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Thursday, April 22, 2010

THE HONOURABLE NOËL A. KINSELLA SPEAKER

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#### THE SENATE

#### Thursday, April 22, 2010

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

Prayers.

#### SENATORS' STATEMENTS

#### NAVY LEAGUE OF CANADA

CCGS *LEONARD J. COWLEY*—
THE HONOURABLE BILL ROMPKEY

Hon. Hugh Segal: Honourable senators, I rise to pay tribute to two events that occurred April 16, the first involving one of our Canadian Coast Guard ships, the *Leonard J. Cowley*, and the other involving a great Canadian, the Honourable William H. Rompkey. Both the *Cowley* and Senator Rompkey were formally recognized by the Navy League of Canada for what the Navy League terms their "auspicious contribution to maritime affairs."

The Leonard J. Cowley, a fisheries patrol vessel built in Vancouver in 1984 but which now operates out of St. John's, is named after a Newfoundland biologist, the late Len Cowley, who later became the assistant deputy minister of Fisheries and Oceans. Although normally deployed to monitor fishery activity in fulfillment of Canada's commitment to the North Atlantic Fisheries Organization, the Cowley is also equipped to carry out search and rescue.

It was in this capacity that, on February 22, 2009, the *Cowley* heard a distress call from the stricken Spanish fishing vessel, the *Monte Galineiro*, some 200 nautical miles east of St. John's. The *Monte Galineiro* was on fire and sinking. Its crew of 22 fishermen had abandoned ship — some on life rafts, others directly into the frigid water. Fortunately, the *Cowley*, then under the command of Captain Derek LeRiche, was nearby and quickly responded to the call. Despite difficult conditions, wind and cold, the crew of the *Cowley* demonstrated their professionalism as seamen rescue specialists in treating the *Monte Galineiro*'s crew for hypothermia and other injuries.

In recognition of this courageous rescue just over a year ago, the crew of the CCGS *Leonard J. Cowley* was awarded the prestigious J.J. Kinley Award by the Navy League of Canada.

Well known and highly respected in this chamber, Senator William Rompkey served as a member of the House of Commons between 1972 and 1995 and as Senator of Newfoundland and Labrador since 1995. An author and editor of several books, the most recent being *St. John's and the Battle of the Atlantic*, Senator Rompkey has been an avid and long-time supporter of the goals of the Navy League of Canada in maritime affairs and youth development. He has given exceptional lifetime service to Canada's maritime interests, including having served as regional minister for Newfoundland and Labrador, Chair of the House of

Commons Standing Committee on National Defence, Veterans Affairs, Co-Chair of the Special Joint Committee on Canada's Defence Policy, Deputy Leader of the Government in the Senate, and is currently Chair of the Standing Senate Committee on Fisheries and Oceans.

Senator Rompkey was involved for more than a decade with both the Canadian NATO Parliamentary Association and the North Atlantic Assembly. He is a former UNTD officer cadet and a former lieutenant in the Naval Reserve and has been a driving force behind the University Naval Training Division veterans' community. He was the first parliamentary sponsor of Navy Appreciation Day on Parliament Hill.

As any of us who have attended that day know, Senator Rompkey is held in great regard. I am honoured today to pay tribute to the crew of a great ship and a great Canadian who received the Robert I. Hendy Award for his service to our maritime interests Senator William H. Rompkey, who joined Canada when he was 13.

#### **MALARIA**

**Hon. Rod A.A. Zimmer:** Honourable senators, on Sunday April 25, 2010, the world celebrates World Malaria Day. Malaria is a disease of the blood, which is transmitted from certain types of mosquitoes which carry a one-cell parasite called plasmodium.

This disease is most fatal in countries of sub-Saharan Africa, especially amongst the children of those countries whose immature immune systems make them even more vulnerable. To give you an idea of how vulnerable they are, it is reported that every 30 seconds a child dies of malaria.

This disease is 100 per cent controllable and treatable. However, many of the affected countries lack the necessary resources required to control and treat malaria.

Many Canadian organizations such as the Spread the Net campaign, founded by the Honourable Belinda Stronach and Rick Mercer, under the umbrella of the Belinda Stronach Foundation, of which I am a board member, have been doing an excellent job of raising awareness about malaria and raising funds to provide families with insecticide-treated bed nets. These bed nets have been shown to reduce malaria transmissions by more than 50 per cent or more.

Honourable senators, the United Nations Special Envoy for Malaria was established in 2008 to ensure the global community was on track to achieve the goal of universal coverage by 2010. Universal coverage means that every man, woman and child in Africa whose beds need a net have one by December 2010.

The UN special envoy estimates that 348 million nets are needed to achieve universal coverage. While 192 million nets have been delivered, 159 million more are needed.

Earlier this week, an all-party malaria caucus, co-chaired by our colleague Senator Jaffer, organized an excellent performance on malaria by a group of students ranging from the age of six to sixteen called the Not So Amateur Amateurs. It is extremely enlightening to know that the youth of our country are doing their part to spread awareness of malaria.

It is extremely important that we continue our efforts to support this fight. The public and private sectors must work together to provide effective and accessible preventions and treatments so all children will have the chance to reach their full potential.

Honourable senators, the world's efforts to combat this disease have been effective, and we have seen the decrease in fatalities, but more can still be done and needs to be done. Please offer your support to save the lives of these vulnerable children.

#### LONG-GUN REGISTRY

Hon. Larry W. Campbell: Honourable senators, on Tuesday, Conservative Member of Parliament Garry Breitkreuz published a news release denouncing supporters of the gun registry, including the Canadian Association of Chiefs of Police.

The release claimed that supporters of the gun registry are:

Like a cult that is led by organizations of police chiefs who pretend the registry helps them do their jobs. They should be ashamed.

The release goes on to allege that police associations are politically motivated lobby groups that derive financial support from pro-registry sources.

These comments are unacceptable and these statements are a malicious attack on the Canadian Police Association based solely on the fact that they do not support the Conservative standpoint on gun control.

Needless to say, over the years, as a police officer, coroner and mayor, I have not always agreed with the chiefs of police or the Canadian Police Association. However, I would never ever describe them as "a cult" and I would never describe the police associations as being "on the take."

According to the Canadian Firearms Registry in 2009, the long-gun registry was consulted by police 11,000 times per day. The registry is a tool used by police officers on a daily basis in their efforts to protect our safety.

#### • (1340)

The majority of police officers killed in the recent past have died as a result of being shot by long guns, not by handguns. Canadians want an effective gun-control policy. Changes can and should be made to the registry to improve its efficiency and address the concerns of rural Canadians. Attacking and intimidating those who support the gun registry is not an effective way to deal with this issue.

Our Canadian Police Associations represent the Canadian police forces who work tirelessly to protect and serve Canadians, always with the thought in the back of their minds that their lives are on the line. They deserve the support and aid of the government, not contempt in the name of a Conservative agenda.

#### MULTICULTURALISM

Hon. Nicole Eaton: Honourable senators, I rise because of some recent disturbing events in British Columbia and Ontario, events that have the potential to jeopardize our values of equality and freedom.

As a result, the member of Parliament for the riding of Vancouver South, Ujjal Dosanjh, has called for a national debate on multiculturalism and its role in our Canadian identity. I remind honourable senators that when I made my maiden speech over a year ago, I did the same and went one step further to call for a thorough examination of the benefits of citizenship.

Canadians create a reinforcing power when they invest themselves in their country. They not only put themselves in a better position to reap all the benefits that come with being Canadian, but they also help our country realize its true promise. We must always search for ways to strengthen the force that draws us together as a people — our collective identity, the identity that we widely acknowledge and accept as our own, the identity by which we are known internationally.

Canadian governments at all levels, as well as public and private organizations, play a vital role in fostering and advancing that collective identity. Immigrants and refugees to this country choose — yes, choose — Canada in times of atrocious political upheaval, deep economic distress or catastrophic environmental consequences. However, we must always remember that they are not just running away from something. They are running to something, and the reason they choose Canada is precisely because of our values, our identity.

Many new Canadians have been raised and educated in systems that created the ideologies they are trying to escape. They or their families come to Canada hoping to connect to their new community. Sadly, lack of a guiding hand has left some Canadians struggling to find their proper place and realize their true promise as citizens. If we continue to do nothing, new Canadians will slowly begin to recreate the very organizations, institutions and communities they left behind, and any hope of a strong and lasting connectivity will be lost.

Do honourable senators want to be framed in an image of the values of another country by default? I commend the individuals and small groups who have recently tried to level sharp attention on our shared identity and values, but alone they are not strong enough. Now is the time and this is the place to lead that effort. No institution is more ideally suited to give Canadians the fullest possible opportunity to consider, analyze and act than the Senate of Canada. No people are more ideally suited to give these questions the thoughtful, balanced treatment they demand than the women and men of this institution. Honourable senators, we must be the guiding hand that defines our great country.

#### **ROUTINE PROCEEDINGS**

#### ABORIGINAL PEOPLES

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY ON FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND METIS PEOPLES—SECOND REPORT OF COMMITTEE PRESENTED

**Hon.** Gerry St. Germain, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Thursday, April 22, 2010

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

#### SECOND REPORT

Your committee, which was authorized by the Senate on Tuesday, March 16, 2010, to examine and report on the federal government's constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Metis peoples and other matters generally relating to the Aboriginal Peoples of Canada, respectfully requests funds for the fiscal year ending March 31, 2011, and requests, for the purpose of such study, that it be empowered to engage the services of such counsel, technical, clerical and other personnel as may be necessary.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

#### GERRY ST. GERMAIN Chair

(For text of budget, see today's Journals of the Senate, Appendix, p. 268.)

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

(On motion of Senator St. Germain, report placed on the orders of the day for consideration at the next sitting of the Senate.)

#### FEDERAL SUSTAINABLE DEVELOPMENT ACT AND AUDITOR GENERAL ACT

BILL TO AMEND—THIRD REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE PRESENTED

**Hon. W. David Angus,** Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, April 22, 2010

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

#### THIRD REPORT

Your committee, to which was referred Bill S-210, An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament), has, in obedience to the order of reference of Thursday, March 18, 2010, examined the said bill and now reports the same without amendment.

Respectfully submitted,

#### W. DAVID ANGUS Chair

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

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

[Translation]

#### CANADIAN NATO PARLIAMENTARY ASSOCIATION

VISIT OF POLITICAL COMMITTEE SUB-COMMITTEE ON NATO PARTNERSHIPS, OCTOBER 14-16, 2009— REPORT TABLED

**Hon. Hugh Segal:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian NATO Parliamentary Association respecting its participation in the Visit of the Political Committee Sub-Committee on NATO Partnerships, held in Washington, D.C., United States, from October 14 to 16, 2009.

[English]

#### NATIONAL FINANCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY COSTS AND BENEFITS OF ONE-CENT COIN

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

That the Standing Senate Committee on National Finance be authorized to examine and report on the costs and benefits of Canada's one-cent coin to Canadian taxpayers and the overall Canadian economy;

That in conducting such study, the committee take particular note of:

(a) The recent cost-saving changes to Canada's currency system announced by the Royal Canadian Mint;

- (b) The direct cost to taxpayers of producing and distributing one-cent coins in relation to their actual value:
- (c) The costs and productivity implications for Canadian businesses in light of the counting, handling and redistribution requirements of the coin; and
- (d) International experiences with eliminating low-denomination coins; and

That the committee submit its final report to the Senate no later than December 31, 2010, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

• (1350)

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

#### SECOND REPORT OF COMMITTEE PRESENTED

Leave having been given to revert to Presentation of Reports from Standing or Special Committees:

Hon. David Tkachuk, Chair of the Standing Senate Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, April 22, 2010

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

#### SECOND REPORT

Your Committee recommends that the following funds be released for fiscal year 2010-2011.

#### Legal and Constitutional Affairs (Legislation)

Professional and Other Services	\$ 19,750
Transportation and Communications	0
All Other Expenditures	4,000
TOTAL	\$ 23,750

#### Scrutiny of Regulations (Joint Committee)

Professional and Other Services	\$ 1,200
Transportation and Communications	3,600
All Other Expenditures	2,250
TOTAL	\$ 7,050

Respectfully submitted,

#### DAVID TKACHUK Chair

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

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

[Translation]

#### **QUESTION PERIOD**

#### **QUEBEC**

#### CONTRIBUTIONS OF QUEBECERS

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate. For days, Conservative members such as your cabinet colleague Jean-Pierre Blackburn; your former cabinet colleague Maxime Bernier; and Quebec Member of Parliament Jacques Gourde have been repeating — to anyone who cares to listen, on any of Canada's media outlets — their resentment of the progressive modern philosophy that is at the heart of Quebec's spirit. This prompted comments from Premier Jean Charest because it went so far as to make it sound as though Canada's growing debt under the Harper government is Quebec's fault.

Can the Leader of the Government in the Senate tell us whether her government agrees with her colleagues that Quebecers are spoiled children who keep asking for more and that Quebec lives so far beyond its means that we, meaning Canada, are getting further into debt, and that it will continue to take money out of the pockets of the rest of Canada's citizens?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the views of my colleague, the Honourable Maxime Bernier, were most interesting and, of course, widely reported, but they have nothing to do with government policy.

[Translation]

Senator Hervieux-Payette: Honourable senators, that certainly is good news and I gather from your response that you do not share these views. You may wish to discuss this with your colleagues because these divisions among Quebecers and the vision of Canada held by those Quebecers have a huge impact on us

The government recently introduced Bill C-12, which would affect the democratic representation of Quebec, and is causing concern among all our constituents. In light of last evening's vote, I simply want to remind honourable senators that the Liberal Party does not support the legislation as such and thinks that we must discuss this in order to avoid falling into the trap set by our friends in the Bloc Québécois, who do not believe in Canada.

Can this government guarantee that Quebec will maintain its fair and historic weight within our Parliament? Can it reassure Quebecers that the government appreciates Quebec's contributions to the democratic, cultural and economic life of the country and that Quebec will have a number of seats, in keeping with tradition?

[English]

Senator LeBreton: Honourable senators, I believe that our government absolutely values and supports the many contributions that are made by Quebec to the country and, in fact, beyond the borders of the country, to Canada's solid reputation in the world. Quebecers add a great deal to the overall character and mosaic of the country. Many things the government has done have underscored and encouraged that support for the province of Quebec.

With regard to the representation of Quebec in the Parliament of Canada, there are certain constitutional guarantees, but there is also a bill in the other place to deal with the redistribution of seats based on the democratic premise of representation by population.

[Translation]

#### **FINANCE**

#### HARMONIZED SALES TAX

Hon. Céline Hervieux-Payette: Honourable senators, in the same vein, and considering that the government appreciates Quebecers so much, I would like the Leader of the Government in the Senate to assure us that she and her colleagues are doing a thorough review of the issue of harmonized sales tax in Quebec and the need to compensate Quebec, which was the first province to harmonize its tax.

Quebec adopted a rule that was practical and good for Quebecers and has served as an example for other provinces that must now resolve this issue.

Can the leader assure us that Quebec's specific situation with respect to harmonization will be respected and that Quebec will be compensated the way the government is compensating Ontario and British Columbia for this sales tax harmonization?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, as I have indicated previously, the situation is somewhat more complicated because of the tax collection system, as you know. However, I did report previously, and it is still the case, that discussions around this particular issue have been ongoing for some time and have been cordial, although a resolution has not yet been settled on.

[Translation]

#### OFFICIAL LANGUAGES

## PROPOSED LEGISLATION TO RESPECT THE OFFICIAL LANGUAGES ACT

Hon. Pierre De Bané: Honourable senators, my question is for the Leader of the Government in the Senate. Last week, the Minister of Transport, Infrastructure and Communities, the Honourable John Baird, said in the other place that he would soon be introducing a bill to ensure Air Canada's compliance with the Official Languages Act.

Could you tell the Senate when this bill, announced by the Minister of Transport, Infrastructure and Communities, will be introduced in the House of Commons?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I cannot comment. The honourable senator understands, because he was in this position. I cannot divulge information that may be covered by cabinet confidentiality. I can only report to the honourable senator that I am aware of this issue, but, at this moment, I cannot provide a definitive time as to when any such legislation will be forthcoming.

[Translation]

#### **QUALITY OF TRANSLATION**

Hon. Pierre De Bané: Honourable senators, today I received an invitation to a ceremony. It was sent by the office of the Minister of State for Sport, the Honourable Garry Lunn, to all French-speaking parliamentarians, in these words:

Malheureusement, cette éventement est ouvert à députées et senateurs seulement

This invitation contains a considerable number of serious mistakes. It is obvious that there were no francophones in his office who could write an invitation in proper French.

We know that the Constitution of this country, the supreme law, states that French and English are the official languages of Canada.

• (1400)

I cannot believe that the term "event" was translated into French by "éventement," a completely ridiculous word. There are a number of errors in this invitation, which was received by all francophone parliamentarians.

I wanted to tell you how disappointed I was by this.

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I cannot speak to the particular wording in an invitation. If it is improperly worded, that is regrettable, although it in no way takes away from the warmth of the invitation extended for the event this afternoon, which I am sure most parliamentarians will want to attend.

I will make inquiries as to the improper translation. It is unfortunate, but I do not know what else to say. Not being an expert in the area, I read the invitation but did not notice the improper wording. I thank the honourable senator for informing the house of the error

[Translation]

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, it is regrettable that Statistics Canada sent a letter to French-language health care facilities written in poor-quality French. Whether it was done by a computer or a public servant, the translation was incoherent and badly needed revision.

When will the Government of Canada take the importance of proper translation services seriously? When will the Government of Canada ensure the equality of official languages by providing services of equal quality?

[English]

**Senator LeBreton:** Senator Comeau has handed me a copy of the invitation extended to senators by the Honourable Gary Lunn. He has pointed out that, according to him, this invitation has been properly translated.

With regard to the official languages policy of the government, the government writ large adheres to all the requirements of a bilingual country by recognizing its two official languages.

Rather than rise in Parliament to point out errors in translation made by a department of government, which is the honourable senator's right, it would be helpful if, in the future, when such an example occurs, the honourable senator takes measures to draw this error to the attention of the department responsible. I do not think anyone expects me to speak with any knowledge on the proper choice of English or French. I see many examples of poorly written English emanating from government departments. Perhaps the people responsible for this work in some departments are not as qualified. It is unfortunate, but I do not think anyone would want to score points on this situation. It is regrettable that these things happen, and it would be helpful if errors were drawn to our attention so we can correct them.

Senator Tardif: I have two points of clarification before moving on to my supplementary question. I was not referring to Senator De Bané's example. Rather, I have an example of a letter sent out by Statistics Canada. I know that errors can be made, but we are talking about the face of government before the people. The government has an obligation to put forward its best face. My question to that end is, what is the government doing to ensure the provision of equal service and equal quality in both official languages?

Senator LeBreton: The government is doing exactly what any government has done since the coming into force of the Official Languages Act. I suggest grievances such as those expressed by the honourable senators be referred to the Commissioner of Official Languages, who is an officer of Parliament and responsible for investigating such complaints, as he did when such concerns arose before and during the Vancouver Olympics. Even though there were problems with the opening ceremony, Mr. Fraser reported that all other activities of the Olympics were extremely well done and met the requirements of the Official Languages Act. I do not think this problem has anything to do with this or the previous government. Policies of governments of all political stripes through the years adhere to the obligations of the Official Languages Act. If a public servant at Statistics Canada lacks a specific skill or if there is a systemic problem throughout Statistics Canada, then it is only proper to draw the matter to the attention of the Commissioner of Official Languages.

[Translation]

#### INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

## FUNDING FOR THE ABORIGINAL HEALING FOUNDATION

Hon. Lucie Pépin: Honourable senators, my question is for the Leader of the Government in the Senate. The Government of Canada officially apologized to former students of Indian residential schools, and we were glad to see this recognition of the injustices and abuses these victims had endured.

But we were disappointed to learn in committee that the cancellation of funding for the Aboriginal Healing Foundation still stands. This foundation provided healing services for the survivors, their families and their communities.

Could the leader tell us whether the federal government plans to restore funding for this foundation, which was doing a very good job of helping Aboriginal victims get over the trauma they suffered in the residential schools?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the government appreciated the work of the Aboriginal Healing Foundation for its dedication in providing healing programs and services to address the experiences of survivors of the Indian residential schools and their families and communities. Twelve healing centres will continue to provide services until the end of March 2012. The government is fulfilling its commitment to provide emotional and mental health support to former residential school students and their families. Budget 2010 announced an additional \$199 million over the next two fiscal years. This additional funding will enable Indian and Northern Affairs Canada, Service Canada and Health Canada to meet the needs of former Indian residential school students. This is a different program.

[Translation]

Senator Pépin: It is a very good thing that the government is continuing to help the Indians. The foundation served Aboriginal families and their communities but, unfortunately, its funding was cut. At a meeting of the Committee against the Sexual Exploitation of Children, witnesses reminded us that there is a connection between the problems Aboriginal children experience and the violence their grandparents suffered in the past and that this agency will no longer provide services for the Aboriginal population.

Can the leader tell us when the government will act and restore funding to the Aboriginal Healing Foundation so that Aboriginal people are served by members of their communities?

• (1410)

[English]

**Senator LeBreton:** I said in answer to the honourable senator's first question that 12 of these healing centres will continue to provide services for another two years. In addition, \$199 million was set aside in the last budget to work with Health Canada,

Service Canada and the Department of Indian and Northern Affairs and Aboriginal groups to meet the needs of former victims of abuse in the residential schools.

The fact is that the government apologized. This particular problem, this tragedy, went on over many years. Our government apologized to the victims and we have taken action.

The healing centres have been working; there are still 12 in operation and we have committed another \$199 million. Therefore, how on earth can the honourable senator say we have cut off funding?

**Hon. Roméo Antonius Dallaire:** The fact that only 12 centres are operating when the demand is so much greater is the type of response we often get. We have done so much, but the delta is even bigger, yet we never hear about the delta.

The change in policy means moving that \$100-and-some-odd million into other departments and programs and stopping one program for a period of time.

My question is this: How long will it take until these other departments that have not been involved and that will require a long learning curve will be functional and able to accomplish the missions that they have picked up because we have crashed this other program?

**Senator LeBreton:** Honourable senators, I repeat, we did not "crash" the other program. We were the ones who apologized to these victims. We are the ones who have taken action. We were the ones who have funded the healing centres. We are the ones who are keeping the healing centres going for another two years; and we are the ones who put another \$199 million into the budget to help these people.

Some Hon. Senators: Hear, hear!

Hon. Sandra Lovelace Nicholas: How many of these centres have been closed and how many remain open?

**Senator LeBreton:** I already said that 12 centres will continue to operate for two more years. Obviously, the minister and the departmental officials are working with the various leaders in the Aboriginal community. As the honourable senator knows, as part of the independent assessment program, people could go back and access additional sums for healing if their claims were not sufficient.

The government has done everything possible to address this serious, sad situation, which no government before did, period.

**Hon. Lillian Eva Dyck:** I do not believe the minister answered the honourable senator's question. Senator Lovelace Nicholas was asking how many of the healing centres have closed. In particular, how many have closed after the end of March 31 of this year?

**Senator LeBreton:** I thank the honourable senator for the question. There are 12 centres still operating. I will have to find out, by written response, where they are, and the reasons behind the closures of the others. Perhaps they have combined services. I have no direct knowledge about the closures, but I will certainly get that information.

However, again, \$199 million more have been added to this particular area in the last budget, which I think most people who are trying to address this serious situation appreciate.

**Senator Dyck:** Could the Leader of the Government in the Senate, in her search for the answers, find out whether the Nechi Institute and the healing centres on the Tsuu Tina First Nation and the Kainai First Nation in Alberta are still operational after the end of March of this year?

Senator LeBreton: Certainly.

#### **ENVIRONMENT**

#### CARBON TAX—CARBON EMISSIONS

Hon. Grant Mitchell: Honourable senators, the Minister of the Environment has been saying recently — I want to say "encouraging things," but I have yet to have it confirmed that they are actually encouraging — "We are prepared for a cap and trade system; we have done the analytics and we are set to go."

Just so this does not end up being a hypothetical question, could the Leader of the Government in the Senate tell us about these analytics and table in the Senate any documentation that outlines them?

Hon. Marjory LeBreton (Leader of the Government): I appreciate that the honourable senator has accurately reported something the minister said, for a change. Of course, if the honourable senator had continued, he would have known that the minister also talked about our need to have continental or especially Canada-U.S. cooperation.

However, I will certainly take the question as notice. I am sure Minister Prentice will complete what the honourable senator started and finish what he was saying on that particular issue.

**Senator Mitchell:** It is interesting that the leader would say that Minister Prentice refers to the need for a continental solution. That may or may not be the case, but let us take it at face value.

If there is to be a continental solution and the U.S. decides that it will introduce a carbon tax, is the leader saying we will have a carbon tax on a continental basis, or can the leader assure Canadians that her government will not bring in a carbon tax?

**Senator LeBreton:** Honourable senators, Senator Mitchell is a great environmentalist and a great recycler obviously because that is exactly the question he asked of the minister.

I do believe Minister Prentice told the honourable senator that there will be no carbon tax.

**Senator Mitchell:** It is interesting, if we want to talk about recycling, I have to compliment the leader, too, because she picks up the same cards and reads the same answers to any number of different questions all the time.

On the subject of the analytics, if it is not such a big job, could I get the leader to give us just one piece of them? Could she tell us whether the minister has established the year in which he feels emissions of carbon will peak in Canada — 2012, 2015, 2016 or something like that?

**Senator LeBreton:** As the honourable senator knows, emissions went down last year. Hopefully that trend will continue as more people take the environment more seriously, and when the new standards kick in for the automotive companies. I think that we have every reason to be hopeful that emissions will continue to decline.

**Senator Mitchell:** Emissions went down because the government did not get its stimulus package in soon enough to stimulate the economy and keep it growing. That is why they went down. That is actually true.

Finally, I will not go back and ask the leader to give us the estimate on peak emissions, given that her answer bore no relationship to that question. Could she tell us what price range these analytics would dictate for a ton of carbon in Canada?

**Senator LeBreton:** That is a nice try by Senator Mitchell. I will take the question as notice.

(1420)

#### ORDERS OF THE DAY

#### EROSION OF FREEDOM OF SPEECH

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Finley calling the attention of the Senate to the issue of the erosion of Freedom of Speech in our country.

Hon. Grant Mitchell: Honourable senators, I want to address the erosion of the freedom of speech inquiry that was presented by a number of our colleagues on the other side. I will begin by saying that it was eloquently presented; there were excellent speeches and great research. At one point, Voltaire was quoted. That is heady stuff. It gives an important issue a significant philosophical, high-minded ring.

However, I am not buying that this freedom of speech inquiry comes from where it seems to come from. There are a number of reasons for that doubt. First, I am not even certain that anyone's freedom of speech has been offended. If one listens to the debate and reads what is happening in the media, it all seems to come down to the "fact" that somehow the right to freedom of speech of Ann Coulter was offended because of a letter written by the provost of the University of Ottawa.

In reading that letter, there is little in it that in any way, shape or form can be construed as limiting someone's right to freedom of speech. The provost is not a police officer. He did not threaten to throw her in jail. The provost is not some powerful official of

the Conservative government who can threaten to throw her out or stop her from coming in. The provost did not cancel the booking of the room.

The university and the city supplied people to protect her. Ultimately, it was not the provost, the university or the police who made the call to cancel the speech; Ann Coulter and her organizers did.

It was perfect politics for her. She is famous for being famous. How much more famous can you become than to be shut down on a speech, if you can somehow construe it that way?

I look at that letter and ask how, in any way, shape or form, did the provost curtail her freedom of speech? She could have spoken if she had wanted to. Then the argument was that students were yelling at her, and they were doing so, said someone, because the provost's speech inflamed them. Did honourable senators read the letter? The provost uses calming language, unlike Ann Coulter's language, which is not calming at all. Might they have been yelling about her language in anticipation of hearing more of it? Of course, they were.

I am not buying that there is any threat to freedom of speech. I think we have a straw person happening over here and I wanted to know exactly what that is so I began to analyze it, and there is more to this issue.

If this government was worried about freedom of speech, let us look at all the ways in which freedom of speech has been offended by this government relatively recently, as has been pointed out by senators on this side.

For example, let us talk about Linda Keen. She was right about the nuclear safety issues at Chalk River. She was right, and what happened to her? She was fired. The man who was wrong — the minister — kept his job. The woman who was right was fired because she would have told us the truth about something that was critical for our safety. It turns out she has been vindicated. It was shown that she was right. That example is the first one.

Why did this government shut down Linda Keen? I guess the difference is that the government did not agree with what she wanted to say. However, freedom of speech means she is able to say what she wants to, even if others do not agree with it.

The second example is those organizations that have taken positions the government does not like. I am thinking of KAIROS. KAIROS is a classic example of a perfectly legitimate non-governmental organization talking about perfectly legitimate issues, working with perfectly legitimate groups. The government does not like them, so the government shut them down. That act is a curtailment of speech. That act was not a letter from the provost; the government shut down an organization in critical ways. The acts are fundamentally different, and fundamentally way worse.

Third, we have Richard Colvin.

Some Hon Senators: Oh, oh.

**Senator Mitchell:** See? They are trying to shut down my freedom of speech. Look at the one doing it: Senator Tkachuk. Am I surprised? No, I read his speech.

Richard Colvin did what he was supposed to do. He was a whistle-blower, which Conservatives wanted to support in their legislation. The man has great courage. The government attacked him when he came out with what is becoming more and more obvious as the truth and which the government knows is the truth, because the government can read the documents and no one else can — which brings me to my next point. Richard Colvin is also having trouble having his legal fees paid. I can go on. That example is the third.

Then we have Environment Canada public servants. Climate change is one of the most important issues facing this country, if not the most important. Suddenly, the amount of times that Environment Canada personnel, scientists, are able to speak has dropped 80 per cent since the Conservatives have been in government. The government has shut down the scientists in Environment Canada, scientists who were always allowed to speak before to help explain research to Canadians, Canadians who pay their salaries.

The next example is the redacted information on the detainees, one of the most important pieces of information that we have seen, and one of the most important issues facing us in terms of human rights. This issue affects our status in the world as a country that does things as they should be done and treats people as Canadians do. The government shut down the information. Under the concept of freedom of speech, Parliament should get that information, but not according to the concept of freedom of speech under this particular government because it has a limited view of what freedom of speech is.

Again, it is okay to have freedom of speech if the speaker agrees with the government but not if the speaker does not.

Then we have the rights of Parliament. We have had Parliament shut down in an unprecedented way, both historically at a national and international level. There have been two prorogations. These houses are the symbols of free speech. The symbols of free speech were shut down and jammed because information was about to be revealed that the government did not want to hear because it was embarrassing.

Then there is George Galloway. Mr. Galloway wanted to talk about his anti-war views. They were not consistent with the government's agenda, perhaps, but he had a right to speak them. Not so: he was not allowed to speak and prevented from entering the country.

These issues are not about a letter from a university provost, who has no authority to do anything by way of throwing someone out, shutting them down or telling them to stop. These are examples where freedom of speech has been curtailed by a powerful government that has husbanded power and exercised it in a way that many Canadians have never seen before — ruthlessly, in many cases. That is what happened in these examples.

• (1430)

On one side, we have a government that is not fussy about freedom of speech when it comes to talking about nuclear safety in Canada; when it comes to talking about Middle East issues with groups that work on them; when it comes to artistic expression because they did not want to fund films because they had not seem them; when it comes to public servants saying something the government might not like them to say, although what they are saying happens to be based on science; or when it comes to hearing what Parliament has to say if it can possibly be avoided. The government does not want to hear all those discussions, so they shut them down.

On the other hand, Ann Coulter's freedom of speech is promoted. She has a right to speak, but let us see where this government lines up. It jumped on her bandwagon to help make her famous for being famous. What did Ann Coulter have to say? This statement bothers me because I am from Alberta. In Calgary, she said Alberta should be the fifty-first state. The government supports her, but does not support KAIROS, Linda Keen or Richard Colvin. Ms. Coulter also told a Muslim person in the crowd not to fly; that if this person cannot get on a camel, then she should use a magic carpet. That is appalling.

If Ms. Coulter had said something like that about Israel, the Jewish people, Chinese people or any other group, do honourable senators think the government would have promoted her freedom of expression? No, it would not have. I know that for a fact.

This government has the worst record on access to information. It is appallingly bad.

**An Hon. Senator:** And on the Court Challenges Program or the Status of Women.

**Senator Mitchell:** Honourable senators, I have to take a deep breath; the list is too long.

I do not think Ann Coulter's rights to free speech were offended in any way, shape or form. It became loud and a little difficult for her, but she brings that on herself and it makes money for her. I am sure she was happy for the attention.

I do not think this government has defended freedom of speech in the way they say they have. That fact is evident.

Why is the government defending Ann Coulter? I do not impugn the government's motives, but I think the reason is pure political tactics. This government wants to create spin. The government has a terrible record on freedom of speech and now drapes itself in the freedom-of-speech flag on something totally extraneous. It then leaps from that issue to pursuing our human rights commissions.

Honourable senators, I want an inquiry. However, that inquiry must call Linda Keen, Richard Colvin, Professor Ned Franks and George Galloway. Let us work on freedom of speech in a way that will make this government feel uncomfortable because that work shows we actually care about freedom of speech.

**Hon. Yonah Martin:** Honourable senators, I rise today to add my voice to this important inquiry into the erosion of freedom of speech in Canada.

I thank the Honourable Doug Finley for drawing the attention of the chamber to this matter and those senators, including Senator Mitchell, who have taken the time to reflect and speak on this inquiry. It is only through the exercise of free speech and the full participation of all honourable senators that we can have a meaningful and robust debate.

Honourable senators, freedom of expression is the cornerstone of a functioning democracy. Other than words purposefully or directly to incite hate, there is nothing that can be spoken or written, simply as opinion, that cannot be expressed in a truly democratic country like ours. Every citizen has the right to express his or her opinions.

Freedom of speech is a right that must be guarded in Canada and elsewhere in the world. It is an essential value that our Armed Forces fought to protect in Canada and continue to fight for abroad. We must protect this right against all else.

As Canadians, we cannot afford to take our freedom of expression for granted. We cannot silence those who exercise this right out of fear they might merely offend someone who may or may not be listening.

As our society increasingly becomes more politically correct, we deny younger people an atmosphere of open dialogue and debate. Children and young people are taught what is publically deemed to be polite and socially acceptable rather than exploring and developing their own opinions. Our leaders of tomorrow are discouraged from standing up for their own ideas, especially if they are unpopular.

Universities have long been upheld as bastions of free thought and speech. It is because freedom of speech has been so strictly protected on campus that ideas that have changed our country and our world were able to gain solid footing.

Many honourable senators detailed the events that took place at the University of Ottawa surrounding Ann Coulter. It is my sincere hope that this incident does not speak to a growing trend in our country where young academics are denied their right to speak freely for fear of serious repercussions. This fear would be a travesty.

I remind honourable senators of an incident that took place at Queen's University in November 2008. In an effort to promote "sanctioned" diversity and quash "offensive" material, the university hired six graduate students to act as dialogue facilitators. These facilitators were hired to encourage discussion on university-sanctioned topics and with university-sanctioned points of view. They were also hired to step in when they overheard conversations deemed to be offensive. Each facilitator underwent 11 days of training and was granted free room and board, as well as an annual stipend payment.

The dialogue facilitators quickly gained national attention and were dubbed speech or thought police by students, faculty and alumni. Critics were quick to question what constitutes offensive language and who decides. The speech police were hired to quash free speech and freedom of thought if it was not in line with the view of university administrations of acceptable opinion.

Only after immense pressure from alumni and a well-orchestrated online campaign against the university, was the program scrapped.

Honourable senators, the incident at Queen's University demonstrates an emerging pattern across this country. The general public is becoming more concerned with what they view as "the right not to be offended" rather than protecting our constitutionally enshrined right to freedom of expression.

Free and open public debate is replaced increasingly with a set of well-rehearsed, socially-accepted opinions clouded by political correctness in an effort not to offend. Young adults and schoolaged children face increased pressure to do and say what is socially acceptable rather than challenging the status quo in an effort to explore and develop their own ideas; ideas that will lead this country forward.

Freedom of speech, freedom of expression, and all the freedoms inherent in a free and democratic society are what I have known, and what my daughter, thankfully, has inherited by the blessed fact that she was born and lives in one of the most democratic countries in the world, Canada.

Exercising my right to stand today and add my voice to this debate, to share my opinion and to articulate my feelings is a privilege I will never take for granted. How easy it can be to take all we have for granted, to experience historic amnesia about how our freedoms today were not always handed over to the next generation on a silver platter. These freedoms were hard fought and won at the cost of thousands of lives in World War I, World War II, the Korean War and Afghanistan.

For my parents and for generations of Koreans before them, millions of Koreans sacrificed their lives to be free: free of 35 years of occupation by Japanese imperialism; free to speak their mother tongue, not forced and beaten to speak their oppressor's language at school, in the playground, in the streets and anywhere other than the pseudo-privacy of their home; free to call each other by their own name given to them at birth by their parents, not an alien name they were forced to wear by the foreign rulers; and free to march peacefully in the streets in protest of every freedom that was pillaged, crushed and stripped from them.

I am told my grandfather, whom I had known only as a gentle white-bearded man, marched thousands of miles for his freedom and the freedom of the Korean people.

On March 1, 1919, one of Korea's most beloved national heroes stood on the front line, risking his own life to protect the peaceful demonstrations as the only Caucasian among the throng of protesters. He is the only foreigner to be buried in the national cemetery. He is a Canadian and revered national hero of Korea, Dr. Frank Schofield.

As a result of the occupation, my father's generation are all fluent in Japanese. An honourable man of few words, my father never spoke about the freedoms he lost during that unimaginable ordeal. He chose instead to study English, chose to study in North America and chose to build a better life for me and my siblings in a country he cherished, a country in which he is now buried.

Honourable senators, we are privileged to rise every day in this chamber to speak freely without fear of repercussion. I honour my father and all those whose sacrifices gave us the freedoms we enjoy today.

• (1440)

Let us stand up for our constitutionally enshrined right to freedom of expression and speech. Let us encourage those Canadians who face public pressure to speak their minds, whether or not we like what they say. Let us guard the freedoms we have today that were hard fought and won.

[Translation]

**Hon. Roméo Antonius Dallaire:** Would the honourable senator take a question?

Senator Martin: Yes.

**Senator Dallaire:** I am honoured, like everyone here, that freedom of expression has been defended in institutions like the Senate, as well as on battle fields over the years.

You mentioned the First World War, the Second World War, the Korean War and Afghanistan. If you are talking about the lives lost over the years, your discourse should also include the fact that during the Cold War, we lost at least 60 members of the Canadian Forces, often pilots who were flying outdated planes that the government left for us in Germany. Also, during 50 years of peacekeeping in Afghanistan and in Suez in 1956, we lost over 110 military personnel, and many others were injured.

If you refer to the military aspect, please give a complete history. All of these individuals, throughout our entire military history, have paid the same price. They all died for the same cause.

[English]

**Senator Martin:** I thank the honourable senator for completing that list. I was remiss in not adding the others as I was focused on the stories I had heard of my parents' journey. Thank you very much for adding those to our debate today.

Senator Mitchell: Honourable senators, I am starting to get concerned for a reason that had not struck me five minutes ago. The honourable senator mentioned Queen's University. I happen to be a graduate of Queen's and it is a great school. She focused on Queen's as an example of where freedom of speech has been offended, but the core example is the University of Ottawa. I did not see any other real examples that she used where freedom of speech has been offended.

Therefore, I ask myself if the honourable senator, in defending this initiative, is focusing on the universities as doing something she does not like. If she felt that somehow the provost at the University of Ottawa had done something that he should not have done, would the remedy be to have him charged? Would the honourable senator bring in legislation to allow that? Would she fine him, or is there some law that does not yet exist that she will bring in? At Queen's, what would she do with these monitors?

Does the honourable senator have some examples other than Queen's and the University of Ottawa, and could she comment on the examples that I used?

**Senator Martin:** Honourable senators, I included the example of Queen's University, the honourable senator's alma mater, because it was another university and it does relate in terms of it being a post-secondary institution. Also, in conversation with my special assistant, who is a recent graduate, this example came up.

In terms of finding solutions, that is why Senator Finley has brought this inquiry. That is why we are standing to add our voices and ideas. Together, the solution is there. We know that in a country like ours, that is truly democratic and free, these are the freedoms we must guard.

I was listening to the examples Senator Mitchell gave today. I look forward to hearing other senators responding and adding to this debate.

Hon. Linda Frum: Honourable senators, there was the instance at Concordia University when there was so much violence on the campus that Prime Minister Netanyahu was not able to speak. As well, two years ago at York University, the Middle East scholar Daniel Pipes had to speak off campus because of threats of violence. Would those be examples at other campuses where freedom of speech has been shut down in Canada?

**Senator Martin:** This is the very reason why I encourage all senators to rise and add to this debate — to cite other examples.

As I mentioned in my statement, I hope this is not a growing trend. I hope our fine institutions are truly an open and democratic ground for our future leaders to exercise their freedom of speech and expression. I thank the honourable senator for drawing our attention to those two examples.

**Hon. Anne C. Cools:** Will the honourable senator take another question?

**The Hon. the Speaker:** The question is from Senator Cools. Senator Martin, will you take another question?

Senator Martin: Yes.

**Senator Cools:** Honourable senators, there is a process in this place called Senate debate on bills. There is a custom that a sponsor of a bill speaks at second reading, then other senators speak, and those senators who speak usually have an expectation that the questions that they raise will be answered by the sponsor of the bill in what we call their reply.

Yesterday, I spoke on Bill C-268, as have other senators, in debate. When I spoke, I had the expectation that the honourable senator, as the sponsor of the bill, would respond to the concerns I had raised. That is what we call debate — raising questions and answering questions.

Yesterday, she short-circuited that process by not speaking and then moving a motion to send the bill not to the committee it should have gone to, which is the Standing Senate Committee on Legal and Constitutional Affairs, which our rules tell us it should be, but to a different committee. The important thing is that she deprived senators like myself of her answer and responses to the questions we raised in our speeches. Does the honourable senator consider that a violation of freedom of speech?

**Senator Martin:** I thank the honourable senator for the question. It was never my intention to deny any senator the opportunity to be a part of the debate on Bill C-268, to which she is referring. Yes, I am the sponsor of that bill. In terms of not having fully responded to all of the honourable senator's concerns, I moved it to committee so that some of those concerns could be addressed by experts who would be brought in as witnesses during the committee hearings.

The bill did end up going to a committee of which I am a member — as is the critic of the bill, Senator Dyck — the Standing Senate Committee on Social Affairs, Science and Technology. We had a steering committee meeting today to look at the timeline for this bill.

I invite the honourable senator to be a part of that process. Other senators, as we know, are also free to do that. I thank the honourable senator for bringing that up today so that I have had a chance to add closure to that debate.

The Hon. the Speaker: I am sorry to interrupt, but I must advise that the honourable senator's time has expired.

Senator Cools, on a point of order.

Senator Cools: On a point of order.

Honourable senators, the system in the Senate comes from a long tradition of dialogue and debate between senators. There is a long tradition in this place that we work hard and we raise questions to each other with the expectation of an answer; not from an expert somewhere; not from a witness in a committee; but from the sponsor in debate here in this place who is asking us to vote on the bill.

#### • (1450)

Committee study is not a substitute for debate in this place when asking for our vote. It has become a habit now in this place that senators introducing bills give 5-minute speeches, 10-minute speeches, and many senators have not read the bill at all. In fact, the record is pretty meagre when one looks to see what the debate is about.

I am saying that debate means speaking and responding when asked, and it also means answering the questions that are raised and that your freedom of speech allows you to speak to. If one can speak, then others can inquire and the right to speak includes the duty to answer. It is what is called responsibility.

Honourable senators, there is an old practice in this place that we treat new senators with affection and that we do not ask of them difficult questions.

I would ask the table officers to find for me the rule about standing committees, which lists and describes Senate committees. This may not seem important to some, but, in December, I also gave a speech on Bill C-268 in which I raised questions that were never answered by the sponsor of the bill.

Honourable senators, I was handed rule 86.(1).

Yesterday, I gave another speech on Bill C-268 that the sponsor did not answer. Maybe some people believe that the word "ignore" or "dismiss" equals answer, but there is no way that in any committee meeting anyone can answer for her what I asked in this place. The sponsor must answer here, on the floor.

I am sure Senator Martin knows that I do not need an invitation from her to be able to go to a committee meeting. I have a right to do that. I appreciate the gesture but it is unnecessary. However, when the Honourable Senator Martin first spoke in this place, I did not ask her any questions because I thought she was too new at the process to have been able to answer them. I am sure she remembers I told her that. However, it is now a few months later, especially when she has stood on the floor insisting the bill be passed quickly.

I wish to say that I was very disappointed yesterday, honourable senators, that a bill with all the hallmarks of a bill that should have been referred to the Standing Senate Committee on Legal and Constitutional Affairs ended up being sent to the Standing Senate Committee on Social Affairs, Science and Technology.

The proceedings yesterday were so rushed and unusual that this rule was not put on the record. For future reference, perhaps, we should be reminded that according to our rule 86(1)(k):

The Senate Committee on Legal and Constitutional Affairs, composed of 12 members . . . to which shall be referred . . . a motion to that effect, bills, messages, petitions, inquiries, papers and other matters relating to legal and constitutional matters generally, including:

- (i) federal-provincial relations;
- (ii) administration of justice, law reform and all matters related thereto;
- (iii) the judiciary;
- (iv) all essentially juridical matters; and
- (v) private bills not otherwise specifically assigned to another committee, including those related to marriage and divorce.

Obviously, Senator Martin does not think what I am saying is important because she is not listening; however, the fact of the matter is that the bill yesterday fits all the criteria for referral to the Legal Affairs Committee. I am not saying or arguing, honourable senators, that exceptions cannot be made and a bill cannot be sent to another committee for very good reasons. I am saying that it is in order that if honourable senators wish to send a bill to a different committee, they should rise on the floor and explain why. I have no doubt that if Senator Martin had risen on this floor, having answered our concerns about the bill, or having answered the questions that were raised, and suggested or discussed with us the possibility of referring the order of reference to a different committee, the issue would have been debated and voted on by senators.

That is what I am talking about, honourable senators, about freedom of speech. Whether that bill should have been sent to a different committee is a matter of the exercise of free speech here in this house; that some of us have an opinion and some of us want to be heard on that matter. If the reasons for sending the bill to the Social Affairs Committee were good and valid reasons, then they should have been put to this house and on the floor for debate. The proponents of that idea might have got a surprise and found some agreement. However, it is the fact of moving things without explanation and debate in a surprise way, to my mind, that violates greatly the notion of freedom of speech.

Honourable senators, I am not asking His Honour Senator Kinsella to rule on that point. It is just, you know, I love you. He knows how I feel about him.

An Hon. Senator: Order.

**Senator Cools:** This is quite in order. What I can say is we are all joined together as members of the Senate and the most important element of freedom of speech is that we respect our duty to speak, our duty to answer and, most important of all, our duty to make reasoned, rational explanations put before us for the actions that we ask of this place by vote. Whenever the Senate is asked to vote on an issue there is a duty of free speech to put the issues clearly before the house.

The Hon. the Speaker: I thank the honourable senator and I will review the matter so I will take it under consideration.

Senator Cools: I withdraw the point of order, Your Honour.

**The Hon. the Speaker:** The honourable senator is withdrawing the point of order.

(On motion of Senator Andreychuk, debate adjourned.)

• (1500)

#### 2010 OLYMPIC WINTER GAMES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Raine calling the attention of the Senate to the success of the 2010 Olympic Winter Games held in Vancouver, Richmond and Whistler from February 12 to 28 and, in particular, to how the performance of the Canadian athletes at the Olympic and Paralympic Games can inspire and motivate Canadians and especially children to become more fit and healthy.

Hon. Richard Neufeld: Honourable senators, with the indulgence of Senator Munson, I have just a few words to say before we proceed with the adjournment motion of Senator Munson.

Honourable senators, first, I would like to take this opportunity to praise my colleague Senator Raine for bringing this initiative forward. I support it enthusiastically.

I would also like to congratulate her on her role as our ambassador to the Vancouver 2010 Olympic Games. Senator Raine was a fine choice as a representative. I thank her for all her hard work and tireless efforts. I also thank all the volunteers, organizers and our athletes for making it both memorable and a great success, and for placing both Canada and beautiful British Columbia on the world stage.

The continued spirit of the 2010 Olympic Games is very much still alive. We have certainly raised the bar for the next hosts. As my colleague mentioned, now is the time to take advantage of this spirit across our nation and engage our fellow Canadians. No matter one's age, it is important for everyone to engage themselves in healthy living, a healthy diet and increased exercise. Healthy food choices and physical activity can reduce the risk of illnesses such as heart disease, cancer and diabetes, as well as defend against depression, among other complications. The statistics on obesity among adults, children and youth over the past several years have become rather alarming. Now is the time to raise awareness.

In relation to this, honourable senators, this past Tuesday, April 20, a remarkable golden athlete, Mr. Denny Morrison, was welcomed home to my community in Fort St. John, B.C. I was not able to join the homecoming celebrations; however, I would like to take this opportunity to congratulate him on his gold medal win in Vancouver, making this his second Olympic medal. I would also like to take this opportunity to recognize some of his previous achievements in world championships, one being named Canada's long track speed skater of the year four times. Canada set an outright record for most gold medals won 14 — in Olympic Winter Games and we are most proud that Denny Morrison of Fort St. John was among those who won gold.

Mr. Morrison's stellar performance in the Vancouver 2010 Winter Olympics was truly inspiring, not only on a national level but also on the world stage. The commitment, dedication, spirit and success of his team, our athletes, inspired the nation and will undoubtedly motivate young Canadians to follow in their footsteps. We are truly proud of him. Welcome home, Denny, from your senator.

Denny moves around the country so much, but today he is in the parliamentary precinct here in Ottawa. I will be going over to see him shortly, I hope.

(On motion of Senator Munson, debate adjourned.)

#### IMPACT OF DEMENTIA ON SOCIETY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Carstairs, P.C., calling the attention of the Senate to the Impact of Dementia on the Canadian Society.

**Hon. Elizabeth Hubley:** Honourable senators, I should like to express my appreciation to Senator Carstairs for bringing the attention of this chamber to the impact of dementia on Canadian society.

The Alzheimer's Society of Canada has recently released a report entitled *Rising Tide: The Impact of Dementia on Canadian Society*, which clearly demonstrates how dementia will be an increasing burden on individuals and on society as a whole. Their forecasts predict that, within a generation, the number of cases of Alzheimer's or related dementias will more than double. The hours that Canadians will spend caring for loved ones will increase from 231 million hours per year to 756 million hours per year. The emotional, physical and financial drain on these families is enormous. If nothing is done, it will keep increasing.

Senator Carstairs presented a wonderful summary of the report and recommended actions when she opened this debate a couple of weeks ago. I will not review her points. Instead, today I would like to focus the discussion on an extremely important segment of our society, namely, Aboriginal Canadians.

The first recommendation of the *Rising Tide* report is an accelerated investment in all areas of dementia research. Nowhere is this more important than in our Aboriginal communities. It seems that, when it comes to dementia, research into Aboriginal groups is lacking. There is a shortage of even basic community-specific statistics on the incidence and impact of dementia. As of now, even the most basic research has not been carried out in these communities.

The Rising Tide report has quantified the potential increasing problem of dementia in the years to come. The number of people living with dementia in Canada is expected to more than double by 2038 to over one million Canadians. Honourable senators, this is the equivalent of the entire population of Saskatchewan suffering from dementia. We cannot be too surprised by this. We know that advancing age is the largest risk factor associated with the onset of dementia and we know the population of Canada is aging. The number of dementia cases can be expected to increase in parallel with this age-bubble making its way through society.

Why, then, have we not heard much about dementia in Aboriginal communities? The sad fact of the matter is that dementia is a condition associated with age and Aboriginal Canadians simply do not live as long as the rest of us. Therefore, they have less opportunity to develop dementia. Does this mean there is less dementia in Aboriginal communities? Can we account for it by this difference in life expectancy? We do not know, because no one has yet done that research.

Another theory that has been forwarded in relation to dementia to our native population concerns the culture itself. In some Aboriginal populations, dementia is considered to be a normal part of aging. Those of us with a western outlook on medicine view dementia as a disease and something to be fought against. In some Aboriginal communities, dementia is simply viewed as one more step in the normal life cycle. This results in the underreporting of dementia cases in these communities. If it is not viewed as a treatable disease, then why call in a doctor?

Honourable senators, these realities have only masked a problem that will grow in Aboriginal communities. In fact, the *Rising Tide* report points out that the incidence of dementia cases in the overall population will be growing over the next generation. For Aboriginal communities, this problem will be magnified.

We know that the single largest risk factor for the onset of dementia is age. Aboriginal peoples have been shielded somewhat from this problem because of their lower life expectancy, but that is changing. According to Statistics Canada, in 1975, there was a gap of over 11 years between native and non-native males in this country. By 2000, this gap had closed to 7.4 years. A 2008 study showed it had closed to under five years. For females, it has improved from almost 12 years' difference in 1975 to about six years' difference. The life expectancy gap is improving. Aboriginals are catching up to the rest of the country, but along with this progress comes the increasing problem of dementia. What may have been a rare affliction before — simply because of the life expectancy gap — will become more common.

#### • (1510)

What else can we surmise from what we know about Aboriginal conditions? Progress is being made on the life expectancy gap, but we know that there are different health profiles between Aboriginals and non-Aboriginals. We know that Aboriginal Canadians suffer from more cardiovascular problems. We know that the incidence of diabetes is higher in the Aboriginal community. Arthritis affects Aboriginal peoples more than the rest of the population, and rates of obesity have been observed to be higher in Aboriginal communities. Cardiovascular disease, diabetes, arthritis and obesity, then, are four problems that affect Aboriginal communities more than the general population of Canada. These same four conditions are identified risk factors for Alzheimer's disease.

Honourable senators, you can understand why, as Aboriginal life expectancy creeps up to the national level, there is concern that dementia will grow to be an even larger problem within Aboriginal communities than in the rest of Canada. Many of the significant risk indicators of dementia are more prevalent among the Aboriginal community than the rest of Canada. However, because of a lack of research into the prevalence of dementia and Alzheimer's disease within our Aboriginal communities, we do not know the current extent of the problem.

However, the Alzheimer's Society of Canada has recognized this knowledge gap and has created the Aboriginal Access Advisory Group. Their aim is to advance the knowledge of the impact of dementia among Aboriginal peoples by trying to bring together the pieces of research and work currently being conducted and to give some direction to future research in this area. I look forward to seeing the results of their work.

In closing, I would like to again thank Senator Carstairs for bringing this important issue to the floor of this chamber.

(On motion of Senator Keon, debate adjourned.)

#### HEALTH HUMAN RESOURCES POLICIES

INQUIRY—DEBATE ADJOURNED

Hon. Wilbert J. Keon rose pursuant to notice of April 20, 2010:

That he will call the attention of the Senate to health human resources policies in Canada.

He said: Honourable senators, I rise today to draw your attention to an important topic on health human resource policies and practices, a new approach to health human resources, or HHR, policy and practices in Canada based on what are — or, in my view, should be — the health and health care goals of Canada and what we have learned about improving population health and making health care better.

How we educate and deploy the health care workforce has not kept pace with these new understandings. We instinctively tend to define health problems in terms of diseases — cancer, heart ailments, degenerative conditions, et cetera. However, the biggest health problem in Canada is health disparities. Not only are there gaps between those at the top and those at the bottom, but there are differences all the way up and down the socio-economic ladder.

There is no greater moral imperative than to reduce these disparities. However, there is also a powerful economic motivation. The cost of persisting disparities in terms of lost productivity and avoidable health care is in the tens of billions of dollars annually.

Just as important, health care has to get better. The most highly educated health care workforce in history, supported by a remarkable arsenal of new technologies, does not routinely deliver safe, high-quality care, and some of the failures are elementary, for instance, the widespread neglect of handwashing in hospitals.

HHR policy features prominently in discussions and debates about how to improve the system. For most of the past decade, the discussion has centred on shortages — not enough doctors and nurses — with dire predictions that the situation will only get worse.

The response has been dramatic. The medical school entering class of 2009 is 68 per cent bigger than in 1999. Nursing enrolment is up 50 per cent. On top of this, we have opened our doors to more international graduates. However, thus far the payoff has been limited. We have not solved the problems of access, quality or workforce morale. Money alone was never the problem and numbers alone are not the solution.

Why has this enormous investment in both HHR production and health care spending, which is up 60 per cent in real terms in the last decade, not achieved the fix for a generation that we were promised by a previous prime minister?

First, we have ignored the lesson that excellence has much to do with credentials and with how the system is designed and how the workplace is organized. The keys are teamwork, inter-professional collaboration, lifelong learning, measurement, transparency, feedback and accountability. Yet, the main activity has been to increase credentials — nursing from diploma to degree entry, an extra year of family medicine, master's degree entry for therapists, and now the contemplated DPharm. Smart people working in dumb systems cannot deliver quality care, even if all of them have doctorate degrees.

Second, Canada invests hugely in repairing the health damage that arises from disadvantage but invests too little in addressing the root causes. Over 600,000 Canadian children grow up in

poverty. The increasing cost of post-secondary education creates barriers to prosperous and healthy life for disadvantaged populations. Health care practitioners are, as a rule, narrowly focused on medical interventions and insensitive to the broader context of ill health.

Third, the workplace remains too rigid and hierarchical, leading to widespread frustration among those unable to use all their talents. As disciplines increase the length of training programs and develop more distinct theories, fragmentation may become hard-wired into new graduates, despite pleas for integration and teamwork.

Fourth, the centre of the system should be an expansive concept of primary health care that includes community development and inter-sectoral action to reduce disparities. We are nowhere near achieving the inspired vision of Alma Ata — health for all — and other landmark declarations.

There are few comprehensive polyclinics, health problems are still highly medicalized, and 50 per cent of the disease that is treated in the health care delivery system is preventable. People with mental health problems, multiple chronic conditions and frail elderly are ill-served by a system geared to episodic care.

#### • (1520)

Now we are about to unleash a large new cohort of clinicians into a fiscal environment that promises to be much more constrained. What is to be done? Success demands a willingness to re-examine long-held assumption and jettison obsolete practices.

First, the situation is not only about numbers. There is no relationship internationally between the number of doctors and nurses per capita and the health of a population, and any intelligent discussion about numbers must begin with a discussion of what practitioners ought to be doing. We erred in increasing enrolments prior to having this conversation. Late is still better than never.

Second, we need to ensure that professionals are educated, both to work collaboratively and to be citizens of their communities. Health is as much about distributive justice as it is about technical excellence in health care. Health care workers should be engaged in redressing the imbalance between spending on the care of individuals and investing in communities. It is no more effective to think in silos than to practise in silos.

Third, governments have to coordinate their health human resources policies. A few too many graduates is better than not enough. There must be some control over where doctors practise and in what numbers. There is no avoiding health care federalism, but surely, with goodwill and thoughtful strategy, we can put an end to unconstructive bidding wars, and recognize the folly of isolated planning and policy.

The past decade will be remembered as a lost opportunity. We did not buy much change with the 60-per-cent increase in spending. It is time to learn from our follies and chart a new course. We may not be able to undo our errors, but at least we can avoid repeating them.

As for my own profession, a profession which I love dearly — I never wanted to be anything but a doctor — we must become socially engaged. We must do much more than practise medicine.

Hon. Hugh Segal: Will the honourable senator take a question?

**Senator Keon:** With great trepidation, but yes.

Senator Segal: I intend to speak on this inquiry, but I wanted to ask about the remarkable population health study that Senator Keon chaired, and which is so fundamental in terms of the recommendations he made with others on the committee who served with him on the Subcommittee on Population Health. I understand that work involved a careful and focused study of some of the practices in Cuba, which is not as wealthy as Canada, but where on critical issues — diabetes, alcoholism, HIV/AIDS — the country had made substantive progress.

While what they call a physician might not meet the technical standards of what we might call a physician, Cuba has a higher percentage of physicians per population than we have now in the province of Ontario, for example. Is there anything from that particular study that was part of the population health effort that might help the government on human resource planning?

Senator Keon: That is an excellent question. Implicit in what I was saying is that we have to start thinking in that direction. The people educated in the polyclinics can provide excellent care. They do not need the sophisticated medical education the students receive at the Latin American Medical School in Havana. We have to start thinking in those terms. We have to turn out health professionals with practical knowledge who can exist in larger numbers and not be such a drain.

The other great thing that came out of the study was the maternal child health outcomes, which I looked at carefully. This issue was on the bottom of the platform in the population health diagram. I was absolutely twitterpated that the Prime Minister latched on to this issue — I do not know whose influence it was, but he latched on to it — because this issue is the very pillar of success, I think, in health.

I must say the world is charmed by this initiative. I had an opportunity on an international stage recently to talk about it, and people are enthused about what Canada is doing.

**Hon. Fred J. Dickson:** I was impressed with Senator Keon's remarks and I sincerely compliment him for the good work he has done in the Senate, particularly with regard to the Kirby-LeBreton report.

Upon reflection of all the recommendations made there, is there one that stands out in the honourable senator's mind that they should have acted on, or partially acted on, and should have put more effort into delivering on? Which one is it in particular, if so?

**Senator Keon:** Senator LeBreton reminded me that we are not investing adequately in prevention.

Senator Raine will have all honourable senators running. This activity will be after I leave. She will run all the disease out of you.

Hon. Percy E. Downe: Will Senator Keon take one more question?

In the area of prevention, the level of trans fats and amounts of salt in our food is an ongoing concern. I saw today in the media that the federal minister indicated that voluntary compliance has not worked and that levels of trans fats are still too high. My concern is that the study about the level of salt, ongoing for two-plus years, in all likelihood will come to the same conclusion. I say that because of the examples in Finland and the U.K.

Is it the view of Senator Keon that the government should skip over the voluntary rules and move right to regulations forcing the industry to lower the levels of trans fat and salt? One reason I ask that is Canadians, for example, are exposed to the same company making the same foods in the United States and Canada. Canada in many cases has much higher levels of salts in those foods. In the honourable senator's opinion, should government move in this area as soon as possible to reduce those levels?

Senator Keon: The answer is yes and I think the government will. People from the hypertensive society were in my office about a month ago and asked if I would approach the minister about implementing in Canada the traffic light warning for salt that exists in England, for example. A red light means salt content is way too high, yellow means it is lower and green means the product is within acceptable levels.

I mentioned the warning system to the minister, and I have also mentioned it to the deputy minister, and I believe they will implement it. They are busy with other issues now, but I think they will go ahead and implement that system.

(On motion of Senator Segal, debate adjourned.)

• (1530)

[Translation]

#### ADJOURNMENT

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

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, April 27, 2010, at 2 p.m.

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

Hon. Senators: Agreed.

(The Senate adjourned until Tuesday, April 27, 2010, 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)

### (3rd Session, 40th Parliament) Thursday, April 22, 2010

(\*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 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act to amend the Criminal Code and other Acts	10/03/17	10/03/29	Legal and Constitutional Affairs					
S-3	An Act to implement conventions and protocols concluded between Canada and Colombia, Greece and Turkey for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	10/03/23	10/03/31	Banking, Trade and Commerce					
S-4	An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves	10/03/31							
S-5	An Act to amend the Motor Vehicle Safety Act and the Canadian Environmental Protection Act, 1999	10/04/14							
S-6	An Act to amend the Criminal Code and another Act	10/04/20							
S-7	An Act to deter terrorism and to amend the State Immunity Act	10/04/21							

## GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-6	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. 5</i> , 2009-2010)	10/03/24	10/03/29	<u> </u>	_	_	10/03/30	10/03/31	1/10
C-7	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2011 ( <i>Appropriation Act No. I</i> , 2010-2011)	10/03/24	10/03/29	_	_	_	10/03/30	10/03/31	2/10

#### COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-232	An Act to amend the Supreme Court Act (understanding the official languages)	10/04/13							
C-268	An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)	10/03/04	10/04/21	Social Affairs, Science and Technology					
C-464	An Act to amend the Criminal Code (justification for detention in custody)	10/03/23							

#### SENATE PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-201	An Act to amend the Office of the	10/03/04	10/03/30	Banking, Trade and	Neport	Aillellu		N.A.	Опар.
	Superintendent of Financial Institutions Act (credit and debit cards) (Sen. Ringuette)	. 0, 00, 0	. 0/00/00	Commerce					
S-202	An Act to amend the Canadian Payments Act (debit card payment systems) (Sen. Ringuette)	10/03/04	10/04/20	Banking, Trade and Commerce					
S-203	An Act respecting a National Philanthropy Day (Sen. Mercer)	10/03/04							
S-204	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	10/03/09							
S-205	An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability (Sen. Hervieux-Payette, P.C.)	10/03/09							
S-206	An Act to establish gender parity on the board of directors of certain corporations, financial institutions and parent Crown corporations (Sen. Hervieux-Payette, P.C.)	10/03/09							
S-207	An Act to amend the Fisheries Act (commercial seal fishing) (Sen. Harb)	10/03/09							
S-208	An Act to amend the Conflict of Interest Act (gifts) (Sen. Day)	10/03/09							
S-209	An Act respecting a national day of service to honour the courage and sacrifice of Canadians in the face of terrorism, particularly the events of September 11, 2001 (Sen. Wallin)	10/03/09							
S-210	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament) (Sen. Banks)	10/03/09	10/03/18	Energy, the Environment and Natural Resources	10/04/22	0			
S-211	An Act respecting World Autism Awareness Day (Sen. Munson)	10/03/10	10/04/20	Social Affairs, Science and Technology					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-212	An Act to amend the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	10/03/10	10/03/31	National Finance					
S-213	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Murray, P.C.)	10/03/23							
S-214	An Act to amend the Bankruptcy and Insolvency Act and other Acts (unfunded pension plan liabilities) (Sen. Ringuette)	10/03/24							
S-215	An Act to amend the Criminal Code (suicide bombings) (Sen. Frum)	10/03/24	10/03/31	Legal and Constitutional Affairs					
S-216	An Act to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act in order to protect beneficiaries of long term disability benefits plans (Sen. Eggleton, P.C.)	10/03/25							
S-217	An Act to establish and maintain a national registry of medical devices (Hon. Sen. Harb)	10/04/14							

#### PRIVATE BILLS

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

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