign states to pursue cultural policies. The World Summit on Media for Children and Youth, a critical event, will be held in 2010 in Sweden, and I know Canada will play an important role at this conference.

Honourable senators, I went to a film festival to learn about film in connection with my production of the festival in Gimli,

Manitoba. I came away with many new ideas for cultural initiatives in our country and the importance of international cooperation in the new century.

THE LATE DR. BILL GILLIS

Hon. Jane Cordy: Honourable senators, on August 15 of this year, Nova Scotians lost a dedicated public servant and an exceptional human being, with the passing of Dr. Bill Gillis. Bill was born in Boston and moved to Antigonish when he was only six weeks old. He was a geologist with the Department of Energy, Mines and Resources from 1962 to 1967, and then he taught at St. Francis Xavier University.

Bill first ran for MLA in 1967 and lost to the incumbent by only 26 votes, or, as he would say, "less than one vote per poll." He often used this story to impress on people the importance of each and every vote during an election. Bill ran again successfully in 1970, and he served as the Liberal MLA for Antigonish until he retired in 1998.

During his time in office, he served in many high-profile capacities, including Deputy Premier, Minister of Mines and Energy, Minister of Justice, and Minister of Finance.

Bill had tremendous respect for taxpayers' dollars. He regularly took the Acadian Lines bus on his trips between Antigonish and Halifax, and he would have a lunch packed by his wife. He was often teased about his frugal ways, but he believed that he had a responsibility to spend taxpayers' money wisely.

Dr. Bill Gillis was highly respected by his colleagues from all political parties because of his fair-mindedness and integrity. He worked hard for Nova Scotians because he truly cared for the people he represented.

My thoughts and prayers are with his wife Joan and his children, John and Amy.

THE LATE MURIEL DUCKWORTH, C.M.

Hon. Nancy Ruth: She is a star of the last century, a woman who worked for peace and the greater good of all, a woman who worked hard for social change — all during her 100 years of life. Muriel Duckworth died a few weeks ago on her farm in Quebec.

After McGill University, she moved to Halifax and stirred the pot from there — and from there, across Canada.

Muriel was one of those women who, along with Dr. Ursula Franklin, Senator Thérèse Casgrain, Kay MacPherson, and others, proved that American nuclear testing affected Canadians. These women, with the mothers of Alberta, collected baby teeth and tested them for strontium 90. This testing measured the impact of nuclear fallout drifting north. Honourable senators, it was only women doing the work that men would not do.

On the walls of this chamber are paintings of war's devastation. The paintings are here to remind us of that devastation and to encourage us to work for peace through negotiation and not war. Muriel reminded us when she said:

War is the greatest destroyer of human life, the greatest polluter, the greatest creator of refugees, the greatest cause of starvation and illness. We all have to care — not just for our own little circle but for the universe.

We remember Muriel Duckworth, caring Canadian, Officer of the Order of Canada, holder of 27 honorary degrees, peace activist, model citizen and a polar star.

2009 CANADA SUMMER GAMES

Hon. Elizabeth Hubley: Last month, Prince Edward Islanders were proud to host the Canada Summer Games, one of the largest multi-sport and cultural events in the world. Held every two years and alternating between winter and summer games, the Canada Games bring together the best young athletes and artists from each Canadian province and territory.

• (1340)

Between August 15 and 29, 4,400 athletes, coaches and managers came to Prince Edward Island to compete in 18 sports. They were truly island-wide games, with events centred in Summerside and western P.E.I. the first week, and in Charlottetown and eastern P.E.I. the second week.

I extend my congratulations to Prince Edward Island athletes who had their best showing ever in the Canada Games, as well as to all the athletes from across the country who participated.

I also extend my congratulations to the organizers and more than 6,000 volunteers who made the Canada Games a success. Our best wishes go to the Nova Scotians who are now planning the 2011 Winter Games.

[Translation]

COMMERCIAL SEAL HUNT

Hon. Céline Hervieux-Payette: Honourable senators, opponents to the seal hunt and to any human involvement with animals are far from backing down, after the declaration of a European boycott of seal products. On the contrary, their victory has encouraged them.

Yesterday, animal rights activists protested loudly in the other place, interrupting Question Period.

Others try to win us over by inviting us to events to supposedly protect animals.

We must take action to respond to this multimillion-dollar lobby, which takes many shapes, and uses both soft and hard approaches, and both friendly and violent tactics.

Our seal industry is being viciously attacked. Seal hunters will lose income, and have already lost income because of the pressures from this lobby.

The Minister of Fisheries and Oceans, the Honourable Gail Shea, was kind enough to reply to a letter I sent to her during the summer. I asked that the seal hunters receive financial compensation for the losses incurred by this unfair European boycott, until the WTO renders a decision.

Minister Shea responded that the Conservative government would not offer any financial compensation, but that the government would defend the quality of Canada's killing methods to the WTO, and would try to have the boycott lifted.

I am pleased that Minister Shea and Minister Stockwell Day are contesting the European decision before the WTO. I urge them to take the appropriate action as quickly as possible.

But this decision is far from being enough. It will leave our hunters in disarray while they wait out some obscure procedures without any guarantee of a positive outcome.

I am therefore formally asking Minister Shea to reconsider her position and to ask the Prime Minister to provide annual financial assistance, while the proceedings are before the WTO. After all, seal hunters are worth just as much as automobile workers.

I am calling on the government to do everything it can to stop the unbearable pressure from this vegetarian lobby on Canadian soil.

[English]

BIG BROTHERS BIG SISTERS OTTAWA

Hon. Jim Munson: Honourable senators, this week we will have a chance to make a difference in a young person's life by contributing to the Big Brothers Big Sisters Ottawa Buddy Up campaign. The formula for Big Brothers and Big Sisters is simple; it matches a "Little," a young person from 6 to 16, with a "Big," an adult who becomes a friend and mentor to this child.

In 2008, more than 1,000 children in Ottawa spent time and developed friendships with their volunteer mentors. Their friendships have been proven to help kids at risk avoid drugs and alcohol, succeed at school, feel better about themselves and get along better with other kids.

The Buddy Up fundraising campaign has a goal of raising \$45,000 so that some of the 160 "Littles" on the waiting list can find a "Big." They need 450 donors to give \$100.

Honourable senators, when children have a "Big" in their lives, they have someone who will listen; someone who will respect them; someone who will ask, "What do you think?"; someone who will say, "Yes, you can," and "I can help you." This is the same all across the country with Big Brothers Big Sisters.

I have been a big brother and I can tell you that "Bigs" get as much out of the relationship as "Littles." I had great times with my little brother, a street youth from Saint-Henri in Montreal, in the early 1970s. I am sure he is doing big things now.

We all know that strong and healthy communities start with strong and healthy kids who are engaged in their families, schools and neighbourhoods. You can help make this happen by contributing today. I encourage all honourable senators to do their part by going online at www.buddyup.ca.

Incidentally, “Buddy Up” comes from the Chief of Police in Ottawa who is from Cape Breton originally. In Cape Breton, everyone is a “buddy.” That is where the idea came from, so “Buddy Up,” as they say.

Big Brothers Big Sisters Ottawa is a great organization that serves everyone, big and small, and contributes to a better city for all of us. Honourable senators, you can do the same thing, of course, in your own cities and constituencies.

The Hon. the Speaker: Before calling on honourable senators for Tabling of Documents, is there consent of the house that we hear from the Honourable Leader of the Opposition, Senator Cowan?

Hon. Senators: Agreed.

NEW SENATORS

CONGRATULATIONS ON APPOINTMENTS

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I would like to take this opportunity to say a few words of welcome to our new senators.

Honourable senators, I was scheduled to speak on Tuesday following the remarks of the Leader of the Government, as has been our long-standing tradition when we celebrate the appointment of new senators. Unfortunately, our colleagues left the chamber as Senator LeBreton was concluding her speech, for a photo session with the Prime Minister, perhaps to sign their eight-year term contracts; I don't know. I assume we will get copies of the pictures.

Some Hon. Senators: Oh, oh.

Senator Cowan: In those circumstances, I felt it was inappropriate to speak to them when they were not in the chamber. Yesterday, I received a gracious note of explanation from Senator LeBreton and I am glad to have an opportunity to say today what I would have said on Tuesday.

Honourable senators, on behalf of the opposition, I am happy to welcome our nine new colleagues to the Senate. I am sure that their diverse talents and experience will bring much to the work of this important institution.

For several years, our ability to function at the high level that Canadians are entitled to expect from their Senate was hampered by the Prime Minister's refusal to fill the ever-increasing number of Senate vacancies. We on this side urged the Prime Minister to fulfill his duty, arguably his constitutional obligation, by making appointments in a timely manner.

Last January, we welcomed 18 new colleagues, many of whom have made remarkable contributions in this place already. Their presence has made a particular difference in the ability of the

government to fill its roster of members on committees and to relieve the workload of their overtaxed colleagues. Honourable senators, your arrival will further assist in evening out this workload — something I am sure my friends in the government leadership will welcome.

• (1350)

Some Hon. Senators: Hear, hear.

Senator Cowan: I look forward to working with you in the weeks and months ahead as we seek to do our part to make Canada the best place it can be for all Canadians. Honourable senators will not be surprised to hear that I expect that there may be times when we may disagree as to how best to achieve that objective. Indeed, I suspect my vision of what Canada can achieve may differ substantially from yours. I look forward to many lively debates in this chamber as we consider and assess various legislative initiatives. However, you may be surprised to learn that I expect there will be many times when we will find ourselves in agreement. The Senate is a political institution, but it has a strong and proud tradition of being less partisan than what we refer to here as “the other place.” Many of us work hard to try to find bipartisan solutions to issues. I will not pretend that the efforts are always successful — but when they do succeed, I believe Canadians and the Senate gain.

In this regard, I want to say a word or two about the function of this place and to repeat a message that I gave to our new colleagues last January. As I advised our then new colleagues: Do not believe everything you have heard or read about this place. Take the time to check out the résumés of your colleagues on both sides of the chamber. You will be amazed, as I was when I arrived, at the depth of experience and knowledge that exists here. You will be impressed, as I was, by the work that is done by your colleagues. Take the time to learn about this institution; do not take the words of others. Form your own opinion. Take advantage of the expertise of the officers of the chamber, the clerks, the researchers who support our committees, and the wonderful resources that are available to assist us in our work.

I believe you will find, as I did, that our colleagues — Liberal, Conservative, Progressive Conservative and Independent — take their roles as senators under the Constitution seriously. They work hard to understand and assess all aspects of proposed legislation — listening to Canadians who take the time to come before our committees to express their often impassioned views on issues before us and checking for unintended consequences of initiatives, all too often finding them and then working hard to find solutions.

That is our job as legislators in the Canadian parliamentary system. To quote George Brown, one of the Fathers of Confederation, their aim in designing the Senate was to fashion an upper house that would be “a thoroughly independent body — one that would be in the best position to canvass dispassionately the measures of this house. . . .”

Mr. Brown meant the House of Commons. He continued by saying, “. . . and stand up for the public interest in opposition to hasty and partisan legislation.”

That is our role. We are constitutionally mandated to be “a thoroughly independent body,” independent of the other place and independent of the executive. My friend and your caucus colleague Senator Oliver succinctly and colourfully expressed it some time ago by saying that our constitutional role is to be a watchdog, not a lapdog.

I mention this today in part because I was concerned to see the Prime Minister’s statement when he announced your welcome appointments that he was making the appointments “in order for the Senate to carry out legitimate government business.” Honourable senators, under the Constitution, our job is “to canvass dispassionately” the measures that come before us — not to simply “carry out” the government’s business.

When I was summoned to this chamber, I was never asked to pledge support for specific initiatives or general initiatives of the government that appointed me. Indeed, there have been a number of times through the years when senators, Liberal and Conservative, have disagreed with bills put forward by their own government. I am proud of this fact — proud of my own personal independence and that of this chamber as a whole. As I have said here before, if we fail to uphold the independence of this chamber from the Prime Minister and the other place; if we fail to exercise our power as the chamber of sober second thought, then our critics are proven right. Why have an upper house at all if we are no more than a rubber stamp for the government?

We are here, paid by the Canadian taxpayers, to exercise our constitutional responsibility to the best of our ability. We abdicate that responsibility — indeed, we undermine the essence of Canadian parliamentary democracy — if we say that our job here is simply to pass all government initiatives. There are ways to describe that, honourable senators, but “democratic renewal” it is not.

I must set the record straight on another comment made by the Prime Minister. He said that he was forced to make these appointments because his Senate reform agenda and his crime bills were being blocked by “some senators.”

On the issue of Senate reform, the only bill that is before us, Bill S-7, is essentially a reintroduction of Bill S-4 from the previous Parliament. That bill was the subject of hearings before our Legal and Constitutional Affairs Committee, during which serious questions were raised by eminent constitutional experts as to the constitutionality of that bill. This is a serious matter, honourable senators. Canadians expect us to do our best to respect the Constitution at all times. To seek to amend the Constitution by possibly unconstitutional means would be particularly egregious.

The committee and then this chamber recommended to the government that the government refer the constitutionality of the bill to the Supreme Court of Canada before seeking third reading approval and Royal Assent. Instead of accepting that reasonable advice, the government did nothing for two years and then, this spring, introduced essentially the same bill, Bill S-7.

I think it is fair to say that we could have had a decision from the Supreme Court long before this new bill was introduced. The matter could have been resolved and the bill either proceeded with or another approach to Senate reform initiated. Senate reform —

serious Senate reform — could have been very far advanced by now. To be clear, for the record, no bills have been introduced in the Senate with respect to the election or selection of senators. I am sure that is not for lack of trying on the part of our colleague Senator Brown.

With respect to the government’s anti-crime agenda, in February 2008, we passed the government’s much-touted omnibus Bill C-2, the Tackling Violent Crime Act. I look forward to seeing the statistics, but, so far, it is not clear to me that their major anti-crime bill has in fact reduced violent crime to any significant degree. Indeed, the government’s introduction of successive pieces of legislation suggests it recognizes that its previous efforts did not meet with success. Violent crime has not yet been fully tackled.

Of the 11 justice bills before Parliament, six are still in the House of Commons and the Senate has already passed two of them. There are only three justice bills currently before the Senate, two of which have been here for a grand total of 15 sitting days and the third for 8 sitting days.

Honourable senators, there has been no delay or obstruction by this side of the chamber on these bills. I realize that some of the senators opposite are slightly sensitive on this issue. However, you can see why I am disappointed to hear the Prime Minister tell Canadians that “some senators have actively blocked our government’s anti-crime agenda.” Canadians expect and deserve better.

For the benefit of our new colleagues, in particular, I should point out that it was actually the Prime Minister’s own government that delayed passage of Bill C-15, the proposed legislation on mandatory jail terms for drug producers. Bill C-15 was introduced in the other place on February 27, 2009. It did not pass third reading until June 8 — 102 sitting days later — although the Liberals supported its quick passage through that place. This bill was received in the chamber on June 9, but the government did not see fit to speak to it until June 16, just a few days before the summer adjournment, leaving no time for debate.

Prime Minister Harper recommended your appointment to this chamber. That is his right, and arguably his duty, however it may differ from his previous statements. He should take responsibility for his own decisions and not seek to hide behind false rationales about why he is ensuring that no vacancies remain unfilled in this chamber.

Honourable senators, I am confident that you will find your work here to be challenging, interesting, sometimes inspiring, and always with the potential to be extraordinarily satisfying. You have been afforded a unique opportunity to serve Canada. Take full advantage of it. If you do, you will find your time here to be a rich and rewarding experience, and Canada will be better off for your being here.

Welcome to the Senate of Canada.

• (1400)

ROUTINE PROCEEDINGS

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

BORDER TRADE ALLIANCE INTERNATIONAL
CONFERENCE, APRIL 19-21, 2009—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group to the Border Trade Alliance International Conference: New Administration, New Border Policy, held in Washington, D.C., United States of America, from April 19 to 21, 2009.

EMPLOYMENT INSURANCE ACT

NOTICE OF MOTION TO AUTHORIZE NATIONAL
FINANCE COMMITTEE TO STUDY SUBJECT MATTER

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in accordance with rules 74(1) and 62(1)(i), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of Bill C-50, An Act to amend the Employment Insurance Act and to increase benefits, introduced in the House of Commons on September 16, 2009, in advance of the said bill coming before the Senate.

QUESTION PERIOD

HEALTH

GOVERNMENT RESPONSE TO H1N1 VIRUS IN FIRST
NATIONS COMMUNITIES

Hon. Lillian Eva Dyck: Honourable senators, today, as I walked up to Parliament Hill, I could not help but think about the elders, people and children living in remote First Nations communities in northern Manitoba who were sent body bags by Health Canada. It was a heartless act which dehumanizes First Nations people. What kind of flu pandemic planning is this?

As a First Nations woman and a senator, I was in a state of shock after hearing the news about the body bags. I was overwhelmed with grief. It was as if someone had taken a knife and driven it into my heart. What was the government thinking? How would people feel if they were worried about being infected with H1N1 and they were sent a body bag to help them, indicating that their family was going to die? What kind of message does this send to First Nations people?

In my heart, the body bags send a clear and strong message that the Government of Canada does not care about the health, safety and well-being of First Nations people. Sadly, it suggests the government is leaving them to die.

What is needed is not a message that the government expects them to die. Rather, what is needed are preventative measures.

First Nations communities are faced with limited health infrastructure and resources in place to manage the spread of this pandemic. To get to the core of this situation, we have to recognize that this is more than a health crisis; it is a social disaster.

The shipment of body bags, hand sanitizers and masks is not the solution to the health problems of First Nations. This is about First Nations people having access to clean drinking water, adequate housing, healthy living conditions, and health services and resources. If these basic principles were implemented and available, First Nations people would be better equipped to handle this H1N1 pandemic.

Will the Leader of the Government tell us why Minister Aglukkaq has not apologized? Why were the body bags sent to First Nations communities in northern Manitoba? Have they been sent elsewhere? What plans does the government have to prevent H1N1 in First Nations communities?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank the honourable senator for the question. I can absolutely identify with the feelings that she expressed when news of this became known this morning. It is a very sad situation that this shipment to the nursing stations, which included many other items, as was pointed out, seemed to contain a disproportionate number of body bags. While we have not gotten to the bottom of it yet, it does not matter what the explanation is. This is a very sad situation and I am sure everyone is sorry this has happened.

With the indulgence of the honourable senator, I would like to read into the record the Health Canada press release and statement made today by Minister Aglukkaq, the Minister of Health. As honourable senators know, she is in Winnipeg attending a meeting of the federal, provincial and territorial health ministers. She issued the following statement this morning, which I will be happy to table in both languages later:

For immediate release, from Winnipeg:

Health Minister Leona Aglukkaq made the following statement following reports that several body bags had been delivered by Health Canada to a First Nations community in Manitoba:

“During a conference call with First Nations organizations yesterday morning it was brought to my attention that there were reports out of Manitoba that Health Canada had delivered body bags to a remote First Nation community in that province as part of H1N1 preparations for the fall.

“What happened is unacceptable. It was insensitive and offensive. As Minister of Health and as an aboriginal I am offended. To all who took offence at what occurred, I want to say that I share your concern and I pledge to get to the

bottom of it. I have ordered my Deputy Minister to conduct a thorough and immediate inquiry into the situation. I will make the result of the inquiry public. I will continue to work with First Nations communities and the provinces and territories to ensure all Canadians are informed and protected against H1N1.

“I was born and raised in remote communities and I understand the challenges better than anyone — that’s why I have met frequently with First Nations organizations. Anyone suggesting that our Government’s solution to H1N1 is body bags is sensationalizing this situation.

“There is strong cooperation taking place with First Nations people at the community, regional and national levels, as well as with provinces and territories, to ensure that all Canadians are informed of and protected from the H1N1 flu virus. As Health Minister I am fully committed to these efforts.”

Just to summarize for honourable senators, I do believe that, — no matter where they live, no matter what walk of life they are from, and no matter what political party they belong to — all Canadians know that all levels of government — federal, provincial, municipal, and territorial — and public health care workers are doing everything possible to prepare all of our communities, no matter where they are, for the potential of the H1N1 pandemic.

Senator Dyck: If the government was so perfectly prepared and if all Canadians were concerned, this would not have happened. It shows a lack of planning. How well can Health Canada be prepared to deal with this when they have sent these packages out? It makes no sense.

Senator LeBreton: Honourable senators, we should wait to see the results of the minister getting to the bottom of this.

• (1410)

From what Dr. Butler-Jones said this morning, supplies are being sent all across the country, but particularly into First Nation health care centres. I do not think it serves any of us to politicize a serious issue like this, dealing with the H1N1 flu pandemic and its implications for all Canadians.

The fact of the matter is this situation happened. Obviously in Winnipeg, Health Canada officials were preparing supplies. We should wait and see exactly what happened and what was actually shipped, in addition to these body bags. Let us remember that all levels of government are working extremely hard.

Only yesterday, Minister Aglukkaq and Dr. Butler-Jones issued the regimen for the distribution of the H1N1 vaccine and the groups that will take priority. I am sure honourable senators have seen the regimen. One of those groups includes those who live in remote, contained communities, many of whom are Aboriginals. Honourable senators, I also wish to point out that in my own caucus, both in this chamber and the House of Commons, are several Aboriginal Canadians, starting with our Minister of

Health. I regret that one could think that anyone in government would deliberately do something to offend, cause concern or stress for any group of people, but particularly the peoples of our First Nations — far from it.

Minister Aglukkaq has worked with the new National Chief of the Assembly of First Nations, Shawn Atleo. When I saw him on the noon news I thought Chief Atleo was responsible in making the point that governments and communities must work together to resolve this problem. It is reasonable advice.

This situation is an unhappy and regrettable one for First Nations people, no matter who they are, where they live, what party they may or may not belong to. This issue should not be politicized. This is a serious health issue. The government at all levels is trying to deal with it.

The Minister of Health has received, from all political parties, laudatory comments about how she has stayed on top of this situation. I am particularly proud of her because she is from the North and she understands. The look on her face when she appeared on television should have convinced anyone that she had the same concerns and felt equally as hurt as Senator Dyck.

Hon. Jim Munson: Honourable senators, that answer is not good enough. Body bags are for coroners, not health officials.

Does the minister ever talk to her officials? Does she communicate with them? There is one thing here: She is the boss and, at the end of the day — at some point — responsibility begins with the minister. At some point, the minister must take responsibility. The responsible answer is an apology. The minister says she is offended by her department. She has a deputy minister, she has an ADM and all kinds of people. With something as serious as this disease, when these kinds of things are happening one would think there would be that type of discussion.

The minister must do more than say that there is an investigation. Why is it so hard to say, “We apologize”?

Senator LeBreton: Frankly, honourable senators, that question is not good enough.

Senator Comeau: As usual.

Senator LeBreton: I will check — because I am speaking from the heart here — but I believe that I said this situation is one for which we are all very sorry.

The honourable senator has suggested that Minister Aglukkaq is not working around the clock, 24/7, meeting with her officials. I take it from the question that Senator Munson thought she should have been in the shipping house helping to pack the boxes.

Senator Munson: She should talk to her deputy minister.

Senator LeBreton: She has said that she has asked the Deputy Minister to conduct an inquiry.

It is regrettable that anyone would politicize such a serious issue as H1N1. The Canadian public deserves better of us. They are looking to their leaders — no matter what their political stripe — to do everything possible to prepare the country for the potential

outbreak of H1N1. Every day or every second day, I see Minister Aglukkaq and Dr. Butler-Jones on television explaining the situation in terms of the development of the vaccine, the tests that are being conducted with the vaccine, giving examples of what has happened in other parts of the world and who are the most vulnerable.

Only yesterday Minister Aglukkaq and Dr. Butler-Jones issued guidance on the H1N1 influenza vaccine, including the sequencing and the groups of people they recommend would benefit from access to the flu vaccine. Of course there is a long list. I am sure honourable senators have seen it. It was issued by Health Canada on September 16.

Dr. Butler-Jones, Canada's Chief Public Health Officer, is doing a remarkable job. On this list were people with chronic medical conditions under the age of 65; pregnant women; children six months to under five years of age; people living in remote or isolated settings; health care workers involved in pandemic response; household contacts and caregivers; and so on down the line.

To quote Senator Munson's words, to politicize such an important health issue "is just not good enough."

Senator Munson: What is regrettable is the leader has been able to say, "I am sorry," but the minister has not been able to say — as a government — "we are sorry." Words matter, and words matter on reserves in this country. The minister and the Leader of the Government — if they are sorry — should go to these reserves and make the case.

Senator LeBreton: Honourable senators, in the statement I read — and as I mentioned in response to Senator Dyck's question — the minister understands, more than you or I or anyone else in this place — other than those people who have lived in remote communities — what is at issue here. The Canadian public do not want partisan debate over who said what, when they said it, where and why. The Canadian public wants action, and that is what this government is doing on this issue.

Some Hon. Senators: Hear, hear!

Hon. Sharon Carstairs: Honourable senators, my question is to the Leader of the Government in the Senate.

• (1420)

The normal stages of any health care plan in Canada are birth, prevention to ensure good health, treatment when necessary, palliative care when one has reached the stage when treatment alone cannot prevent death and, finally, death.

Can the honourable minister explain to this house, because it has not been explained yet, why this government has ignored the stages of prevention, treatment and palliative care and has gone immediately to body bags?

Senator LeBreton: Honourable senators, I will not respond to that question because Senator Carstairs knows as well as I do that is absolutely not true. For Senator Carstairs to stand there and say that all we care about is putting people in body bags is disgusting, and the senator should withdraw the remark.

Some Hon. Senators: Hear, hear!

Senator Carstairs: Honourable senators, what is disgusting is that in June, it was clearly proven to a Senate committee that the Department of Health was not sending hand sanitizers to Aboriginal communities without running water in my province because they were concerned about its alcohol content. That is a total lack of sensitivity that I would have thought the Department of Health and, more particularly, the minister, would have said to her officials, "Listen up. For heaven's sake, get some sensitivity around these issues."

Instead of getting sensitivity around these issues, they have sent body bags to communities in my province. We do not get hand sanitizers because they are alcohol-based, but we get body bags. I do not understand. Perhaps the minister can explain how our Aboriginal communities in Northern Manitoba can understand a government that does not send them the supplies they need but sends them body bags.

Senator LeBreton: Honourable senators, Senator Carstairs did not even read the news stories about this issue because these large shipments included sanitary gloves, masks and hand sanitizers. The honourable senator chose just to focus on one part of the shipment which, of course, is not surprising.

Again, honourable senators, this is an issue that does not need further misinformation or hysteria surrounding it. They expect all of us, and especially from someone like the honourable senator who held a leadership position in the province of Manitoba, to work together to solve this issue.

Minister Aglukkaq has met and has been meeting with First Nations all over the country, and 90 per cent of the First Nations communities have reported that they have plans in place.

We can be political and partisan about a whole host of issues, but one area where we should not be political or partisan is with regard to a serious world health issue such as H1N1. The people want us to work together on this serious issue. I think the government is working extremely hard with its provincial and territorial counterparts.

As I mentioned earlier, Minister Aglukkaq is in Winnipeg, the honourable senator's hometown, as we speak, meeting with territorial and provincial ministers. The public health officials, the municipal officials and people in all the various cities and jurisdictions are working together.

Obviously, some areas will require more attention. Senator Carstairs, people from very different political stripes are working together to deal with this serious issue. Shouting and making false accusations will not help the problem. The senator's accusation that the government simply sent a shipment of body bags to a remote community in Northern Manitoba is false.

Senator Carstairs: That is quite the record. In reality, not one community but a number of communities received shipments of body bags.

Honourable senators, the best prevention to H1N1 is vaccination. The leader referred to a list yesterday and mentioned that Aboriginal Canadians would be on that list.

[Senator LeBreton]

My question to the Leader of the Government in the Senate is since my province has many remote communities, as the newest senator from Manitoba knows well, that can be accessed only by air, is the plan to fly in the vaccinations to all of these remote Northern communities? That information was not publicized yesterday.

Senator LeBreton: I can assure honourable senators, so as not to alarm people in the Northern communities in Manitoba, that the public health officials have a plan to ensure that the remote communities in the northern part of the country will have vaccines made available to them.

NATURAL RESOURCES

CHALK RIVER NUCLEAR LABORATORIES— MEDICAL RADIOISOTOPE SUPPLY

Hon. Catherine S. Callbeck: Honourable senators, my question is to the Leader of the Government in the Senate.

The crisis in the supply of medical isotopes has intensified. Short supply means that delays in testing are inevitable. This is particularly worrisome for Canadians with cancer for whom early diagnosis is critical.

Given the importance of these isotopes to Canadians' health and the precarious state of supply, what contingency plans did the government consider when it decided to shut down the MAPLE reactor, the only back-up to the Chalk River NRU reactor?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, I thank Senator Callbeck for the question. As honourable senators know — a lot of this happened under the previous government — the MAPLE reactors were supposed to be online in 2001. They never produced a single medical isotope.

The supply problem is as a result of the shutdown of the NRU in May because of a heavy water leak. AECL announced over the summer, on August 12, that the reactor will return to service in the first quarter of 2010. Minister Raitt has insisted that AECL's first priority is to bring that NRU reactor back on stream as quickly as possible, consistent with maintaining safety and security. We continue to work with the provinces and territories, the medical community and international partners to address our needs during this outage.

In June, the Expert Review Panel on Medical Isotope Production was named, as honourable senators know, to identify and recommend the most viable options for securing supplies of isotopes over the medium and long term.

At the moment, hospital facilities are managing. We are still operating with sufficient supplies to meet their needs. In addition, the minister, as I reported in this place before, is still working with other isotope-producing countries to solicit their support and, in the global effort, to coordinate the schedules of the various reactors in order to maximize supply of isotopes into 2010.

At the moment, the supply is meeting the needs, although it requires constant surveillance by the government.

HEALTH

FEDERAL FINANCIAL ASSISTANCE FOR MEDICAL RADIOISOTOPE SUPPLY

Hon. Catherine S. Callbeck: Honourable senators, the honourable leader mentioned hospitals, and some hospitals have had to import medical isotopes to meet the demand. Prices have soared with a shortage of global supply. Many hospitals are already over their budgets, and they are facing still higher deficits, which the provinces will have to cover. The leader talked about cooperating with the provinces. Will the federal government compensate the provinces for the fiscal costs to the health care system caused by the isotope crisis?

• (1430)

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank the honourable senator for the question. We are well aware that some hospitals have expressed concerns about rising prices. Dr. McEwen heads the panel that is working with the various provinces. It is fortunate that we have a government in Ottawa that is committed to long-term, stable funding of health care to the provinces.

In response to the senator's question, I do not know whether any province or hospital has requested such funding and I do not know the results of the deliberations between the provinces and the federal government.

Senator Callbeck: Will the honourable leader please find out whether the federal government plans to help the provinces with these increased costs?

Senator LeBreton: Yes, I will take that part of the question as notice.

HUMAN RESOURCES AND SKILLS DEVELOPMENT

EMPLOYMENT INSURANCE

Hon. Jeremiah S. Grafstein: Honourable senators, I have an urgent question for the Leader of the Government in the Senate. Last Monday, in Washington, D.C., I attended a conference hosted by *The New Republic* dealing with the current financial and economic crisis and looking ahead.

At that conference, a senior economic adviser to President Obama predicted that unemployment, currently hovering at 10 per cent in the United States, will rise in the years 2010 and 2011. Obviously, this is not good news for Canada.

In Wednesday's *Globe and Mail*, it was reported that unemployment in Toronto was at 11.8 per cent in August, up from 8.8 per cent the previous year. This number of 11.8 per cent does not include those who are not on welfare or EI, or those who are first-time job seekers, students, part-time workers and non-first-time job seekers. Based on some estimates, it means that unemployment in Toronto is hovering between 15 per cent and 20 per cent — the highest in my living memory.

The stimulus package focused on construction and the short term is obviously not working. Toronto, the engine of growth, is stalling and spiralling downward.

What new measures is the government planning to ensure that Canadians can find jobs, in particular, students? Students in Toronto were unable to find jobs this past summer to pay for their rising tuition costs.

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, I dispute the honourable senator's figures. We have a competent Minister of Human Resources to deal with these issues, and we are taking measures to help the unemployed. I saw the OECD report. Everyone has told us that we will have different kinds of jobs coming out of this recovery. Certainly, the minister understands that and that is why the government is prepared to deal with the issue of unemployed long-tenured workers.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting delayed answers to the following oral questions raised by Senator Cowan on May 7, 2009, concerning public safety — the sale of contraband tobacco; by Senator Munson on May 7, 2009, concerning public safety — the National DNA Data Bank; and four questions by Senator Dyck on May 13, 2009, concerning, first, justice — violence against Aboriginal women and children; second, violence against Aboriginal women and children — federal, provincial and territorial ministers responsible for the Status of Women Forum in March 2006; third, violence against Aboriginal women and children — a “Walk for Justice”; and fourth, violence against Aboriginal women and children — Sisters in Spirit.

PUBLIC SAFETY

SALE OF CONTRABAND TOBACCO

(Response to question raised by Hon. James S. Cowan on May 7, 2009)

The federal government is continuing to advance efforts to address the issue of contraband tobacco on a national level in collaboration with provincial governments, First Nations communities and industry stakeholders.

In May 2008, the Government launched the Royal Canadian Mounted Police (RCMP) Contraband Tobacco Enforcement Strategy (the Strategy), and announced the creation of the Task Force on Illicit Tobacco (the Task Force).

The RCMP strategy aims to reduce the availability and demand for contraband tobacco by:

- enhancing the skills of its members to effectively address the current contraband tobacco environment;

- disrupting organized crime groups involved in illicit tobacco activities;
- enhancing intelligence gathering/sharing while leveraging investigative capacity; and
- increasing public and law enforcement awareness through a variety of communication initiatives.

The RCMP strategy serves as a guide to provide national direction to front line officers. National and Divisional Coordinators have been appointed to strengthen national and inter-divisional implementation.

Although the RCMP made more seizures of illegal cigarettes in 2008 than any other year, law enforcement alone cannot solve the problem. Public Safety Canada has been tasked to work with its federal partners to explore potential policy, program and legislative measures to further help disrupt and reduce the trade in contraband tobacco.

The Task Force is led by Public Safety Canada, and includes departments and agencies that are involved in tackling the issue. These departments and agencies include the RCMP, the CBSA, the Canada Revenue Agency, Finance Canada, Agriculture and Agri-Food Canada, Health Canada, and Indian and Northern Development Canada.

The Task Force has been asked to identify the facilitating circumstances for each source of illicit tobacco, scope out the issue and what is currently being done to address the problem, identify gaps in our collective efforts, and explore approaches to address the illicit trade in tobacco products.

Task Force members have met on several occasions and working-level officials from Task Force member departments and agencies are in contact through meetings and/or conference calls, often on a weekly or more frequent basis, to share information and discuss illicit tobacco related issues and possible solutions. Public Safety Portfolio officials are also in discussion with First Nations leaders and United States authorities.

Public Safety Canada is leading Canadian preparation and participation to negotiate a Protocol on Illicit Trade in Tobacco Products under the World Health Organization's Framework Convention on Tobacco Control. The purpose of the Protocol is to develop an internationally accepted set of practical and effective measures to control the production, manufacturing and distribution of tobacco products, thereby reducing the opportunity for illicit trade.

Other federal initiatives:

In 2007, the federal government renewed its Federal Tobacco Control Strategy which aims to reduce tobacco-related death and disease among Canadians. The Federal Tobacco Control Strategy is built on the tenets of prevention, cessation (quitting smoking) and product regulation.

Through the Federal Tobacco Control Strategy, Public Safety Canada receives funding to support enforcement activities through enhanced contributions to the Akwesasne Mohawk Police. These contributions aim to increase the capacity of the Akwesasne Mohawk Police to assess the impact of smuggling activity in the Mohawk Territory of Akwesasne, and to enhance its inter-agency cooperation with the RCMP and the CBSA to participate in joint forces operations that have led to a number of charges and significant seizures.

Public Safety Canada also established “the First Nations Organized Crime Initiative”, which promotes the participation of First Nations police officers in multi-agency task forces in Ontario and Quebec, targeting organized criminal networks that deal in contraband of all kinds.

The RCMP, in concert with domestic and United States law enforcement agencies at all levels, continues to work in close collaboration to combat the illicit tobacco market through various crime prevention, training and enforcement initiatives. This includes partnerships with First Nations police services to address the threat of organized crime and cross-border criminality, including contraband tobacco smuggling, on and around First Nations territories.

In Budget 2006, the federal government allocated funding for 1,000 more RCMP officers and federal prosecutors to focus on such law-enforcement priorities as drugs, corruption and border security. Of these, 71 new resources were allocated to the RCMP Customs and Excise Program to support the RCMP Contraband Tobacco Enforcement Strategy.

The CBSA continues to assist in the fight against contraband tobacco at the border by using a variety of contraband detection equipment, intelligence activities and officer training. The CBSA works to prevent, detect, analyze, monitor, seize and prosecute persons involved in tobacco smuggling.

On July 31, 2008, the Government of Canada joined all provinces and territories in a landmark settlement worth \$1.15 billion concerning tobacco smuggling. Two of Canada’s largest tobacco manufacturers, Imperial Tobacco Canada Ltd. and Rothmans, Benson & Hedges Inc., admitted involvement in “aiding persons to sell or be in possession of tobacco products manufactured in Canada that were not packaged and were not stamped in conformity with the Excise Act and its amendments and the ministerial regulations,” between 1989 and 1994.

In August 2008, the Government of Canada announced a new investment of more than \$300 million for Ontario’s flue-cured tobacco producers, including \$286 million for Phase 2 of the Tobacco Transition Program to help them exit the tobacco industry, and \$15 million for community development initiatives. Under Phase 1 of the Program, in 2005, almost all Quebec tobacco producers exited the industry; only three producers remain. A key component under the Tobacco Transition Program will be working with the Province of Ontario to repeal the current provincial

production controls places on flue-cured tobacco, with the intention of implementing a provincial licensing system for tobacco growers, allowing for more rigorous oversight of tobacco production in Canada.

On September 4, 2008, the Minister of National Revenue announced the introduction of a new stamp with covert and overt identifiers to strengthen controls over the manufacture and distribution of tobacco stamps. The new tobacco stamp will provide a reliable indicator of the duty-paid status of tobacco products, contain a limited tracing function, make counterfeit products easier to detect and provide an effective compliance tool for both federal and provincial authorities. The new stamp is expected to be implemented in early 2010.

DNA DATABANK

(Response to question raised by Hon. Jim Munson on May 7, 2009)

With respect to the destruction of biological material collected from a convicted young offender, the RCMP has advised that, in accordance with the provisions of the *DNA Identification Act*, the National DNA Data Bank destroys all of the original biological material when the profile of a young offender is required to be destroyed, sealed or transmitted to the National Archivist of Canada under Part 6 of the *Youth Criminal Justice Act*.

The destruction of the biological sample is documented for record keeping purposes; however, this record contains no information that would allow it to be linked back to the offender.

Regarding the exchange of DNA profiles between Canada and other countries, subsections 6 (3), (4) and (5) of the *DNA Identification Act* permit the National DNA Data Bank to exchange information, solely for the investigation or prosecution of a criminal offence, with any country that enters into an agreement with Canada. In May 2002, such an agreement was signed between the Interpol General Secretariat and Canada, allowing for the exchange of information between the National DNA Data Bank and the 187 Interpol member countries.

As of March 31, 2009, the National DNA Data Bank has received 481 international requests to search the Convicted Offenders Index and Crime Scene Index, most of which originated from the USA, followed by Europe. In turn, the National DNA Data Bank has sent out 100 international search requests. Altogether, these searches have resulted in two forensic hits (crime scene to crime scene) and two offender hits (crime scene to convicted offender).

The National DNA Data Bank does not provide biological material to other countries, only the DNA profiles collected from crime scenes.

In reference to the issue of destruction of profiles seized from young offenders after the retention period has ended, profiles and biological samples for young offenders are stored in the National DNA Data Bank in accordance with the provisions of the *DNA Identification Act* and the *Youth Criminal Justice Act*. When DNA profiles need to be

removed from the Convicted Offenders Index due to expired retention periods or quashed orders/convictions, the RCMP Canadian Criminal Real Time Identification Services advises the National DNA Data Bank. The National DNA Data Bank removes the profiles in accordance with legislation. The removal is documented for record keeping purposes; however, this record contains no information that would allow it to be linked back to the offender.

The RCMP recently conducted a review of approximately 22,000 youth criminal history records and verified that the National DNA Data Bank is in full compliance with the *DNA Identification Act* and the *Youth Criminal Justice Act*.

JUSTICE

VIOLENCE AGAINST ABORIGINAL WOMEN AND CHILDREN

(Response to question raised by Hon. Lillian Eva Dyck on May 13, 2009)

The Government of Canada shares the concerns of all Canadians on the issue of violence against Aboriginal women and is working to address the root causes of this serious situation.

Aboriginal women are a priority for the Government, as is addressing violence against women. To that end, the Government is partnering with the Native Women's Association of Canada on the multi-faceted Sisters in Spirit initiative. This five-year project (2005-2010) focuses on improving the situation of Aboriginal women, preventing violence against Aboriginal women, and in particular, addressing the high rates of missing and murdered Aboriginal women.

The issue of missing and murdered Aboriginal women is a pressing concern that requires a concerted response from all levels of government. The Government has taken steps in this regard and will continue to do so. For example, in cooperation with provincial and territorial governments, the federal government has ordered a review of the treatment by the criminal justice system of serial killers who target vulnerable women. This review is under way and is expected to be completed over the next year.

The Government of Canada is also working with other levels of government to improve policing and law enforcement. Governments are working together to share best practices to address the issue of Aboriginal missing women, and police forces across the country are putting shared knowledge to practice — to the benefit of all Canadians, including missing women and their families.

The Government of Canada will continue to work with all its partners to achieve results that ensure all women, including Aboriginal women, live in dignity, safety and prosperity. It is collaborating with its provincial and territorial partners to promote and support economic prosperity, safety and security for First Nations, Métis and Inuit women in Canada. It will continue to work with

provincial and territorial governments to feed into strategic orientations and policy development to address the root causes of violence against Aboriginal women.

In recognition of the nature and scope of violence against Aboriginal women, since 2003, Status of Women Canada has used its annual federal Family Violence Initiative (FVI) allocation of \$250,000 to support national projects of Aboriginal women's organizations to move forward on issues of violence against Aboriginal women. Over the four year period of 2004-05 to 2007-08, Status of Women Canada funding in the amount of \$3,258,120 (including a total of \$1,000,000 from the FVI allocation) was approved for projects of Aboriginal organizations (carried out at the local, regional and national levels) addressing issues of violence against Aboriginal women and girls.

The Government of Canada recognizes the varied socio-economic circumstances that intersect to render Aboriginal women particularly vulnerable to violence and marginalization (e.g. inadequate housing). The most effective way to address the gap in socio-economic conditions faced by Aboriginal peoples is increasing their participation in the Canadian economy. For this reason, in Budget 2008, the Government committed to establish a new federal framework for Aboriginal economic development to provide long-term strategic direction to federal actions and take account of gender issues.

Budget 2008 announced that we will develop an Action Plan to advance the equality of women across Canada. As part of a broader Aboriginal Women's Strategy within the Action Plan, the Government is currently exploring possible next steps.

VIOLENCE AGAINST ABORIGINAL WOMEN AND CHILDREN—FEDERAL, PROVINCIAL AND TERRITORIAL MINISTERS RESPONSIBLE FOR THE STATUS OF WOMEN FORUM IN MARCH 2006

(Response to question raised by Hon. Lillian Eva Dyck on May 13, 2009)

Federal/Provincial/Territorial Ministers Responsible for the Status of Women issued a report entitled the Summary of the Policy Forum on Aboriginal Women and Violence: Building Safe and Healthy Families and Communities. Since that time, FPT Ministers Responsible for the Status of Women have worked together to promote women's economic self-sufficiency, safety and security, and to work toward improving the situation of Inuit, First Nations and Métis women in Canada.

In 2007, FPT Ministers unanimously confirmed their support for the Iqaluit Declaration, which recognizes the urgent need to improve the lives of Aboriginal women and girls, and made a commitment to improve the social, economic and cultural well-being of Inuit, Métis and First Nations women, both on and off reserve, in Canada.

FPT Ministers Responsible for the Status of Women welcomed the recommendations for action presented to governments by participants at the Forum and at the two National Aboriginal Women's Summits and have provided written updates on what each government is doing to respond to their recommendations.

VIOLENCE AGAINST ABORIGINAL WOMEN
AND CHILDREN—A “WALK FOR JUSTICE”

(Response to question raised by Hon. Lillian Eva Dyck on May 13, 2009)

The Government of Canada takes the issue of missing and murdered Aboriginal women and girls in Canada very seriously and continues to take action to improve the safety and well-being of all Aboriginal women in Canada.

Ending violence against Aboriginal women is a shared responsibility of all levels of government, police, the justice system, Aboriginal people, civil society and other stakeholders.

The Manitoba Task Force on Missing and Murdered Women will investigate and analyze unsolved homicide files involving female victims and will determine if any links exist between the incidents.

Our Government continues to work on this troubling issue with our partners, in association with the Native Women's Association of Canada on the Sisters in Spirit research, education and policy initiative to address the root causes of violence against Aboriginal women.

The Government of Canada is exploring options for a Phase II of the Sisters in Spirit initiative to address broader issues of violence against Aboriginal women.

VIOLENCE AGAINST ABORIGINAL WOMEN
AND CHILDREN—SISTERS IN SPIRIT

(Response to question raised by Hon. Lillian Eva Dyck on May 13, 2009)

Our Government is committed to addressing the root causes of violence against Aboriginal women and girls.

The Government of Canada, through Status of Women Canada, is partnering (\$5 million over five years: 2005-2010) with the Native Women's Association of Canada (NWAC) on the Sisters in Spirit (SIS) research, education and policy initiative, which addresses the underlying factors contributing to gendered racism and violence against Aboriginal women and their socio economic, political and legal status.

Through this initiative, NWAC provides a variety of supports to families with a loved one who has gone missing or has been murdered.

For example two tool kits have been developed to respond specifically to needs identified by family members:

- 1) *Unlocking the Mystery of Media Relations Tool Kit:* This tool kit provides families with guidance on how to deal with members of the media. It contains

tips and information on media coverage in general, as well as specific ways to deal with reporters or other media staff during interviews.

- 2) *Navigating the Missing Persons Process Tool Kit:* With the assistance of the National Aboriginal Policing Services of the Royal Canadian Mounted Police (RCMP), NWAC developed this tool kit, which outlines the process of filing a missing persons report. This tool kit illustrates the realities and exposes the myths associated with the process of reporting a missing person to police. Families can use this tool kit to learn about their rights and to track police response and action throughout the process. This document has been endorsed by the RCMP and has become an education tool for policing services as well as a resource for families.

Since 2006, annual SIS Vigils have been held on October 4 to raise public awareness about missing and murdered Aboriginal women and girls, share their stories, and help to ensure that the general public understands that they are loved and missed by their families. The Vigils have steadily grown in number, beginning with 11 in 2006, 30 in 2007 and 40 across Canada in 2008. In 2009, NWAC expects that over 60 Vigils will be organized throughout the country. The organization has created registration forms and Vigil kits to help communities plan and prepare for new gatherings, including how to advertise in communities and generate media attention.

As part of NWAC's commitment to 'giving voice' to missing and murdered Aboriginal women, girls and their families, three Family Gatherings have been held. They are a means to help empower families of missing and murdered Aboriginal women and girls and to honour those who have been lost to violence. They offer a unique opportunity for family members to meet, share experiences and bond with others who are experiencing similar losses and challenges.

More extensive information is available on these resources and activities in NWAC's research report, entitled *Voices of Our Sisters In Spirit: A Report to Families and Communities* (March 2009), available on NWAC's Web site at <http://www.nwac-hq.org>

The report contains life stories of nine Aboriginal women and girls, nine alerts for missing women and five memorial notices for murdered women or "stolen sisters".

These are just some examples of the types of supports and resources provided to families of missing or murdered Aboriginal women through the SIS initiative.

[English]

• (1440)

ORDERS OF THE DAY

CONTROLLED DRUGS AND SUBSTANCES ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Wallace, seconded by the Honourable Senator Duffy, for the second reading of Bill C-15, An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts.

Hon. George Baker: Honourable senators, I strongly recommend referring Bill C-15 to committee. The bill is important to the government and is highly controversial.

I congratulate senators on both sides of this place for the magnificent job that they continue to do in their respective committees. As honourable senators know, I have been keeping a running tally of the number of times that Canadian courts have used Senate committee proceedings as references in their court cases. The number of references remains consistent: Senate committees are quoted 75 per cent more often than House of Commons committees are quoted in Canadian courts.

The analysis is easy to do with access to Quicklaw and WestlawCarswell electronic search engines. It requires simple entries of the Senate committee names and the House of Commons committee names resulting in a display of the references to all reported cases. That includes not only the provincial courts, supreme courts of the provinces, courts of appeal and the Supreme Court of Canada but also all boards that are adjudicative panels and quasi-judicial tribunals.

The websites locate every single tribunal that makes a decision that incorporates something into law, whether passed here or by a province. Over the past 15 years, the results have been consistent. When experts provided evidence or when judges made determinations, Senate committees were quoted 923 times during the past 8 years compared to 443 times for the House of Commons. That is an incredible display of just how important the Senate standing committees are compared to those of the House of Commons.

As honourable senators know, I spent 29 years and 9 months in the House of Commons, where I sat on practically every committee. I can attest to the fact that the Senate committees are referenced by our courts and by our tribunals simply because honourable senators give sober second thought to legislation. Activities in the House of Commons committees are primarily pure politics. Certainly they have an idea of the issues but their main concern is being re-elected. The main concern of honourable senators is for the next generation and the proper passing of laws.

New members of the Senate should listen carefully when someone asks what does the Senate do. Could we not do away with the Senate and just have the House of Commons pass our laws?

In the past session, the past year or year and a half, one bill came to the Senate that every single political party in the House of Commons had voted for. We saw one section — and it was a member of the Conservative Party who saw it and said, no, this is wrong — that would have released all the birthdates of everyone who is on the voters' lists in Canada.

Honourable senators can imagine what would happen if that information was released. It would be a gift to all those people who are looking for ways to bilk our seniors out of money. We saw the problem in the Senate, and we amended the bill.

Some people would say honourable senators should not amend legislation, especially when all parties passed it in the House of Commons. They would ask honourable senators why they were second-guessing the elected members of the House of Commons?"

Honourable senators, that is precisely why we are here. The Senate provides sober second thought.

An even worse situation, for the information of new senators, is a bill that was passed in the House of Commons in this past session. Every single political party voted for it, overwhelmingly. Most members were present for all the voting, second reading and committee stage. They passed something like 50 amendments in the committee; yet they missed nine pages in the bill. How can they pass 50 amendments and miss nine pages in the bill?

I went back over the procedure used in the House of Commons. I discovered that in large bills they present the motions in blocks of clauses. In other words, the question is: Shall clauses 1 to 55 carry? Shall clauses 100 to 199 carry? Carried.

Even with the 50 amendments that they made in committee, they did not see the key part of the bill hidden away. There were nine full pages and no one saw them.

The bill passed in the House of Commons and ended up in the Senate. At one of the meetings of the Standing Senate Committee on Banking, Trade and Commerce — I do not sit on that committee but many honourable senators here do — a couple of the members started asking questions of officials of the department. They discovered that a whole new tax regime was introduced for the film industry in Canada.

The committee members said, let us bring in some of the film industry members. The next day, a big story appeared on the front page of *The Globe and Mail* saying that some preacher had convinced the government to put in these provisions and to hide them away. This story made national and international news.

Then we had a Bloc Québécois member, who said to some of the members in the Senate — and I was one of them — Do anything you can do to change that bill. The NDP, who say the Senate should not exist, said publicly, We demand that the Senate change the bill. This situation occurred in the past year and a half. Please fix the bill.

Of course, our only choice in the Senate, as honourable senators know, is either to amend the bill or, if the amendment is of such a great consequence as to negate a major portion of the bill and we cannot amend it, figure out what else to do.

What did we do? The Senate intentionally sat on it. That is another action we can take as the chamber of sober second thought. What did the government do? The government agreed with us and the government did not reintroduce that bill.

When we look at those examples, honourable senators, the power of the Senate is extensive. I believe a great many of us here do not want to rewrite the law; we do not want to defeat a government that has been duly elected; and we do not want to defeat bills that originate from the government of the day. However, our job is to provide that sober second thought. Sometimes our job is to amend a bill. Sometimes, as in that instance, it is to sit on a bill and let it disappear because, honourable senators, in both those cases, every political party in the House of Commons made tragic errors.

We see it with almost every bill we pass, and we make amendments. For some of the largest bills that have gone before the Senate in the past two years, the major amendments have been made by the government, not the senators on their own initiative, but by the Government of Canada saying to the government side: Look, you have to change this and that provision.

If we did not have a Senate, how would they fix those problems? We would not have that sober second thought at all. We would need to appoint a group of people to be the watchdog over the House of Commons, which is exactly what the Senator does today.

With that brief introduction — and I was planning to say only a few words on this matter — this bill before the house is a controversial bill, and I believe we should send it to the committee.

Why is it controversial? It is controversial because it is about drugs. Bill C-15 amends the Controlled Drugs and Substances Act. It is about a huge problem in our society today, especially with young people.

I have read the bill briefly and there are only five major clauses in it. For the first three clauses, minimum sentences are introduced — minimum sentences that involve not only cocaine, but marijuana; minimum sentences on a certain amount.

They must have a certain amount of marijuana in their possession for purposes of trafficking. In other words, if they have a certain amount in their possession, there is no other answer; it must be for trafficking. If someone has a truckload of marijuana, it cannot be for personal use. An honourable senator just said, That depends.

However, a minimum sentence is affixed to possessing a certain amount. It is like the plants. In this bill, if someone is found possessing between 6 and 201 plants, the minimum sentence is six months minimum. Possessing from 201 plants to 501 plants is a nine-month sentence; but if it is proven that the plants are for trafficking, it is an 18-month minimum sentence.

If possession is beyond 501 plants, the bill does not talk about trafficking, because why else would someone have over 501 plants? The bill sets minimum sentences for various offences presently under the Controlled Drugs and Substances Act.

The remaining two clauses are fascinating, because they deal with drug-sentencing courts. Some honourable senators may know about drug-sentencing courts. They are fairly new. The first one was set up in Toronto.

A superior court judge in Toronto made a ruling that said, people on the street who are cocaine addicts — they call them cocaine addicts or some refer to them as coke heads — are not aggressive people. They are not violent people, so why are we dealing with them in the court adversarial process of throwing them in jail and when they are finished, they come back onto the street and do the same thing?

• (1450)

In 1998, a drug-sentencing court was set up. It has the same principle as the others today in other parts of Canada; namely that upon appearing before a judge in the court, prior to sentencing — if they are found guilty — they will go for a year under supervision. Someone is assisting them with their medical problems, employment problems or whatever other problems they might have. At the end of the year, if they successfully pass that course, then they will get either a conditional sentence or a complete discard of the charges.

The purpose of putting a clause dealing with that in this bill is that the minimum sentence will not apply for those people who have been convicted and who have gone through the drug-sentencing court and successfully passed it.

Honourable senators, it sounds like a great idea. Here is one simple problem with it. We have drug-sentencing courts that started in Toronto in 1998, in 2001 in Vancouver, and then in 2005 and 2006 in Edmonton, Regina and Winnipeg. However, they do not exist anywhere else.

Therefore, the provisions of this legislation that exclude those people who have successfully gone through a program with the drug-sentencing court, or have successfully completed a drug treatment program authorized by — I am searching for it, Senator Nolin — subsection 720(2) of the Criminal Code. I say this to Senator Nolin because we all know, appreciate and realize that he is considered to be an expert on this act, the Narcotic Control Act and the Controlled Drugs and Substances Act. He is sometimes called before superior courts to give evidence. Why is he called? He chaired a committee of the Senate that did an exhaustive review of the Narcotic Control Act and the Controlled Drugs and Substances Act.

The bill refers to completing a treatment program under subsection 720(2) of the Criminal Code. The problem in excluding persons who have successfully passed those programs is that people who live in many parts of the country are being excluded. There is no drug-sentencing court in Quebec that I can see here. Neither is there one in Newfoundland, P.E.I., Nova Scotia or New Brunswick. That will be the subject of much discussion.

Under all of these offences for which there will now be minimum sentences if this bill passes, it will put a reverse onus on everyone who is convicted of those new offences. It presents what is called a reverse onus on bail. That means a person may not get out on bail because it is one of the offences that will be added to the designated offences.

That raises all kinds of questions. When someone is arrested and charged with something, the law says that they are supposed to appear before a judge within 24 hours. That is the law. If they appear before the judge on a Friday, the judge may put it off until Monday, or the next day to give them or their lawyer an opportunity to arrange sureties for bail and so on.

Then the bail hearing takes place. The judge looks down at the charge and says, "Okay. It is not a designated offence, so here is what I will do. Is there a guarantee?" Our laws say that we all have a right to bail and that everyone is presumed innocent until proven otherwise. The judge looks at it and looks at the Criminal Code section 515 and he asks, first, "Will this person show up for court?" That is the first thing. Second, "Will that person, if released, reoffend and commit a criminal offence?" Third, called the tertiary ground that Senator Nolin and the rest of the Standing Senate Committee on Legal and Constitutional Affairs was talking about this morning, "How will it would look with the general public?" In other words, would it bring the administration of justice into disrepute, or would the public lose confidence in the system?

If someone is charged with any of these new offences under this bill, then what is the onus on them to do? The onus is on them to prove that they should be released on bail. They have to prove it to the judge. The judge says: "You are charged now with having 200 — or 6 or 8 — marijuana plants in your house. You tell me why I should release you."

The onus is on the person who is charged. Usually, it is a pretty heavy onus and that person remains on what they call remand. In other words, they remain in jail until their trial, and during their trial they remain in jail unless they can, on bail review, convince a Superior Court judge otherwise. It was a provincial court judge who first put them in jail and it is a Superior Court judge for the bail review. However, there is only one way to get out of jail, and that is to prove that the trial judge made an error in law or that there are new circumstances that come into play that say that person should be released from jail.

In closing, honourable senators, it is interesting that, of all of those people who end up on remand in the detention centres throughout the country, 35 per cent do not end up being convicted of a crime. Let us not forget that figure that stands out so much in Canada today. As of last year, 65 per cent of those people in jail end up being convicted of a crime and 35 per cent do not. For 35 per cent of people in jail, the charges are dropped, there is a stay entered by the Crown, there is a judicial stay entered or, most likely, they are found innocent of the charges.

We have a huge problem in Canada with numbers of people on remand waiting for trial. They are overloaded. We have a bill presently before the Standing Senate Committee on Legal and Constitutional Affairs. Evidence shows that there are more people

to a holding cell than there are beds. The choice has to be made as to who will sleep on the floor.

When they go to the lock-up to wait for trial, then it is even worse. Someone who is arrested overnight is put in the city or town lock-up and they are in there with all the drunks and so on who have to stay overnight until they can see a judge in the morning. It is not a very pleasant place to be. The lights are on 24 hours a day.

There is this serious problem and our courts have struggled with it. Normally now in Canada, we give two-for-one credit, such that the period of time someone spends in a holding cell or detention centre awaiting trial is counted two-for-one in their sentence. In other words, if someone is there for one month, that counts as two months if they are found guilty. Therefore, the government has now said this does not look right and a sentence should be a sentence. Therefore, the law will be changed so it is one-for-one and, under extraordinary circumstances, one-and-a-half-for-one.

I must admit that every single minister of justice in Canada supports the government in that regard — but nobody else does. In other words, the committee is hearing from every professor of law and they are saying no to this bill. Members of the committee are here today and they can attest to that. The organization for Crown attorneys say it is not a good bill and that it will clog up the bail system. All of the defence lawyers say the same, although you would expect them to be opposed to the bill.

• (1500)

However, everyone else who has given testimony before the committee is opposed to the bill. We all know that the ministers of justice for every single province are in favour of the bill and that is who the minister is taking his cue from. What do we do? I do not know, honourable senators. I have never seen a situation like this one in my 35 years in Parliament.

What do we do with a bill that each of the ministers from the provinces approves because it is their institutions that are under fire? Their institutions, not the federal prisons, are the holding cells — the detention centres. They are sent to a federal prison only if they receive a sentence of two years plus a day or more. We were talking about provincial jails. We have a serious problem in the committee as to what can be done. Can we amend the bill?

That committee is loaded down with work, as are many other committees in this chamber. Sometimes, to be honest with you, honourable senators, I hear political leaders from all political parties say, I wish the Senate would pass these bills. We do not want to pass bad law. That is not what we are here for. We will have a good look at these things. We try to accommodate as best we can.

I do not know what this committee will do when it receives this bill after today's debate. I only encourage honourable senators to send the bill to committee so it can be examined. If this were the House of Commons, members would talk about the bill for two years in the House of Commons.

We want to examine the bill's content and judge it on its merits. The bill is another controversial one. I encourage members to send it to the committee. We will perform our due diligence again. As honourable senators will see, our record will continue to come

up, and the Senate of Canada and its committees — held in such high esteem by our courts and by all our tribunals in this country — will keep up its excellent record.

Hon. Elaine McCoy: If someone wishes to ask the senator a question, I will defer. However, I want to speak to the bill.

Hon. Joan Fraser: I have a brief question for Senator Baker.

This question, in no way, goes to the thrust of Senator Baker's wide-ranging argument. Maybe I misheard Senator Baker in connection with drug courts, but the list of drug courts he gave for the record did not include Ottawa. Will Senator Baker agree that Ottawa should have been in that list of cities that have drug courts? This question does not affect Senator Baker's argument. It is only for the record.

Senator Baker: Honourable senators, Canada has drug treatment courts. They started in Toronto in 1998. One was opened in Vancouver in 2001; Edmonton was opened in 2005; Winnipeg in 2006; and Ottawa in 2006. The honourable senator is absolutely correct.

Senator McCoy: We are on second reading of Bill C-15 in the Senate, which indicates that we agree in principle with this bill. I want to put on the record that I do not agree with this bill in principle. I read the committee report of the Senate that recommended decriminalizing marijuana. I would uphold that decision. I have heard nothing that would persuade me to disagree with the recommendation of that eminent committee of the Senate chaired by Senator Nolin, with Senator Banks as deputy chair or at least as a member of the committee.

If this bill goes to committee, I want it to be on record that I do not agree at least to that portion of the bill.

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

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

REFERRED TO COMMITTEE

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

(On motion of Senator Wallace, bill referred to Standing Senate Committee on Legal and Constitutional Affairs, on division.)

[Translation]

CANADA SECURITIES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Fairbairn, P.C., for the second reading of Bill S-214, An Act to regulate securities and to provide for a single securities commission for Canada.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, this is the fifteenth day for this item and we do not want it to die on the Order Paper. I know that Senator Meighen would like to speak shortly. Therefore, I move the adjournment in the name of Senator Meighen.

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

(On motion of Senator Comeau, for Senator Meighen, debate adjourned.)

STUDY ON APPLICATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

FOURTH REPORT OF OFFICIAL LANGUAGES COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Official Languages, entitled: *Reflecting Canada's Linguistic Duality at the 2010 Olympic and Paralympic Winter Games: A Golden Opportunity, Follow-up Report*, tabled in the Senate on September 15, 2009.

Hon. Maria Chaput: Honourable senators, I move:

That the fourth report of the Standing Senate Committee on Official Languages, entitled *Reflecting Canada's Linguistic Duality at the 2010 Olympic and Paralympic Winter Games: A Golden Opportunity, Follow-up Report*, tabled in the Senate on September 15, 2009, be adopted and that, pursuant to rule 131(2), the Senate request a complete and detailed response from the government, the Minister of Canadian Heritage and Official Languages and the President of the Queen's Privy Council for Canada being identified as ministers responsible for responding to the report.

Honourable senators, since 2006, the Standing Senate Committee on Official Languages has been closely monitoring the organization of the 2010 Olympic and Paralympic Winter Games to be held in Vancouver and Whistler. This report, entitled *Reflecting Canada's Linguistic Duality at the 2010 Olympic and Paralympic Winter Games: A Golden Opportunity, Follow-up Report*, is the committee's third report on this topic.

All three reports have pointed out that this is the ideal opportunity for Canada to promote its linguistic duality throughout the country and abroad. The report shows that there is still work to be done and that it is vital that all parties involved in organizing the Games must undertake to take positive steps to promote the full recognition and use of both English and French.

• (1510)

I offer my sincere thanks to the members of the committee for their great availability and cooperation. The committee is proud of the work it has accomplished, and of the pressure it has exerted since 2007.

Honourable senators, with less than one year until the Games, everyone involved needs to work even harder to ensure that these Games are a model of respect for linguistic duality in Canada. As the report indicates, constant vigilance will be required until February 2010. Canada must meet the challenges related to official languages at the Games in an exemplary manner.

(On motion of Senator Comeau, for Senator Champagne, debate adjourned.)

BILINGUALISM IN CANADA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Chaput calling the attention of the Senate to the discontinuance of the Interdepartmental Partnership with the Official-Language Communities (IPOLC) and its damaging consequences for official bilingualism in this country.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I believe that a senator wished to speak to this inquiry. However, since he is not in attendance, I would like to take the adjournment in his name.

(On motion of Senator Comeau, for Senator Mockler, debate adjourned.)

ADJOURNMENT

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

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, September 29, 2009, at 2 p.m.

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

Some Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, September 29, 2009, at 2 p.m.)

THE SENATE OF CANADA PROGRESS OF LEGISLATION

*(indicates the status of a bill by showing the date on which each stage has been **completed**)*

(2nd Session, 40th Parliament)

Thursday, September 17, 2009

*(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)*

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Customs Act	09/01/29	09/03/03	National Security and Defence	09/03/31	1	09/04/23	*09/06/11	10/09
S-3	An Act to amend the Energy Efficiency Act	09/01/29	09/02/24	Energy, the Environment and Natural Resources	09/03/11	0	09/03/12	*09/05/14	8/09
S-4	An Act to amend the Criminal Code (identity theft and related misconduct)	09/03/31	09/05/05	Legal and Constitutional Affairs	09/06/09	5	09/06/11		
S-5	An Act to amend the Criminal Code and another Act	09/04/01							
S-6	An Act to amend the Canada Elections Act (accountability with respect to political loans)	09/04/28							
S-7	An Act to amend the Constitution Act, 1867 (Senate term limits)	09/05/28							

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act to implement the Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway, Switzerland), the Agreement on Agriculture between Canada and the Republic of Iceland, the Agreement on Agriculture between Canada and the Kingdom of Norway and the Agreement on Agriculture between Canada and the Swiss Confederation	09/03/31	09/04/22	Foreign Affairs and International Trade	09/04/23	0	09/04/28	*09/04/29	6/09
C-3	An Act to amend the Arctic Waters Pollution Prevention Act	09/05/05	09/05/13	Transport and Communications	09/05/28	0	09/06/02	*09/06/11	11/09
C-4	An Act respecting not-for-profit corporations and certain other corporations	09/05/05	09/06/10	Banking, Trade and Commerce	09/06/22	0 observations	09/06/23	*09/06/23	23/09
C-5	An Act to amend the Indian Oil and Gas Act	09/04/21	09/04/23	Aboriginal Peoples	09/05/05	0	09/05/06	*09/05/14	7/09

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-6	An Act respecting the safety of consumer products	09/06/16							
C-7	An Act to amend the Marine Liability Act and the Federal Courts Act and to make consequential amendments to other Acts	09/05/14	09/06/03	Transport and Communications	09/06/18	0 observations	09/06/22	*09/06/23	21/09
C-9	An Act to amend the Transportation of Dangerous Goods Act, 1992	09/03/26	09/04/28	Transport and Communications	09/05/07	1	09/05/13 Message from Commons-agree with Senate amendment 09/05/14	*09/05/14	9/09
C-10	An Act to implement certain provisions of the budget tabled in Parliament on January 27, 2009 and related fiscal measures	09/03/04	09/03/05	National Finance	09/03/12	0	09/03/12	*09/03/12	2/09
C-11	An Act to promote safety and security with respect to human pathogens and toxins	09/05/06	09/06/02	Social Affairs, Science and Technology	09/06/22	0 observations	09/06/23	*09/06/23	24/09
C-12	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 (<i>Appropriation Act No. 4, 2008-2009</i>)	09/02/12	09/02/24	—	—	—	09/02/26	09/02/26	1/09
C-14	An Act to amend the Criminal Code (organized crime and protection of justice system participants)	09/04/28	09/05/27	Legal and Constitutional Affairs	09/06/18	0	09/06/22	*09/06/23	22/09
C-15	An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts	09/06/09	09/09/17	Legal and Constitutional Affairs					
C-16	An Act to amend certain Acts that relate to the environment and to enact provisions respecting the enforcement of certain Acts that relate to the environment	09/05/14	09/05/27	Energy, the Environment and Natural Resources	09/06/11	0 observations	09/06/16	09/06/18	14/09
C-17	An Act to recognize Beechwood Cemetery as the national cemetery of Canada	09/03/10	09/03/12	Social Affairs, Science and Technology	09/04/02	0	09/04/02	*09/04/23	5/09
C-18	An Act to amend the Royal Canadian Mounted Police Superannuation Act, to validate certain calculations and to amend other Acts	09/05/12	09/05/28	National Finance	09/06/11	0 observations	09/06/16	09/06/18	13/09
C-21	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 (<i>Appropriation Act No. 5, 2008-2009</i>)	09/03/24	09/03/25	—	—	—	09/03/26	*09/03/26	3/09
C-22	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 (<i>Appropriation Act No. 1, 2009-2010</i>)	09/03/24	09/03/25	—	—	—	09/03/26	*09/03/26	4/09

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-24	An Act to implement the Free Trade Agreement between Canada and the Republic of Peru, the Agreement on the Environment between Canada and the Republic of Peru and the Agreement on Labour Cooperation between Canada and the Republic of Peru,	09/06/04	09/06/09	Foreign Affairs and International Trade	09/06/16	0 observations	09/06/17	09/06/18	16/09
C-25	An Act to amend the Criminal Code (limiting credit for time spent in pre-sentencing custody)	09/06/09	09/06/16	Legal and Constitutional Affairs					
C-26	An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime)	09/06/16							
C-28	An Act to amend the Cree-Naskapi (of Quebec) Act	09/05/27	09/06/04	Aboriginal Peoples	09/06/09	0	09/06/10	*09/06/11	12/09
C-29	An Act to increase the availability of agricultural loans and to repeal the Farm Improvement Loans Act	09/05/27	09/06/09	Agriculture and Forestry	09/06/11	0	09/06/16	09/06/18	15/09
C-32	An Act to amend the Tobacco Act	09/06/17	09/09/16	Social Affairs, Science and Technology					
C-33	An Act to amend the War Veterans Allowance Act	09/06/04	09/06/09	National Security and Defence	09/06/17	0	09/06/18	09/06/18	20/09
C-38	An Act to amend the Canada National Parks Act to enlarge Nahanni National Park Reserve of Canada	09/06/17	09/06/17	Energy, the Environment and Natural Resources	09/06/18	0	09/06/18	09/06/18	17/09
C-39	An Act to amend the Judges Act	09/06/10	09/06/11	Legal and Constitutional Affairs	09/06/18	0	09/06/18	09/06/18	19/09
C-41	An Act to give effect to the Maanulth First Nations Final Agreement and to make consequential amendments to other Acts	09/06/16	09/06/17	Aboriginal Peoples	09/06/18	0	09/06/18	09/06/18	18/09
C-48	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 (<i>Appropriation Act No. 2, 2009-2010</i>)	09/06/22	09/06/22	—	—	—	09/06/23	*09/06/23	25/09
C-49	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 (<i>Appropriation Act No. 3, 2009-2010</i>)	09/06/22	09/06/22	—	—	—	09/06/23	*09/06/23	26/09

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Library and Archives of Canada Act (National Portrait Gallery) (Sen. Grafstein)	09/01/27							
S-202	An Act to amend the Canada Elections Act (repeal of fixed election dates) (Sen. Murray, P.C.)	09/01/27							
S-203	An Act to amend the Business Development Bank of Canada Act (municipal infrastructure bonds) and to make a consequential amendment to another Act (Sen. Grafstein)	09/01/27	09/05/06	Banking, Trade and Commerce					
S-204	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	09/01/27							
S-205	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	09/01/27	09/03/31	Legal and Constitutional Affairs	09/06/04	1	09/06/10		
S-206	An Act respecting the office of the Commissioner of the Environment and Sustainable Development (Sen. McCoy)	09/01/27							
S-207	An Act to amend the Employment Insurance Act (foreign postings) (Sen. Carstairs, P.C.)	09/01/27	Bill withdrawn pursuant to Speaker's Ruling 09/02/24						
S-208	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	09/01/27	09/04/29	Energy, the Environment and Natural Resources	09/06/18	0	09/06/18		
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	09/01/27	09/06/22	Legal and Constitutional Affairs					
S-210	An Act respecting World Autism Awareness Day (Sen. Munson)	09/01/27	09/03/03	Social Affairs, Science and Technology	09/05/14	0	09/05/26		
S-211	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	09/01/27	09/06/10	Legal and Constitutional Affairs					
S-212	An Act to amend the Canadian Environmental Protection Act, 1999 (Sen. Banks)	09/01/27							
S-213	An Act to amend the Income Tax Act (carbon offset tax credit) (Sen. Mitchell)	09/01/27							
S-214	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	09/01/27							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-215	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	09/01/27	09/03/24	Legal and Constitutional Affairs					
S-216	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (Involvement of Parliament) (Sen. Banks)	09/01/27	09/03/11	Energy, the Environment and Natural Resources	09/04/02	0	09/04/23		
S-217	An Act respecting a National Philanthropy Day (Sen. Grafstein)	09/01/27	09/05/05	Social Affairs, Science and Technology	09/05/14	2	09/06/02		
S-218	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	09/01/29							
S-219	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	09/02/03	Bill withdrawn pursuant to Speaker's Ruling 09/05/05						
S-220	An Act respecting commercial electronic messages (Sen. Goldstein)	09/02/03	09/04/02	Transport and Communications					
S-221	An Act to amend the Financial Administration Act (borrowing of money) (Sen. Murray, P.C.)	09/02/04							
S-222	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Murray, P.C.)	09/02/04		Subject matter 09/06/17 Energy, the Environment and Natural Resources					
S-223	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	09/02/04							
S-224	An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies) (Sen. Moore)	09/02/05	09/05/14	Legal and Constitutional Affairs					
S-225	An Act to amend the Citizenship Act (oath of citizenship) (Sen. Segal)	09/02/10							
S-226	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	09/02/11							
S-227	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	09/02/11	09/06/16	National Finance					
S-228	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	09/03/03							
S-229	An Act to amend the Fisheries Act (commercial seal fishing) (Sen. Harb)	09/03/03							
S-230	An Act to amend the Bank of Canada Act (credit rating agency) (Sen. Grafstein)	09/03/10							

CONTENTS

Thursday, September 17, 2009

	PAGE		PAGE
SENATORS' STATEMENTS		Human Resources and Skills Development	
Cultural and Media Cooperation		Employment Insurance.	
Hon. Janis G. Johnson	1376	Hon. Jeremiah S. Grafstein	1383
The Late Dr. Bill Gillis		Hon. Marjory LeBreton	1384
Hon. Jane Cordy	1376	Delayed Answers to Oral Questions	
The Late Muriel Duckworth, C.M.		Hon. Gerald J. Comeau	1384
Hon. Nancy Ruth	1376	Public Safety	
2009 Canada Summer Games		Sale of Contraband Tobacco.	
Hon Elizabeth Hubley	1377	Question by Cowan.	
Commercial Seal Hunt		Hon. Gerald J. Comeau (Delayed Answer)	1384
Hon. Céline Hervieux-Payette	1377	DNA Databank.	
Big Brothers Big Sisters Ottawa		Question by Munson.	
Hon. Jim Munson	1377	Hon. Gerald J. Comeau (Delayed Answer)	1385
New Senators		Justice	
Congratulations on Appointments.		Violence Against Aboriginal Women and Children.	
Hon. James S. Cowan.	1378	Question by Senator Dyck.	
<hr/>		Hon. Gerald J. Comeau (Delayed Answer)	1386
ROUTINE PROCEEDINGS		Violence Against Aboriginal Women and Children—	
Canada-United States Inter-Parliamentary Group		Federal, Provincial and Territorial Ministers Responsible	
Border Trade Alliance International Conference,		for the Status of Women Forum in March 2006.	
April 19-21, 2009—Report Tabled.		Question by Senator Dyck.	
Hon. Jeremiah S. Grafstein	1380	Hon. Gerald J. Comeau (Delayed Answer)	1386
Employment Insurance Act		Violence Against Aboriginal Women and Children—	
Notice of Motion to Authorize National Finance Committee		A "Walk for Justice".	
to Study Subject Matter.		Question by Senator Dyck.	
Hon. James S. Cowan.	1380	Hon. Gerald J. Comeau (Delayed Answer)	1387
<hr/>		Violence Against Aboriginal Women and Children—	
QUESTION PERIOD		Sisters in Spirit.	
Health		Question by Senator Dyck.	
Government Response to H1N1 Virus		Hon. Gerald J. Comeau (Delayed Answer)	1387
in First Nations Communities.		ORDERS OF THE DAY	
Hon. Lillian Eva Dyck	1380	Controlled Drugs and Substances Act (Bill C-15)	
Hon. Marjory LeBreton	1380	Bill to Amend—Second Reading.	
Hon. Jim Munson	1381	Hon. George Baker	1388
Hon. Sharon Carstairs	1382	Hon. Elaine McCoy	1391
Natural Resources		Hon. Joan Fraser	1391
Chalk River Nuclear Laboratories—Medical Radioisotope Supply.		Referred to Committee	1391
Hon. Catherine S. Callbeck.	1383	Canada Securities Bill (Bill S-214)	
Hon. Marjory LeBreton	1383	Second Reading—Debate Continued.	
Health		Hon. Gerald J. Comeau	1391
Federal Financial Assistance for Medical Radioisotope Supply.		Study on Application of Official Languages Act	
Hon. Catherine S. Callbeck.	1383	and Relevant Regulations, Directives and Reports	
Hon. Marjory LeBreton	1383	Fourth Report of Official Languages Committee—	
		Debate Adjourned.	
		Hon. Maria Chaput	1391
		Bilingualism in Canada	
		Inquiry—Debate Continued.	
		Hon. Gerald J. Comeau	1392
		Adjournment	
		Hon. Gerald J. Comeau	1392
		Progress of Legislation	i



If undelivered, return COVER ONLY to:
Public Works and Government Services Canada
Publishing and Depository Services
Ottawa, Ontario K1A 0S5