



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Thursday, May 11, 2017

The Honourable GEORGE J. FUREY  
Speaker

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## THE SENATE

Thursday, May 11, 2017

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

Prayers.

### SENATORS' STATEMENTS

#### FREEDOM AND DEMOCRACY

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, in our historic and beautiful chamber, we are surrounded by prolific artwork depicting scenes of World War I, reminding us of Canada's military contribution in history and the service and sacrifices of Canadians who defended democracy and the freedoms of others in various world wars, including the Korean War.

It is inscribed on the wall of the American memorial of the Korean War that "Freedom is Not Free," but hard-fought and won through bloodshed and sacrifice.

I don't take for granted for a moment that my privilege to sit in our chamber as a woman of Asian descent wasn't hard-fought and won first by women of fierce tenacity and conviction, and finally by Douglas Jung, the first Asian-Canadian parliamentarian, Conservative MP of Vancouver South, and his fellow Canadian-born men and women of ethnicity who joined the Canadian military efforts in World War II to fight for the country they called home, though they were categorized as aliens by law, which excluded them from being Canadians at birth.

After fighting for their country, not against it, they returned to Canada and fought for their citizenship and ours and the right to vote. These Canadian-born aliens of Chinese, Japanese, South Asian and African descent are the reason why I and others of colour sit in this esteemed chamber today, free to speak at will, free to stand and be counted as equally proud Canadians.

For me personally, I can rise today because of Douglas Jung and some of his compatriots who also served in Korea and more than 30,000 Canadians from coast to coast to coast who freely left hearth and home to defend Korea's democracy from communist tyranny.

So free are we that in the recent B.C. election, I was able to go to an advanced polling station to cast my vote ahead of the May 9 provincial election. Now, the result was a minority government, but to be determined after the judicial recount and absentee votes whether or not it will be a slim majority.

On the same date, May 9, in Korea, the people of Korea elected President Moon Jae-in as the nineteenth President of the Republic of Korea. Prior to taking office, President Moon was the Opposition Leader of the Minjoo Party of Korea and former presidential candidate in 2013.

Honourable senators, these elections remind us of the freedoms and rights that we hold so dearly, our democratic right to vote and to stand up for what we believe in. So let us remember freedom is not free. We stand on the shoulders of the brave men and women who marched for freedom and equality. I stand on the shoulders of Canadians who protected my parents and the people of Korea so that they may live with freedom. Nous nous souviendrons d'eux. Let us remember them. Lest we forget.

#### HIS ROYAL HIGHNESS PRINCE PHILIP, DUKE OF EDINBURGH

#### EXPRESSION OF THANKS UPON ANNOUNCEMENT OF RETIREMENT

**Hon. Joseph A. Day (Leader of the Senate Liberals):** Honourable senators, last week we learned that His Royal Highness The Duke of Edinburgh will retire from public duties this summer at the age of 96 after an extraordinary 70 years of public service. I rise today to express my appreciation for the exceptional work that he has done in relation to so many important causes.

Despite that announcement, however, he plans to continue his association with more than 780 organizations with which he has been involved. Clearly, his idea of retirement, like his understanding of public service, is of a whole different magnitude than most of us could ever imagine.

As a former naval officer, he has always demonstrated great support to the military, which has been extended and deeply appreciated by our Canadian Armed Forces and veterans. But out of his many contributions, the one I wish to single out for mention is the creation of the Duke of Edinburgh's International Award. Prince Philip himself founded the award in 1956. Today, more than 60 years later, "The Award" operates throughout the world in more than 140 countries, encouraging young people aged 14 to 24 to improve themselves and to make a difference in their communities.

Over 500,000 young people here in Canada and over 8 million around the world have participated in the program since its inception. Truly, the inspiration and leadership of the Duke of Edinburgh has borne remarkable results in many parts of the world.

In Canada, the award operates as a federally registered charity. I have had the honour of serving on the board as honorary legal counsel for a number of years.

Today, as Prince Philip steps down from public life, our Canadian Duke of Edinburgh Award program continues to contribute to the education of talented and responsible citizens, reaching new communities year by year, including empowering

indigenous youth and helping to equip our youth in at-risk communities for success in life. And, of course, the award is just one of Prince Philip's legacies.

I invite all honourable senators to join me in thanking His Royal Highness The Duke of Edinburgh for his extraordinary lifetime of public service and wish him all the best in his retirement.

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Michael Adams, President of the Environics Group. He is the guest of the Honourable Senator Omidvar.

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

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

### MICHAEL ADAMS, C.M.

#### CONGRATULATIONS ON APPOINTMENT TO ORDER OF CANADA

**Hon. Ratna Omidvar:** Honourable senators, as I continue to bring outstanding Canadians from Toronto to your attention — what can I say? My city produces great Canadians — I am very pleased to introduce Mr. Michael Adams and his family to you.

Michael is the founder of the Environics Group of research and communications consulting companies, and more recently he founded the Environics Institute, which is a not-for-profit institute that asks the tough questions that need to be asked and answered, questions like, “How different are we really from Americans?”

Michael credits his family history for his engagement and curiosity in public and political affairs. His great-grandfather, Reuben Eldridge Truax of Walkerton, served as Walkerton's mayor, then MPP and then MP. What he really wanted to do was be a member of the Senate, but then he made the fatal political error of not supporting Mackenzie King in the 1919 Liberal convention. Michael credits this part of his family's history to his decision to becoming a pollster so that his family could make more astute and informed political decisions in the future.

Michael has always been civic minded. When he was a Grade 10 student, he convinced his high school principal to replace “God Save the Queen” with “O Canada” during morning exercises, many years before “O Canada” became our national anthem. I think maybe he should stay around for our “O Canada” debates.

He is the author of six books, including *Sex in the Snow*, which is a deconstruction of Canadian social values. Yes, Senator Smith is raising his eyebrows — *Sex in the Snow*, yes. *Fire and Ice*

compares the United States to Canada, and *Unlikely Utopia: The Surprising Triumph Of Canadian Multiculturalism* is my favourite. He has won many awards for *Fire and Ice* — the Donner Prize, the Literary Review of Canada, et cetera.

• (1340)

The best way for me to describe Michael to you is that he is curious and he is optimistic. In both, he exhibits an almost childlike curiosity for finding the truth but also the points of light. And he always keeps us on our toes. His next book explores the populist backlash and asks the question: Could it happen here?

I'm also very proud to know that Michael and his spouse, Thuy Nguyen, who is a child of the so-called boat people refugee movement to Canada, are proud sponsors of a Syrian refugee family.

Michael will receive his well-deserved Order of Canada tomorrow at Rideau Hall, and I'm sure we all join in congratulating him for his contributions to our country. Thank you.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Danagul and Najiba Azimi. Danagul, an Afghan landmine survivor, works with amputees from Afghanistan with the International Committee of the Red Cross. They are the guests of the Honourable Senator Wells.

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

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

### ALL-PARTY PRESS FREEDOM AND MEDIA CAUCUS

**Hon. Jim Munson:** Honourable senators, May 3 was World Press Freedom Day, a day which gave us an occasion to reflect upon press freedom and the current state of the media, both in Canada and abroad.

A day later, we held the inaugural meeting of an All-Party Press Freedom and Media Caucus. This caucus gives us the opportunity to discuss issues like cuts to the funding of media organizations, surveillance of the media by the police, freedom of access to information, and fake news.

The freedom of the media and the freedom of expression are often overshadowed by other issues that are considered more pressing. However, a free press is fundamental in any democracy. We can't sustain democratic governance if journalists are not free to report on facts, denounce abuses and inform the public.

Press freedom and the state of the media have not been far from the headlines this year. It is a particularly important time to be taking note of the media in the world today.

Reporters Without Borders, an independent NGO, ranked Canada twenty-second in its World Press Freedom ranking, below countries like Norway, Australia and Germany, but also Costa Rica and Samoa.

According to a recent assessment, in 2016, global press freedom declined to its lowest point in 13 years as major democracies and authoritarian states made moves to control the media. In the United States, the new administration has openly expressed scorn for the media and undermined their credibility.

Western governments have also increased their surveillance of journalists in recent years. In Canada, it was troubling news that police used technological surveillance to spy on Quebec journalist Patrick Lagacé, although he was not accused of a crime. Senator Carignan's private member's bill, Bill S-231, addresses this abuse of privacy and seeks to protect journalistic sources and whistleblowers.

The media landscape has shifted significantly in recent years. The newspaper industry has seen a considerable decline, while digital news services have bigger audiences and have expanded beyond news websites to reach people on social media, mobile apps, and podcasts. This digital revolution has made the media less trustworthy in the eyes of many and made the distribution of fake news an increasingly pressing concern.

The precarious financial state of the future of journalism prompted the Public Policy Forum's report to recommend a federally funded agency to support media organizations that can no longer afford to perform their democratic duty.

This all-party caucus — and I invite members who weren't at the first meeting to please join this caucus — provides a forum where the press and authorities in the field can come together and inform parliamentarians on these issues. The caucus could also take a collective stand to protect journalists at home and abroad in instances of press freedom violations.

Hopefully, this caucus can allow us, as parliamentarians, to make meaningful and knowledgeable input on issues concerning the media.

The All-Party Press Freedom and Media Caucus plans to meet again in June, and I encourage all senators to come and join in our conversation with the media.

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of His Excellency Nikolay Milkov, Ambassador of Bulgaria to Canada, accompanied by Dr. Ignat Kaneff, Ms. Didi Kaneff and Kristina Kaneff. They are the guests of the Honourable Senator Oh.

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

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

#### IGNAT KANEFF, C.M., O.Ont.

#### CONGRATULATIONS ON APPOINTMENT TO ORDER OF CANADA

**Hon. Victor Oh:** Honourable senators, I am proud to speak today to express my warmest congratulations to Dr. Ignat Kaneff, who will be named to the Order of Canada tomorrow morning.

Dr. Kaneff immigrated to Canada from Bulgaria over 60 years ago. Since coming to Canada, he has dedicated himself fully to the Mississauga community and our country.

He built a successful housing development company from the ground up, which allowed him to start the Ignat Kaneff Charitable Foundation in 1986. The foundation has made countless donations of \$25 million to organizations that support education, the arts, health and social services.

Over the years, his charity has raised over \$1.5 million for Community Living Mississauga, an organization dedicated to supporting children living with intellectual disabilities in the Peel Region.

Even though Dr. Kaneff has lived in Canada for many years, he still maintains a strong connection to his homeland. In 2003, he was granted Honorary Consul General of the Republic of Bulgaria in recognition of his contributions.

It is his leadership and genuine concern for the well-being of others that merits this award.

Honourable senators, I hope that you join me today in congratulating Dr. Kaneff on being named to the Order of Canada.

#### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Ms. Sarah Yates, an organizer for Winnipeg's Cerebral Palsy Association fundraising bike race. She is the guest of the Honourable Senator Bovey.

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

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

**COLIN ROBERTSON****CONGRATULATIONS ON APPOINTMENT TO  
ORDER OF THE AZTEC EAGLE**

**Hon. Patricia Bovey:** Honourable senators, it is always praise for Canada when a Canadian is awarded an international tribute.

At a special ceremony last week, His Excellency Agustín García-López, Mexican Ambassador to Canada, presented Colin Robertson with the Order of the Aztec Eagle, the highest honour the Government of Mexico can bestow on a foreigner. Maureen Boyd, Colin's wife was also honoured.

My pride in witnessing this presentation was huge. My heartiest congratulations and thanks go to Colin and Maureen for their commitment and ongoing international work for Canada. This honour is especially timely, marking a particularly positive commitment between partners when the future of NAFTA is in question and the need to retain relationships so important.

Colin Robertson has long been heralded for his knowledge and insights into Canada's place in the world. Personally, watching Colin's career evolve over the years has been a treat. My husband gave him his first job in the Manitoba Archives when Colin was a University of Manitoba undergraduate. He worked with the then recent transfer of the Hudson's Bay Archives from London, and joined us for many dinners and TV specials.

A Canadian diplomat for 30 years, Colin is now Vice President and Fellow at the Canadian Global Affairs Institute; an Executive Fellow at the University of Calgary's School of Public Policy; and Distinguished Senior Fellow at Carleton's Norman Paterson School of International Affairs. He sits on many advisory councils, including the Johnson-Shoyama Graduate School of Public Policy, the Conference of Defence Associations Institute, and the North American Research Partnership. An Honorary Captain of the Royal Canadian Navy, assigned to the Strategic Communications Directorate, he is also on the Deputy Minister of International Trade's NAFTA Advisory Council. You will have read his regular columns on foreign affairs in *The Globe and Mail*.

• (1350)

His understanding of the importance of cultural diplomacy is deep, unwavering in support for arts and culture as a critical tool for Canada's goals and profile abroad. That was evident when he was Cultural Attaché in New York, in the Canadian mission in Hong Kong, at the UN, Consul General in Los Angeles, and the first Head of the Advocacy and Legislative Secretariat at the Canadian Embassy in Washington.

He has supported many international cultural exchanges involving Canadian creators, musicians, dancers, writers, exhibitions and performing arts groups. Canada-Mexico artistic relationships are long-standing. Mexico's Frida Kahlo and our own Emily Carr have been featured in major international exhibitions. The Royal Winnipeg Ballet recently performed in Mexico and Canada's National Gallery has a number of exhibitions in the final planning stages.

[Translation]

Honourable colleagues, I very much want to thank to our friend, Colin Robertson, this visionary diplomat who contributed so much to Canada, and congratulate him on this honourable distinction that he was awarded.

[English]

Colin Robertson, a consummate diplomat, is a champion for Canada of whom we should all be proud. He is a silent hero who has worked tirelessly over many decades to advance the interests of Canadians while respecting those of our international partners.

**ROUTINE PROCEEDINGS****THE ESTIMATES, 2017-18****SUPPLEMENTARY ESTIMATES (A) TABLED**

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (A) 2017-18.

**CANADA-EUROPEAN UNION COMPREHENSIVE  
ECONOMIC AND TRADE AGREEMENT  
IMPLEMENTATION BILL****ELEVENTH REPORT OF FOREIGN AFFAIRS  
AND INTERNATIONAL TRADE  
COMMITTEE PRESENTED**

**Hon. A. Raynell Andreychuk,** Chair of the Standing Senate Committee on Foreign Affairs and International Trade, presented the following report:

Thursday, May 11, 2017

The Standing Senate Committee on Foreign Affairs and International Trade has the honour to present its

**ELEVENTH REPORT**

Your committee, to which was referred Bill C-30, An Act to implement the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States and to provide for certain other measures, has, in obedience to the order of reference of Tuesday, March 7, 2017, examined the said bill and now reports the same without amendment but with certain observations, which are appended to this report.

Respectfully submitted,

A. RAYNELL ANDREYCHUK

Chair

(For text of observations, see today's Journals of the Senate, p. 2069.)

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

**Hon. André Pratte:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(b), I move that the bill be read the third time later this day.

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

**Hon. Senators:** Agreed.

(On motion of Senator Pratte, bill placed on the Orders of the Day for third reading later this day.)

[Translation]

## CRIMINAL CODE

### BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-305, An Act to amend the Criminal Code (mischief).

(Bill read first time.)

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

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

[English]

## CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

### ANNUAL MEETING OF THE COUNCIL OF STATE GOVERNMENTS SOUTHERN LEGISLATIVE CONFERENCE, JULY 9-13, 2016— REPORT TABLED

**Hon. Michael L. MacDonald:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Seventieth Annual Meeting of the Council of State Governments Southern Legislative Conference, held in Lexington, Kentucky, United States of America, from July 9 to 13, 2016.

### ANNUAL LEGISLATIVE SUMMIT OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES, AUGUST 8-11, 2016—REPORT TABLED

**Hon. Michael L. MacDonald:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Annual Legislative Summit of the National Conference of State Legislatures, held in Chicago, Illinois, United States of America, from August 8 to 11, 2016.

### ANNUAL MEETING OF THE COUNCIL OF STATE GOVERNMENTS—WEST, SEPTEMBER 6-9, 2016— REPORT TABLED

**Hon. Michael L. MacDonald:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Sixty-Ninth Annual Meeting of the Council of State Governments—WEST, held in Coeur d'Alene, Idaho, United States of America, from September 6 to 9, 2016.

## THE SENATE

### POLICIES AND MECHANISMS FOR RESPONDING TO HARASSMENT COMPLAINTS AGAINST SENATORS—NOTICE OF INQUIRY

**Hon. Marilou McPhedran:** Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the important opportunity we have to review our principles and procedures with a view to ensuring that the Senate has the strongest most effective policies and mechanisms possible to respond to complaints against senators of sexual or other kinds of harassment.

## SPEAKER'S STATEMENT

**The Hon. the Speaker:** Honourable senators, before beginning Question Period, I would like to take this opportunity to remind senators of certain provisions relating to Question Period. Under rule 4-8(1), questions can be asked of the Government Representative on matters relating to public affairs. Pursuant to the order of December 10, 2015, questions can be asked of a minister who is not a senator provided they relate to his or her ministerial duties. Questions can be asked of a committee chair during Question Period, but under rule 4-8(1)(c) they must relate to activities of the committee. They should not be on contents of a committee report tabled in the Senate. Senators are fully aware these matters are for debate when the subject matter is called during Orders of the Day.

## QUESTION PERIOD

### TRANSPORTATION

#### PROVISIONS OF FAIR RAIL FOR GRAIN FARMERS ACT

**Hon. Donald Neil Plett:** My question today is for the government leader in the Senate, and it is once again on the issue of rail transportation for grain.

On Tuesday, the Minister of Transportation was asked by the media if the government will extend the provisions of the Fair Rail for Grain Farmers Act, which will expire on August 1. The minister's answer was, "No comment."

Honourable senators, this answer, or non-answer, does not give much comfort to Western Canadian farmers as seeding is now under way for the upcoming crop year.

Producers are negotiating contracts. An answer from this government is imperative, leader. Therefore, my question is this: Could the government leader please provide us with a clear answer on this important issue? Will the Liberal government extend the important provisions of the Fair Rail for Grain Farmers Act, or will the government allow them to expire?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question, and I also, in responding, thank him and all senators for the cooperation extended last year with regard to extending this provision when we did so at the end of the session before we rose for the summer.

I will definitely inquire of the minister and report back as soon as possible.

• (1400)

**Senator Plett:** Leader, we have heard for a month now that the Minister of Transportation will introduce legislation this spring. We have heard for a month that there would be a decision on interswitching distances. Yet, here we are in the middle of May and nothing has been brought forward.

Leader, what has been the cause of this delay? Does this government still intend to bring forward its plan this spring and does the Trudeau government plan to finally stand up for Western Canadian grain farmers or are they simply going to give them the Pierre Trudeau salute?

**Senator Harder:** Without accepting the tone of the premise of the question, I want to assure all senators that this government always has the concerns of western farmers in their minds, and I'm sure that the minister intends on keeping to his earlier stated objective of tabling that legislation soon. I will, of course, make further inquiries and would be happy to report back to this chamber.

## THE SENATE

### ROLE OF GOVERNMENT REPRESENTATIVE

**Hon. Denise Batters:** Honourable senators, my question is for the Leader of the Government in the Senate. Senator Harder, in response to the question I asked you last week, you responded that your proposal for changing the Senate is yours and yours alone, and it does not represent the view of the Trudeau government. Senator Harder, let's get real. Your discussion paper proposing to stifle opposition and thwart democracy in the Senate was released one month after the Trudeau government released a discussion paper proposing to stifle opposition and thwart democracy in the House of Commons. Coincidence? I don't think so.

Senator Harder, you are the Trudeau government's leader in the Senate. You style yourself as the government's representative. In that role, you are supposed to represent the Senate's views to the government and the government's agenda to the Senate. Yet you persist with the charade that on an issue critical to Canadian parliamentary democracy, you are not receiving direction on this issue from the Trudeau government but instead these are your own musings. Since you agreed last week that it would be easier if you just answered our questions, let me pose a few I would like answered.

In the last six months, how many times have you met with Prime Minister Trudeau? How many times have you met with his stand-in, Gerry Butts? How many times have you met with anyone in the Prime Minister's Office?

**Hon. Peter Harder (Government Representative in the Senate):** Without accepting the premise of the question, I simply want to restate as I have on several occasions that I deal with the government representatives, including the Prime Minister, as appropriate, and I do not speak to the frequency or the content of my advice.

With regard to the paper that I tabled, the paper itself references and acknowledges that this is but one contribution to a discussion I hope we can have both formally and informally because I do believe — and I believe there is broad support in the Senate Chamber itself — that we need to modernize our behaviour.

**Senator Batters:** With responses like that, we might be better served trying to get answers out of one of those cardboard cut-outs of the Prime Minister.

Senator Harder, what do you think your job is? You are not just an email inbox for the Trudeau government. You receive the title, the salary and the \$1.5 million office budget of the Leader of the Government in the Senate. For that position, you are sworn into the Privy Council and you are supposed to be attending cabinet committees. You will know all of those benefits come with responsibilities. You sit in that chair to represent the views of the Trudeau government to the Senate and the views and positions of the Senate to the Trudeau government. You do not sit in that chair to provide us with a 20-page discussion paper composed of your own personal musings.



The Trudeau government has made political choices concerning the Senate and now those choices are failing. They, and you, are attempting to dodge responsibility for it. This is a mess wholly of the Trudeau government's making, under your direction as the former Trudeau government transition head. You obfuscate, you duck and you delay, Senator Harder. You do everything but answer for the Trudeau government in this place, the very thing you are mandated to do as the Leader of the Government in the Senate.

But because hope springs eternal, I will give you one more chance to enlighten us. Who is pulling the strings over there? How many times have you discussed your discussion paper with the Prime Minister, Gerry Butts or anyone else in the PMO?

**Senator Harder:** I really don't know how to respond to the vitriol implicit in the question. It is my hope that we as an institution can adopt a less partisan, more independent and deliberate approach to our work. That is the objective I seek to exercise in all my responsibility in this chamber and work with all senators to achieve.

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

## FINANCE

### DOWNGRADING OF CREDIT RATING OF CANADA'S MAJOR BANKS—ECONOMIC GROWTH

**Hon. Larry W. Smith (Leader of the Opposition):** Honourable senators, my question is for the government leader. It is something that just came out of the news in the last 24 hours, so I would ask for your support and if you can't answer the question directly today, provide us with the proper information.

My question concerns the news late yesterday that Moody's has downgraded the credit ratings of Canada's six largest banks. In explaining its decision for making such a wide-scale downgrade of the Canadian banks, Moody's pointed to the growth in Canadian consumer debt and elevated house prices. Moody's also warned about the future, stating that the banks are facing a "more challenging operating environment for banks in Canada for remainder of 2017 and beyond."

For months, we have seen signs of weakness in the economy, only to be ignored by the government. The *Globe and Mail* reported yesterday that the Canadian dollar is the worst performer against G10 currencies this year. The Governor of the Bank of Canada testified last fall before the Standing Senate Committee on Banking, Trade and Commerce that Canada has serial low exports and investment remains stagnant. Without these two economic drivers, the Canadian economy will not grow. In light of this very sobering news regarding our banks, could the government leader please tell us what steps are being taken to grow the economy and the actions taken by this government over the last two years? Could you give us some feedback, please?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question and the broader context in which he places the announcement of yesterday. It is

certainly the government's view that the economic policies being pursued, both in the last budget and this budget, are significant investments in the growth that the economy is anticipated to experience. The investments in infrastructure, the investments in tax reductions of last year and the investments being made in a broad range of enterprise are part of the strategy of the government with respect to economic growth.

I also point out that the broad trade agenda of the government, of which a very significant piece is before this chamber this afternoon, is part of the strategy of expanding our trade markets and taking advantage of the opportunities, in this case through the EU, that is before this chamber.

It is obvious for all senators that the global economy has been going through a period of irregular economic growth and counter growth. The work that the government is doing with respect to our trade relationships with our major economic partner here in North America, the United States, is one that is assuming a good deal of government attention, parliamentary attention as appropriate. I would be happy to take the specific question of the announcement of yesterday and bring it to the attention of the Minister of Finance and get a response.

**Senator Smith:** Thank you, sir, for the response. I believe that you have helped Senator Maltais with the question he asked about softwood lumber and my understanding is there will be an opportunity to have him, hopefully with other senators from all sides, meet with the minister.

What could be helpful to us because of the volatility we are faced with, is if you were able to take such an initiative, which I think is important so that we could possibly, with your guidance, sit down with the minister, with selected members of our group in the room here, to be better informed about what can happen to improve our situation.

**Senator Harder:** I would be happy to take that up with appropriate ministers and indeed discuss it further with the honourable senator.

## INTERNATIONAL DEVELOPMENT

### FUNDING FOR SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

**Hon. Tobias C. Enverga, Jr.:** Honourable senators, my question is for the Government Representative in the Senate.

• (1410)

On March 8 this year, the Minister of International Development and La Francophonie announced \$650 million for sexual and reproductive health and rights. The list of what this funding will focus on specifically is long, but it ends with "... support the right to choose safe and legal abortion, as well as access to post-abortion care."

This statement raises a lot of concerns and questions. First, is the Trudeau government planning to advocate for changing laws in sovereign countries? Is it now the policy of the government to

give support only to countries that will allow killing unborn children? How much of the \$650 million is planned to be spent on counselling for and for performing abortions, and for the post-abortion care versus other areas mentioned, such as female genital mutilation, child marriages and sexual gender-based violence?

There are currently thousands and thousands of people outside taking part in the March for Life rally. What you like to tell them about this?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. I want to assure this house that the policy of this government is that the broad range of reproductive health issues ought to be funded in our development programs. That broad range is described in the question of the honourable senator, and the government is committed to increasing our efforts on reproductive health all across the world.

**Senator Enverga:** I have been told by the Government Representative in the past not to speculate on policy implications resulting from changes in the United States of America, but are we seeing increasing abortion funding from Canada now because our southern neighbours are ending theirs?

**Senator Harder:** Again, I thank the honourable senator for his question. He will know that, as a result of decisions taken by the American administration, there has been broad consultation among like-minded countries to do what they can to make up the funding gap that the withdrawal of Planned Parenthood funding internationally provokes. In that regard, the minister responsible in Canada attended a series of meetings — the most recent I believe was in Holland — where further commitments were made by all of those attending to ensure that the global response and the need identified globally for reproductive health across the range of reproductive health responses is appropriately funded.

## FAMILIES, CHILDREN AND SOCIAL DEVELOPMENT

### CANADA MORTGAGE AND HOUSING CORPORATION

**Hon. Elizabeth Marshall:** My question is also for Senator Harder.

This morning, we learned that Moody's has downgraded the six big Canadian banks. In fact, Moody's vice-president has said that:

Continued growth in Canadian consumer debt and elevated housing prices leaves consumers, and Canadian banks, more vulnerable to downside risks facing the Canadian economy  
 . . . .

We have known for a while that household debt is at an all-time high and is increasing. Interest rates are low, encouraging people to borrow. In fact, the government itself is addicted to low interest rates as evidenced by their large deficits. We also have the situation at Home Capital Group with the sub-prime mortgages.

CMHC, the government's housing agency, holds investments in mortgages. We are aware through media reports that they hold some sub-prime mortgages, and they also ensure mortgages.

Mr. Kelly, the chair of the board at CMHC, in the 2016 annual report said:

Overheated housing markets, declining affordability, lack of supply and higher levels of household debt, particularly in Vancouver and Toronto, continued to be key concerns in 2016.

What happens at CMHC — because it is a Crown corporation — and what happens in the Canadian economy should be of concern to the government. So my question to you is: If consumer debt and elevated housing prices leave Canada's big six banks more vulnerable, resulting in a downgrade of their credit ratings, does it make CMHC more vulnerable? What exactly is the risk to CMHC?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for her question. She will know that the government has been taking steps over the last number of months to tighten and provide changes to the ways in which CMHC provides its support to deal with the overheated nature of the housing market. That is part of the contribution of a series of actions the government is taking directly and indirectly to try to temper the housing market, particularly in Toronto and Vancouver.

Senators will also know that as recently as I believe three weeks ago, the Minister of Finance, together with the appropriate officials, the Ontario Minister of Finance and the Mayor of Toronto, had a summit to coordinate the actions of all levels of government. This is a situation that is not across Canada but is isolated and important to deal with. It is one the government is very much attuned to and keeping very close attention on.

**Senator Marshall:** Thank you, Senator Harder, for that answer.

You reference the changes that the government made during the fall with regard to the down payments and an additional stress test. That was one of their contributions to try to avoid the situation. But we have been looking at items like performance, so we don't really know what the impact has been for those changes that were made last fall.

Can you commit that you will get back to us and tell us exactly what the impact has been from those changes? It appears that the changes haven't really headed off the problems. I think there will be further problems in the future. If CMHC has to start writing off mortgage balances, that will flow through and increase the government's deficit.

**Senator Harder:** I thank the senator for her question, and I will do that.

Let me, though, point out that the effects of the changes that have been made have been broadly viewed as having contributed to getting the message out to the Canadian consumer with respect

to the vulnerabilities that particularly household debt and mortgage debt can impose. I will be happy to report what tracking of those effects is under way.

[Translation]

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### ILLEGAL IMMIGRATION

**Hon. Pierre-Hugues Boisvenu:** My question is for the Leader of the Government in the Senate. When the Minister of Immigration was here last week, I wasn't able to ask him my question because we ran out of time, unfortunately.

Illegal immigration has been getting a lot of air time in Canadian media, particularly in Quebec, Manitoba, and British Columbia. TV stations have been doing a lot of reporting about it, especially in Quebec and my home region. We are talking about not dozens, but hundreds of immigrants who cross the border week after week, which is causing some problems for municipalities and the provinces.

Recently, Canadian and U.S. officials met to discuss the possibility of bilateral co-operation to facilitate information exchange. It seems the Americans asked Canadian officials to tell them who the smugglers are. I'm sure we're all aware that smuggling rings are bringing all these people into Canada. The United States has asked Canada to collect information during interviews with the immigrants about things like the identity of the smugglers and how they operate, so as to find out who brought these people into Canada illegally.

That's the background. Apparently Canada has refused to collaborate with the Americans' request for an information exchange. That brings me to my first question. Did Canada indeed refuse to co-operate, and if so, why did it refuse to co-operate with the Americans on illegal immigration?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. I am informed that there is a good deal of cooperation between Canadian and American authorities. I will make inquiries with respect to the specific question that you have asked with regard to an exchange of information.

• (1420)

The situation in particular localities is being very closely handled. You will know that the Government of Canada has enhanced its physical presence, as appropriate, at those particular border points and indeed contributed to some significant increase in capacity.

The last discussion I had with the Americans on the matter of cooperation was positive about the work that is under way, and I will seek further confirmation of that.

[Translation]

**Senator Boisvenu:** Thank you for the answer. You can understand that Canadians and Quebecers are witnessing this massive influx of immigrants. The customs union recently said that they are losing control of the situation because of all the work they must do to control the borders.

Does the minister truly realize that in addition to the court delays that are undermining the credibility of the justice system, we are losing our credibility when it comes to controlling our borders? Does the minister truly realize that, at present, Canada is losing control of illegal immigration?

[English]

**Senator Harder:** I want to assure all honourable senators that the Government of Canada is vigilant in the control of our borders and is confident that control is being appropriately exercised by our frontline officials, be they border control officers, the RCMP or indeed the immigration officials who attend the border as well.

It is absolutely true there has been an irregular movement outside of the formal border crossings at an enhanced level, and that is the challenge that the government is responding to and one we are working with our American counterparts to deal with.

It's important to recognize that while this is an important and ongoing issue, we have not lost control of our borders. It would certainly be inaccurate to suggest that. I'm not suggesting that you are. I simply want to assure this house that all the ministers responsible in this area, particularly those who have frontline forces at hand, are paying close attention to this.

You will know that one of the first visits by the American Secretary of Homeland Security was to Canada to discuss this matter, and I know from having spoken with the secretary at that time that the concern for border integrity in our joint border is very high on his mind and on the mind of Minister Goodale.

## NATIONAL DEFENCE

### MILITARY GRIEVANCES EXTERNAL REVIEW COMMITTEE—VACANCIES

**Hon. Paul E. McIntyre:** My question is for the Government Representative in the Senate. It concerns vacancies at the Military Grievances External Review Committee.

As you know, this committee reviews military grievances and provides findings and recommendations to the Chief of Defence Staff and the Canadian Forces member who submitted the grievance.

I draw your attention to the 2016 annual report, which states that since February 2016, this committee, the Military Grievances External Review Committee, has been short of the two vice

chairperson positions that are mandated by law under the National Defence Act as the minimum necessary to carry out its functions.

The appointment process to fill these vacancies has been rather slow. The deadline for candidates to submit an application was November 3, 2016, over six months ago. Could the Government Representative inform us why these vacancies have not been filled in a timely manner?

**Hon. Peter Harder (Government Representative in the Senate):** Again, I thank the honourable senator for his question and raising this matter with me. I will be happy to inform myself and respond appropriately.

**Senator McIntyre:** Thank you, Senator Harder, for your answer.

The committee's annual report also states that the committee has seen a surge in case referrals in recent years, reaching 224 cases by the end of last year. In making your inquiry, could you also inform us if there is a current backlog of cases before this committee and, if so, could you provide us with the number?

**Senator Harder:** I would be happy to do so.

[Translation]

## FINANCE

### PARLIAMENTARY BUDGET OFFICER

**Hon. Claude Carignan:** My question is for the Leader of the Government in the Senate. Yesterday, the Parliamentary Budget Officer appeared before the Standing Senate Committee on National Finance, which is studying Bill C-44. He spoke about a number of his concerns with this bill, in particular his independence with respect to the government. Monday evening, Senator Day read in this chamber an excerpt from the most recent election platform of the Liberal Party of Canada. I will repeat this commitment, which states:

We will make the Parliamentary Budget Officer truly independent. . . .To make sure that we have the best information on hand, we will ensure that the Parliamentary Budget Officer is truly independent of the government.

We will make sure that the office is properly funded, and accountable only — and directly — to Parliament, not the government of the day.

However, upon examination of Bill C-44, we see that the government is preparing to do the exact opposite. We also see that the Parliamentary Budget Officer will no longer be able to respond to the requests of MPs and senators who want to find out about the costs associated with government measures or bills. How do you explain the government's desire to muzzle the Parliamentary Budget Officer and limit the action of parliamentarians?

[ Senator McIntyre ]

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I want to thank the honourable senator for his question; I was missing him, and I appreciate him participating today.

The matter he raises is one, as his question implies, that is part of the Budget Implementation Act. The debate with respect to the provisions of that act is actively being pursued in the other chamber, and questions have been asked in this chamber as well, certainly when the Minister of Finance was here and as recently as this week when the Minister of Infrastructure was here with respect to the PBO and the infrastructure bank.

I want to assure this house that the government continues to be of the view that a robust PBO is important for the commitments that have been made in the last campaign, that in the course of dealing with the Budget Implementation Act, Parliament — first the House of Commons and then the Senate and pre-study at the Senate — will be raising issues to ensure ourselves that the language of the Budget Implementation Act are supportive of the direction that Parliament wishes this to go.

I want to assure the house that it is the intention and expectation of the government to grant greater independence to the Parliamentary Budget Officer and to do so legislatively.

[Translation]

## ORDERS OF THE DAY

### TOBACCO ACT NON-SMOKERS' HEALTH ACT

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

On the Order:

Resuming debate on the motion of the Honourable Senator Petitclerc, seconded by the Honourable Senator Bellemare, for the third reading of Bill S-5, An Act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other Acts, as amended.

**Hon. Jean-Guy Dagenais:** Honourable senators, I have a few observations that I would like to share with you about the content of Bill S-5. First of all, I want to say that I'm not a smoker, but that, generally speaking, I support any initiative to help people quit smoking.

In the past, concrete action was taken to help reduce the temptation for young people to start smoking. With Bill S-5, the legislator takes packaging requirements even further and adds

e-cigarettes, or what are commonly known as “vapes”, to the list of targeted products.

As with any new initiative, I feel quite certain that some people are bowing to pressure from the powerful anti-tobacco lobbies, who will never be satisfied, despite everything that has been and will be done. However, I understand that they are doing what they are paid well to do.

I did not participate in the work of the committee that examined this bill, but today, I am seeing the results. I would, however, like to draw your attention to one point that I find particularly bothersome.

In Bill S-5, a new provision will prohibit cigarette makers from continuing to put their name or logo on the actual cigarettes, not just on the cigarette package, but on the cigarette itself in the package. The motivation behind this initiative is that this kind of small logo on a cigarette in a package might have the effect of inciting young people to smoke.

• (1430)

Let's be serious for a minute. Let me make a comparison here that should make you stop and think: the current Canadian government and its Department of Health are building a path, a roadway, to improve the health of Canadians by encouraging them to quit smoking. At the same time, they are building a highway on which those same Canadians will be able to easily find marijuana shops that will have all the advertising rights that are being taken away from cigarette companies.

I'm looking for the political logic guiding these decisions. I feel as though we're all acting in a tragedy that could be called *The Great Inconsistency*. No one will ever convince me that smoking marijuana does not have serious consequences. Reports from health experts are pretty clear about the physical and psychological problems associated with using marijuana, but everyone at Health Canada and in the Prime Minister's Office seems to have put those reports on the scrap heap.

Why is there no consistency between Bill S-5 on cigarettes and e-cigarettes, and Bill C-45 to legalize marijuana? If there were any, I would be the happiest man on Earth, and I would feel as though we really do care about the health of Canadians, but that is not the case, far from it.

Let me give another example that will make you think about something that strikes me as an attempt to manipulate us. Manufacturers will soon be prohibited from selling menthol cigarettes or menthol flavouring for e-cigarettes. That seems logical. However, at the same time, did you know that marijuana producers will be able to offer, and in fact already do offer, marijuana of assorted flavours, such as “Grape God” and “Lemon Haze”, and nothing will prevent them from advertising and attracting young people with this kind of product? When I talk about political inconsistencies, I think it is pretty clear.

Let's come back to the issue of abolishing the use of logos on cigarettes, which I was talking about at the beginning of my speech. I would describe this part of the bill as naive. It serves no

useful purpose and will have serious consequences. That is not what we're after.

First, without a logo indicating the brand of cigarette, and with the new plain packaging, the smoker cannot be sure if he is smoking a legal cigarette or contraband. If we're talking about health, then we should consider all the reports we've seen on the often unsafe content of contraband cigarettes.

Second, as you know, I am an ex-police officer. Contraband cigarettes pose a daily challenge to police forces. In Canada, there are at least 50 plants that make illegal cigarettes and roughly 175 criminal organizations that profit from them. Despite police efforts, last year the illegal cigarette trade increased by 13 per cent in Manitoba, 10 per cent in Saskatchewan and Alberta, and 15 per cent in British Columbia. During that same time the federal and provincial governments lost more than \$2 billion in taxes to the sale of illegal cigarettes. That money could go a long way to funding health care.

The current government is mum on the subject of contraband. It prefers to throw the doors wide open to marijuana growers, arguing that this will hurt organized crime. In the meantime, senators come here with a bill that has a provision that will dramatically reduce the ability of police officers to identify contraband cigarettes. How do you expect police officers to know if a cigarette is illegal if it doesn't have a logo on it? This part of the bill is unacceptable. Organized crime will now have another advantage over police forces. If we pass this bill as currently worded, police officers will now need a science lab if they want to seize illegal cigarettes. You can only imagine the legal battles that will follow.

As I said before, this part of Bill S-5 is supremely naive and serves no useful purpose. We really need to think this through before we give organized crime such an advantage.

Here are the reasons I will not be voting in favour of Bill S-5. The first is out of solidarity with the law enforcement community, which is fighting organized crime. The second is that provisions to remove the manufacturer's logo from cigarettes seem totally useless to me in the context of this bill, which does have some useful things in it. The third is that I don't see an urgent need to pass this bill; instead, I think these measures should be consistent with Bill C-45, which is about legalizing and regulating the sale of marijuana. I will not be voting in favour of Bill S-5 unless you are prepared to take out the parts about logos and such.

**Hon. Chantal Petitclerc:** Would the honourable senator take a question?

**Senator Dagenais:** It would be my pleasure, Senator Petitclerc.

**Senator Petitclerc:** Thank you for your remarks on Bill S-5. I wonder if you could clarify a few things because what you are saying now is quite different from what we heard in committee. You mentioned the contraband problem. Studies and research indicate that we do not really have a forgery problem in Canada such as in the example you gave of manufacturers copying logos and whatnot. We don't have a forgery problem, but we do have a contraband cigarette problem.

The experts told us that there is no connection between changes to the rules about logos and so on and contraband. Your numbers on contraband are very different from what we heard in committee. I would like to know where those numbers come from and what methodology was used.

**Senator Dagenais:** With respect to the experts, I heard some of them at the Standing Senate Committee on Legal and Constitutional Affairs. I even heard people say that there is no cigarette smuggling. I worked on a reserve and arrested smugglers.

The logo on the cigarette package allows police officers to identify contraband cigarettes. Unfortunately, this will no longer exist and we will not be able to determine whether a cigarette has been made in Canada or the United States.

As for the statistics and their source, I will try to obtain them and I will be happy to forward them to you.

(On motion of Senator Day, in the name of Senator Cordy, debate adjourned.)

[English]

### CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT IMPLEMENTATION BILL

#### THIRD READING

**Hon. André Pratte** moved third reading of Bill C-30, An Act to implement the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States and to provide for certain other measures.

He said: As honourable senators know, as sponsor of the bill, I am allowed a speech of 45 minutes, and since this is a very important bill, I intend to make full use of this time, except for 43 minutes.

[Translation]

We will be voting on Bill C-30 at third reading stage. This will be three votes in one. First, we will vote on the bill itself, which makes a series of amendments to certain acts. This series of amendments is required to implement CETA. The second vote is on the agreement overall. Clause 9 of the bill reads as follows:

The Agreement is approved.

In other words, by passing Bill C-30 we are ratifying the agreement even though the 1,600 page text is not included in the bill.

[English]

The third vote is one on our view of the world. Some people today dream of a world where each country looks after its own interests only, where international relations and trade are

zero-sum games, where other countries are seen as competitors and adversaries rather than partners. In such a world, Canada cannot thrive. Historically, Canada has depended on international trade for its prosperity. This was true in the era of fur trade, it's true in the era of oil and gas and of the C Series aircraft, and it will be true in the era of artificial intelligence.

• (1440)

CETA is a reflection of the Canada of today and of tomorrow. It is an agreement that responds to what trade has become — addressing not only goods but also services, investments, human mobility and non-tariff barriers. The agreement also includes key labour and environmental protections, while protecting the ability of governments to legislate in favour of the public interest.

By voting in favour of Bill C-30, we're voting in favour of a prosperous Canada, reaching out to its present and future partners and respecting their culture and unique characteristics, while they are doing the same with ours.

Some say they want to make their country great again. I say let Canada make the world a better place.

**Hon. Serge Joyal:** Would the honourable senator entertain a question?

**Senator Pratte:** Yes, of course.

**Senator Joyal:** Yesterday, if I remember correctly, Senator Andreychuk tabled the report of the committee that studied the proposed bill. I heard Senator Andreychuk mention that observations were attached to the report.

Would the honourable senator be in a position to give us a brief summary of the substance of those observations so that we could have a better idea of the impacts of the proposed bill that might raise further consideration by the chamber when the occasion offers itself?

**Senator Pratte:** Of course. First of all, the committee recognized that this was a progressive, modern agreement. We also took into account the fact that some witnesses came forward to the committee with concerns about the impact of the agreement on their particular sectors. Therefore, the committee thought that the observations were an occasion to highlight those concerns and to underline for the government the necessity of taking those concerns into account in the future.

I'm not a member of the committee, but I was present at the hearing on this occasion. The committee also highlighted its own report on international trade and its recommendations, notably, the necessity of having a strategy to implement those trade agreements. Once an agreement is signed, it is not finished. It's important to implement a strategy such that those agreements are successful for Canada and for Canadian companies and workers.

**Senator Joyal:** When the agreement was accepted in principle by the previous government, compensation was announced, I remember very well, for cheese producers, for instance, or farmers in Western Canada whose production might have been impacted by the implementation of the agreement.

[ Senator Petitclerc ]

Could you inform us as to whether the commitments that were made by the previous government have been re-expressed by the present government so that the fear that those Canadian producers might have will be assuaged by the government's commitment to compensate them?

**Senator Pratte:** Yes. There was an announcement by this government to have a \$350 million fund for cheese transformers and dairy producers. The details of those programs — there are actually two programs — are being discussed presently with both dairy producers and cheese transformers. I'm not in the government, but I understand they will be announced shortly. They are presently in discussions with both of those groups.

**Hon. Joseph A. Day (Leader of the Senate Liberals):** The honourable senator referred to the observations. My understanding is that we received the report from the committee earlier today. I haven't seen the observations, and I'm wondering if I'm the only one here who hasn't. I think it's important that, if we're going to vote on something that has observations attached, we have a chance to look at them.

**Senator Pratte:** Yes. I understand that when you speak for only 2 minutes, there's a chance you will have 43 minutes of questions.

Of course, the vote is on the agreement and not on the observations. In any event, I tried to summarize — and I think I summarized faithfully — the observations that were made by the committee in answering the first question of Senator Joyal.

The gist of the observations is that some groups expressed the wish that the observations address those concerns and highlight to the government the necessity of taking those concerns into account in future implementation of the agreement. However, on the whole, the committee thought the agreement was a progressive, modern agreement. This is why the committee voted — unanimously, in fact — in favour of the agreement.

**The Hon. the Speaker:** I want to point out that the report was adopted without amendment, and therefore it's not open to debate. Therefore, we're now at third reading of the bill, on a report without amendment.

**Senator Day:** Some of us had been approached by interested parties in relation to this bill, questioning the imbalance and the lack of reciprocity in relation to shipping. Was that one of the listed items that you should look into and that the government should be keeping an eye on, namely, that ships coming from Europe to Canada had more open access than Canadian ships going to Europe?

**Senator Pratte:** This is an issue that is addressed in the observations. However, this was, of course, a negotiation. My understanding is that the Europeans requested some opening of coasting trade and dredging in Canadian waters, as that was not part of Canada's demands. This was not a demand that the Canadian coasting trade industry made, but it was a demand of the European industry.

It is important to note that this is a limited opening of coasting trade in Canada, and I think the committee highlighted that.

Canadian labour, security and environmental standards are maintained even with this opening.

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

**Hon. Senators:** Question.

**The Hon. the Speaker:** It was moved by the Honourable Senator Pratte, seconded by the Honourable Senator Gagné, that the bill be read the third time.

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

**Hon. Senators:** Agreed.

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

[Translation]

## STATUTE LAW AMENDMENT PROPOSALS

### MOTION TO REFER DOCUMENT TO LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ADOPTED

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of May 9, 2017, moved:

That the document entitled *Proposals to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain Acts and provisions that have expired, lapsed or otherwise ceased to have effect*, tabled in the Senate on May 9, 2017, be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

She said: Honourable senators, Motion No. 95 seeks to refer the following document to the Standing Senate Committee on Legal and Constitutional Affairs entitled *Proposals to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain Acts and provisions that have expired, lapsed or otherwise ceased to have effect*.

• (1450)

That is the title of the document. It is long, but that is the title. I tabled this document of proposals in the Senate on May 9, the day before yesterday. I will try to be brief but clear.

[English]

Indeed, I remember when the Deputy Leader of the Government of the day, the Honourable Yonah Martin, moved that motion. It was May 15, 2014. It created a lot of interest among senators of the official opposition of the day, of you and

others. I will try to be as precise as I can, but honourable senators will have time to ask questions if you want, because I will be reasonably short.

[Translation]

In 1975, the Minister of Justice, with the approval of cabinet, created the Miscellaneous Statute Law Amendment Program, which was designed to correct anomalies, inconsistencies, outdated terminology and errors in federal statutes. The program also allows minor, non-controversial amendments to be made to a number of federal statutes at once, in one bill, instead of making such amendments incrementally, when a particular statute is being amended, in the context of a separate legislative initiative. The program therefore provides for the creation of an omnibus bill.

How does the program work?

It is important to know that requests for amendments originally come from federal departments and agencies, as well as from the Standing Joint Committee for the Scrutiny of Regulations. They are sent to the Department of Justice, more specifically its legislation section.

Under the program, only amendments that meet the following four criteria can be included in the document containing proposed corrections that I tabled in the Senate the day before yesterday.

The amendments or corrections must not be controversial. They must not involve the spending of public funds. They must not prejudicially affect the rights of persons, and they must not create new offences or subject a new class of persons to existing offences.

[English]

Requests for amendments by departments, by agencies, or by the Standing Joint Committee for the Scrutiny of Regulations, will be included in the proposal for correction if they meet four criteria. They have to be non-controversial; not involve the spending of public funds; not prematurely affect the rights of persons; and, finally, not create a new offence or subject a new class of persons to an existing offence.

[Translation]

After the Department of Justice's legislation section reviews the proposed amendments to ensure they meet the four criteria, the department puts all of them together in a document. This is the document that I am asking you to refer to the Standing Senate Committee on Legal and Constitutional Affairs so that its members can ensure that all four criteria are met and especially that the proposed amendments are non-controversial.

[English]

The document entitled *Proposals to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada*

[ Senator Bellemare ]

and to repeal certain Acts and provisions that have expired, lapsed or otherwise ceased to have effect is tabled in both houses and is referred to the Standing Senate Committee on Legal and Constitutional Affairs in the Senate and the Standing Committee of the House of Commons on Justice and Human Rights. This is specified in the program.

Now — and this is very important — if either committee in the Senate and in the other place objects to a specific proposal for any reason whatsoever, that proposal, that correction, is withdrawn.

[Translation]

Once the two parliamentary committees agree on which changes to make, the Department of Justice prepares a bill to make those changes. That bill goes through the same stages as any other bill.

[English]

In summary, the legislative process for introducing a miscellaneous statute law amendment bill in Parliament involves four main steps: First, the preparation of a document containing the proposed amendments. This, as I said, is done by the departments, the agencies, et cetera.

Second, the tabling of that document in Parliament and its review by a committee of each house. This is the stage we are at now.

Third, the preparation of a bill based on the committees' reports that contain the proposed amendments approved by both of them.

Finally, the introduction of the bill in Parliament, where each house has to do first, second and third reading.

It should be noted, as is explained in some documents of the Department of Justice, the most important feature of the committee review that we will start — I hope soon — is that since a proposed amendment must not be controversial, it has to be agreed to by all members of the Senate committee and all members of the committee in the other place.

[Translation]

For your information, 11 miscellaneous statute law amendment acts have been passed since 1975, which is the year the program was created. The latest was passed in 2015, almost a year after the proposals were tabled. I tabled a similar document two days ago.

The proposals for amendment tabled today would amend 24 acts, repeal eight acts, and make two terminology changes. It resembles a bill, but it's not a bill. It contains 73 clauses and 26 pages of explanatory notes. The document I am tabling today is much shorter than the one tabled in 2014.



If you have any questions on the process, I will gladly try to answer them. If not, we would like the document to be referred to the Standing Senate Committee on Legal and Constitutional Affairs as soon as possible. The Senate will have the opportunity to review the content of this document at second and third reading stages, when a bill is introduced to that effect.

For now, this motion seeks to proceed to the study of the content of the document on the corrections proposed by the MSLA Program committee. As Senator Martin said three years ago, it is a procedural document and there is nothing controversial about it. Thank you.

• (1500)

[English]

**Hon. Yonah Martin (Deputy Leader of the Opposition):** One question, actually. I think I should do my due diligence as Deputy Leader of the Opposition, and it is actually just one question for me because, first, senator, you explained it far better than I did. So I feel like I understand the process better now than I did when I tried to explain it three years ago. My question is: This document is provided to both houses concurrently, and I'm curious why it wouldn't potentially start in the House and then come to us. I just find that the senators who go through something with the fine-tooth comb can, in whatever way, potentially capture or notice things that may have been missed in the other house. Does it not matter that it follows a procedure that we may typically follow, that it's done at the same time? Would you explain the rationale for that, just for my own curiosity and that of the chamber?

[Translation]

**Senator Bellemare:** I did not establish the rules for this law amendment program. However, if we take a look at it we see that the cleanup, if I can call it that, of existing statutes must absolutely be non-controversial. That is the term used. Therefore, this gives rise to many procedures.

First, as I explained, the proposed corrections are analyzed by the Department of Justice according to four criteria. This work is done by officials who prepare a document containing the proposed amendments. The program requires the proposed corrections to be presented to committees of both Houses. The document, as you surely recall, takes the form of a bill. This one has 73 clauses that amend 24 statutes and repeal eight. There are 26 pages of explanations.

The Legal and Constitutional Affairs Committee produced a report, which I read. It heard from witnesses for two days and verified that the document was not controversial. It is only after this step that the department had a second look and, in this case, some provisions were withdrawn because they were opposed by members of one or both committees.

Next, the document is redrafted in a more legal format and presented to both Houses once more. It is first introduced in the House of Commons, which then sends it to the Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[English]

## THE SENATE

### MOTION TO EXTEND WEDNESDAY'S SITTING AND AUTHORIZE COMMITTEES TO MEET DURING SITTING OF THE SENATE WITHDRAWN

On Government Business, Motions, Order No. 96, by the Honourable Diane Bellemare:

That, notwithstanding the order adopted by the Senate on February 4, 2016, the Senate continue sitting on Wednesday, May 10, 2017, pursuant to the provisions of the Rules;

That committees of the Senate scheduled to meet on that day be authorized to sit after 4 p.m. even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto; and

That the provisions of rule 3-3(1) be suspended on that day.

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I withdraw Motion No. 96, standing in my name.

(Motion withdrawn.)

### MOTION TO AFFECT QUESTION PERIOD ON MAY 16, 2017, ADOPTED

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of May 10, 2017, moved:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, May 16, 2017, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

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

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

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

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[Translation]

### ADJOURNMENT

#### MOTION ADOPTED

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of May 10, 2017, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, May 16, 2017 at 2 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[English]

### SENATE MODERNIZATION

#### FIFTH REPORT OF SPECIAL COMMITTEE— MOTION AS AMENDED ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator McCoy, seconded by the Honourable Senator Ringuette, for the adoption of the fifth report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward (Caucus)*, presented in the Senate on October 4, 2016.

And on the motion in amendment of the Honourable Senator Ringuette, seconded by the Honourable Senator McCoy:

That the report be not now adopted, but that it be amended:

1. by replacing the paragraph starting with the words “That the Senate direct the Committee on Rules” by the following:

“That the Senate direct the Standing Committee on Rules, Procedures and the Rights of Parliament and the Standing Committee on Internal Economy, Budgets and Administration to draft amendments to the *Rules of the Senate* and the *Senate Administrative Rules*, and to report thereon to the Senate by May 9, 2017, respecting the following:”; and

2. by replacing the paragraph starting with the words “That the Senate direct the Committee on Internal” by the following:

“That the Senate direct the Standing Committee on Internal Economy, Budgets and Administration to prepare amendments to the *Senate Administrative Rules*, and to report thereon to the Senate by May 9, 2017, to provide all groups (caucuses) of senators with funding for a secretariat and research projects, regardless of whether the caucuses are organized with or without political affiliations.”

**Hon. Elaine McCoy:** Honourable senators, very briefly, the chair of the Standing Committee on Internal Economy, Budgets and Administration has asked me to move a subamendment on his behalf.

#### MOTION IN SUBAMENDMENT

**Hon. Elaine McCoy:** Therefore, honourable senators, I move:

That the motion in amendment be not now adopted, but that it be amended:

1. by replacing the word “direct” in paragraph 1 with the words “request that”; and
2. by replacing the words “May 9”, wherever they appear in the amendment, by the words “June 15”.

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

**Some Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion in subamendment agreed to.)

**The Hon. the Speaker:** Resuming debate on the amendment, as amended. Are honourable senators ready for the question?

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion in amendment, as amended, agreed to.)

**The Hon. the Speaker:** Resuming debate on the main motion, as amended. Are honourable senators ready for the question?

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion, as amended, agreed to and report adopted.)

• (1510)

## STUDY ON ISSUES RELATED TO THE GOVERNMENT'S CURRENT DEFENCE POLICY REVIEW

### ELEVENTH REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE— DEBATE ADJOURNED

The Senate proceeded to consideration of the eleventh report of the Standing Senate Committee on National Security and Defence, entitled *Reinvesting in the Canadian Armed Forces: A plan for the future*, deposited with the Clerk of the Senate on May 8, 2017.

**Hon. Daniel Lang** moved:

That the eleventh report of the Standing Senate Committee on National Security and Defence, entitled *Reinvesting in the Canadian Armed Forces: A plan for the future*, deposited with the Clerk of the Senate on May 8, 2017, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of National Defence being identified as minister responsible for responding to the report.

He said: Honourable senators, on Tuesday I spoke about the first part of your National Security and Defence Committee's Defence Policy Report. Today, I will speak to the second part.

Again, I would like to thank the Deputy Chair, Senator Jaffer for her support, Senator Jean-Guy Dagenais, and a special thank you to Senator Colin Kenny, the dean of our committee for his leadership and his work in both parts of the report. I wish to also express my thanks to the Independent Senators, especially Senator Moncion, Senator Boniface and Senator Lankin for their contributions towards improving the report.

Before I get into the substance of the report entitled *Reinvesting in the Canadian Armed Forces: A plan for the future*, I wish to acknowledge the work of the staff whose contributions were invaluable, specifically our committee clerk, Adam Thompson, who really walked the country mile; the Senate print shop staff who worked overtime and went beyond the call of duty; communications staff; the political staff, specifically my director of policy, Naresh Raghubeer; Senator Jaffer's legislative assistant; Alexander Mendes; and Senator Carignan's policy advisor, Roy Rempel.

I would also like to express my appreciation to the Parliamentary Budget Officer and his staff, as well as the staff from Library of Parliament whose contributions enhanced our two reports.

Colleagues, this report, *Reinvesting in the Canadian Armed Forces: A plan for the future*, is Part 2 of the Committee's defence policy report and contains 30 recommendations.

It focuses specifically on measures to address the urgent capability gaps in the Canadian Armed Forces, while increasing support for the women and men of the military. It builds on our recommendations in Part 1 which called on the government to: increase spending to the military from the present level of 0.88 per cent of Canada's gross domestic product to 2 per cent of GDP by 2028; fix the procurement system; do more to coordinate cyber defences and protect critical infrastructure, including from electromagnetic pulse attacks; establish a process for a public review of the military every four years; and build cross-party consensus on issues related to the military and veterans.

The report also called on Parliament to establish a special joint parliamentary committee with the Senate and House of Commons to study and report on military procurement.

This report, *Reinvesting in the Canadian Armed Forces: A plan for the future*, lays out a roadmap on how the government can effectively address the strategic challenges which confront Canada in the 21st century and the men and women who serve their country in the Canadian Armed Forces.

It takes into consideration the reality that Canada is a continent-sized country with complex defence requirements, including the longest coastline in the world and with three oceans to protect. Canada is a maritime nation.

The report examines the capability gaps within the Canadian Army, the Royal Canadian Air Force and the Royal Canadian Navy, and makes recommendations which are designed to protect Canada, while at the same time saving taxpayers' money.

Colleagues, I wish to speak to the recommendations.

Our first recommendation calls for the government to increase cooperation within NORAD and to keep Canada and the United States safer. The Government of Canada must increase effectiveness within NORAD by actively protecting against ballistic missiles heading toward Canadian and American cities.

Our second recommendation urges the government to modernize our agreement with NORAD to take into consideration the need to increase maritime defences, domain awareness cooperation and cyberdefence.

This is important given the reality that:

The [US] National Strategy for Maritime Security states terrorists will most likely transport weapons of mass destruction into the United States via the maritime domain.

Our third recommendation urges the government to immediately commence a competition to replace the fighter jets and make a decision by June 30, 2018, and calls for the Government of Canada to cancel the interim fighter jet replacement plan.

Honourable senators, this costly decision by the government, which does not appear to be evidenced-based, will cost Canada, in some estimates, between \$5 to \$7 billion and at the same time leave the Air Force in a weakened position compared to our allies. The report outlines these concerns clearly.

Our fourth recommendation calls on the government to prioritize requirements related to the defence of Canada, the Arctic and North America, including the renewal of the North Warning System in conjunction with the United States.

Our fifth recommendation calls on the government to prioritize the replacement of 55 of 95 Griffons with non-civilian medium- to heavy-lift military helicopters with enough speed and lift capacity to support military needs, and add 24 attack helicopters which will be able to protect the Chinook fleet and military personnel during combat search and rescue.

Honourable senators, our sixth recommendation urges the government to upgrade the Cormorant VH-71 presidential fleet of helicopters and temporarily station them on each coast to support search and rescue while the Cormorant CH-149s undergo a mid-life upgrade.

When it comes to the Air Force, your committee made a number of specific recommendations: prioritize the replacement of the current fleet of air refuelling tankers; increasing the size of the fighter jet fleet to 120; expedite the acquisition of the unmanned aerial vehicles fleet which includes sufficient options towards meeting the individual needs of the three services, Army, Air Force and Navy, before the end of 2018; and acquire multi-purpose systems for the effective surveillance of Canada's entire territory while also delivering an armed capability to support Canadian Armed Forces operations.

The Committee's tenth and eleventh recommendations called for a new model of pay for individuals with specialized skills which are in demand, and that attractive bonuses are offered to recruit and retain these individuals.

As well, your committee called for a short-, medium- and long-term strategic plan to increase the participation of women in the

Armed Forces. Having just 8.9 per cent of the Air Force members being women is unacceptable. It is 2017 and this needs to change.

When it comes to the Royal Canadian Navy, the committee was very concerned about the evidence we received. As one witness put it, our navy is in a state of disastrous decline. For a maritime nation like Canada, bordered by three oceans and dependent on sea trade for significant amounts of imports and exports, this is a threat to our national security and, frankly, an embarrassment which must be addressed.

Honourable senators, the decline in the Royal Canadian Navy's capabilities is not just due to a lack of submarines or minesweepers or firepower, the fact is Canada doesn't even have supply ships. That's right. At this moment in time, Canada does not have the ability to maintain ships at sea. Even in home waters, we must rely on others.

Workers at the Davie shipyard in Quebec are refurbishing one supply ship, but the navy realistically requires four ships, not just one.

Unfortunately, the last federal budget provides no additional investment towards resolving this problem and to filling other capability gaps in the navy. Our committee recommends that the government procure, at the very least, a second supply ship by 2018.

We also recommend that the government commence the procurement process before the end of 2018 to acquire 12 new submarines equipped with air independent propulsion systems, six to be based on each coast; build 18 surface combatants to ensure protection of Canadian waters as well as Canada's naval fleet; restore maritime defence capabilities by acquiring the Aegis or similar styled platforms; independently review the capabilities of the Arctic and Offshore Patrol Ships to ensure taxpayers are getting value and that they meet our national interest requirements; expedite replacement of the Maritime Coastal Defence Vessels with minesweepers capable of protecting Canadian waters.

Honourable senators, the report makes clear that it is very easy to disrupt commerce if a sea mine were to be placed in the Great Lakes, St. Lawrence Seaway or in Vancouver or Halifax harbours. The committee is convinced that Canada must have the capability to address such a possibility.

When it comes to the Canadian Army, the committee urges the government to maintain capabilities acquired in Afghanistan and provide the funding needed to maintain army effectiveness and readiness. Also, to acquire 60 upgraded LAV III light armoured vehicles, accelerate plans to acquire new tactical helicopter capabilities to support the army, including the incorporation of an armed attack component and expand the fleet of medium- to heavy-lift Chinook helicopters from 15 to 36.

• (1520)

Colleagues, recommendation 22 calls on the government to ensure that sufficient resources are committed for regular and

reserve force training and that it report to Parliament in 180 days on progress.

We called on the government to support reservists by setting aside funding necessary, as it does for regular force members, to allow compensation for time spent by reservists in obtaining medical assessments.

Colleagues, the committee is seeking an annual update to Parliament on: first, steps it has taken to meet the recruitment target of 21,000 Army Reservists; second, progress made to strengthen the Army, Navy and Air Force Reserves; third, how successful the Minister of National Defence is in expanding opportunities for college and university students to join the Reserves; and fourth progress made in implementing the recommendations made by the Auditor General in relation to the Reserves.

When it comes to the Canadian Coast Guard, the committee urges the government to establish an armed constabulary coast guard with the powers to enforce the environmental, transportation, and fishing regulations, as well as Criminal Code offences. This recommendation was based on previous work of the committee under Senator Kenny's chairmanship, and needs to be implemented as it will increase efficiencies and save taxpayer dollars.

When it comes to improving search and rescue response times in the Far North, the committee seriously considered the recommendations from Senator Patterson, who consulted with members of his community last summer. The committee recommended the following: expediting the replacement of the CC-138 Twin Otter; examining the option of activating the VH-71 helicopters currently in storage to enhance search and rescue; expanding the existing partnership with the Civil Air Search and Rescue Association to provide more robust search and rescue options in the Arctic by local contractors; and replacing the current Aurora patrol aircraft fleet with a new patrol aircraft by 2030.

Colleagues, as this is the seventieth anniversary of the establishment of the Canadian Rangers in the North, and the growing importance of the region, your committee recommended that the government: move forward with a plan to increase the size of the Rangers to 7,000; increase the frequency of the training available to Rangers; seek ways to expand the Junior Ranger and Cadet programs; and we also called on the government to provide Rangers with coastal capabilities to support search and rescue operations.

Our twenty-ninth recommendation called on the government to look at a reserve regiment based in Yukon. This would increase participation in the Canadian Armed Forces and contribute to the diversification of the Reserves in Canada.

Colleagues, our final recommendation called on the government to adhere to its obligations under the employment equity plan by identifying and eliminating barriers to the appropriate representation of women, indigenous populations and visible minorities and that it provide to Parliament a progress report on the work of the recruiting and diversity task force before December 31, 2017.

Early next week, the Minister of Defence is expected to reveal the results of the government's Defence Policy Review.

The government is promising significant investments in the military; however, anything short of fixing the procurement system and increasing spending from 0.88 per cent gross domestic product to 2 per cent of GDP by 2028 will be leaving the military significantly weaker.

We will watch closely to see if the government puts forward increased spending in the June estimates to address the urgent capability gaps, or whether they will push off spending many years into the future, to other governments.

We want Canadians to compare the Senate's defence policy report with the government's. We hope the government will listen. Our military deserves no less. Thank you.

**Hon. Marilou McPhedran:** I appreciate the report from the chair of the committee, Senator Lang. I am a new member of that committee and I also appreciate the notification in both reports that some of us on the committee did not, in fact, have the opportunity, because we weren't yet members, to hear much of the evidence and many of the witnesses, and that there is a notification that some of us do not agree with the reports.

I would like to put on the record explicitly that I am one of those members, and I would like that to be clear. Thank you.

**Hon. Dennis Glen Patterson:** I would like to endorse this report. This chamber is about representing regions, and as one of the senators from a remote region where we don't have a lot of representation in this chamber, I would like to congratulate Senator Lang on this report, and other work that he has done as chair of this committee, for emphasizing the importance of Northern Canada and in addressing the strategic interests of Canada.

I want to say specifically that I fully endorse the recommendations respecting the Arctic. I welcome the calling of attention to the urgent need to invest in the modernization of the North warning system, which is of crucial security importance to all of Canada.

I want to thank the committee for once again — and it is not the first Senate committee that has drawn attention to this issue — pointing out the challenges and the need for enhancing search and rescue in the North.

Also, regarding recommending the bolstering of the Reserves and Rangers in Northern Canada, and increasing the size of the Rangers, these well-respected folks in our communities, who are there, vigilantly monitoring of the environment and establishing sovereignty for Canada in the North, and I very much welcome the recommendation that they should be given a marine capability. I know Senator Dallaire, our respected former colleague, had made that recommendation to the committee, as did I.

The Rangers in Nunavut have a land capability, but they are mostly, or probably all, Inuit and Inuit are a coastal people, a marine people, who know the coast and know the waters, and I

think it is timely that recommendations that have been made previously to give them a marine capability to support search and rescue, as well as oil spill response, where the Coast Guard be advanced to DND.

This is one of a series of important, timely and thoughtful reports of this standing committee of the Senate, and I do wish to commend the chair and members of the committee for the enormous work that they have done in this year and in recent years in drawing attention to very important issues. I note the April 2017 recommendation — the military, unfunded, the talk must match the walk — and let's hope it has helped inform the much-awaited Defence Policy Review and, finally, this report which I welcome, particularly its focus on a very important region of Canada, which I represent in this chamber.

Finally, Senator Lang has paid tribute to the members of the committee, the deputy chair and the staff, but I would like to pay tribute to Senator Lang as chair of the committee. Members of this body will know that the Standing Senate Committee on National Security and Defence meets on Mondays, and that's because of our very busy schedule during sitting weeks.

This committee meets on Mondays and that means that it's not possible for those senators who live far from Ottawa to go home on weekends, and so I want to point out that Senator Lang, who lives far away in Whitehorse, probably one of the longest journeys home for any parliamentarian, has made a sacrifice, in chairing this committee for, I believe, four years, of forgoing the opportunity to be home on weekends and, in addition to that, has done an enormous amount of work and leadership and I know he doesn't just show up at the meetings to chair them on Monday. He prepares well in advance for each one of these meetings, which is why the committee has been so productive.

• (1530)

I would just like to endorse this report and pay tribute to the chair of this committee and my friend and fellow northerner Senator Daniel Lang. Well done.

(On motion of Senator Eggleton, debate adjourned.)

## **RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT**

### **SEVENTH REPORT OF COMMITTEE ADOPTED**

The Senate proceeded to consideration of the seventh report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Amendments to the Rules — Recognized parties and recognized parliamentary groups*, presented in the Senate on May 9, 2017.

**Hon. Joan Fraser** moved the adoption of the report.

She said: Colleagues, the seventh report of the Rules Committee is our response to the fifth report of the Modernization Committee. Folks with long memories may have noticed that earlier this day, the Senate adopted an order of reference ordering us to study the fifth report of the Modernization Committee, and here is our answer, which we actually presented on Tuesday. We

were able to do that because, like the Internal Economy Committee, the Rules Committee does not require an actual order of reference from the Senate to conduct a study. It was very clear to us that the subject of this report from the Modernization Committee, principally the definition of “caucus” and of “parliamentary groups,” was a core element of the work that our committee and the chamber has to do as we go forward given changes in this place.

I would further note that although we had not yet received the order of reference that was passed today, we did meet the deadline that had been set in the proposed order of reference that was going to come to us. The original deadline was May 9, and we met that deadline, even without an order from the Senate, so we were kind of proud of that.

More seriously, I would like to stress, before I get into the specific discussion of this report, that in this report, as in all of our recent work in connection with the modernization of this place, at this stage of our work, the Rules Committee has studiously avoided recommending changes that would affect the status, rights and powers of the government or of the opposition in this place. We made the decision to avoid such changes because, as we all know, the Modernization Committee is engaged in the second phase of its work, which is an in-depth examination of the Westminster system of the way in which this chamber should or should not continue with its traditional approach based on the Westminster system in light of the changes that have occurred in our membership. That's very important work, and the Rules Committee has been particularly cognizant of the need to avoid recommending changes that would pre-empt recommendations that might come from the Modernization Committee.

That said, there is still a great deal that we can do and that we, in my view and in the view of the committee, should do to adjust the rules we have to the new realities of the Senate. It's both possible and desirable to do that, and we are trying to do it.

We are also trying to make progress now in the certain knowledge that so much more work lies ahead of us all that if we don't get some done now, we'll never get done all the work we need to do. We're trying to make the progress that we can now.

We are particularly influenced, of course, by the knowledge that the sessional order, which was passed before Christmas after negotiations among the various groups and parties, will lapse, either at prorogation or at the end of October, whichever comes first, and that it would be, in our view, highly desirable to have in place, where appropriate, some rule changes to fill the gap that will be created once the sessional order about the position, if you will, of the independent senators has lapsed.

Finally, one of the principles that has guided us and of which all senators are aware and hold dear is that we are all senators. And to the extent possible, while some of us may have responsibilities that differ from other senators, we are, nonetheless, all senators and all equal.

What have we actually done in this report? I think the first and most important element of it is that we have proposed for your consideration a new definition of “recognized parties” combined with a definition of “recognized parliamentary groups” in the Senate. You may recall that under the Rules as they now stand,

there is a category for recognized party, which is defined as, “A caucus consisting of at least five Senators who are members of the same political party.” Clearly not everybody in this chamber any longer is a member of a political party recognized by Elections Canada.

So your Rules Committee is proposing the following to replace that definition. I’m going to read it to you in full because I think it deserves to go into the record. We propose that the Rules now include the following definition:

#### Recognized party or recognized parliamentary group

A recognized party in the Senate is composed of at least nine senators who are members of the same political party, which is registered under the *Canada Elections Act*, or has been registered under the Act within the past 15 years. A recognized parliamentary group in the Senate is one to which at least nine senators belong and which is formed for parliamentary purposes. A senator may belong to either one recognized party or one recognized parliamentary group. Each recognized party or recognized group has a leader or facilitator in the Senate . . . .

Some of you will be particularly struck, I expect, by the fact that your Rules Committee adopts the proposal from the Modernization Committee that recognized parties and groups have nine members, which compares with the previous five. For reasons that may be evident, I personally liked five, but there was no consensus on any specific number in our committee, so we decided to go with the recommendation from the Modernization Committee. Excessively large though nine may be, it is what it is.

Also you will note that the new proposed definition does not include the word “caucus.” That has occasioned some discussion. The fact is that the *Rules of the Senate* have never defined the word “caucus.” The only place where it appears in our Rules is in the current definition of a recognized party, where we say a recognized party is, “A caucus consisting of at least five Senators . . . .”

Rather than get into a definition of a caucus on top of a definition of a recognized party and a recognized parliamentary group, it seemed simpler for us just to go straight to the definitions of the parties and the groups and leave out the word “caucus,” because nothing else changes. There was no other application of the word “caucus” in the *Rules of the Senate* to change.

Now, it’s important to realize that the *Rules of the Senate*, which is what we’re talking about right now, are completely separate from the *Senate Administrative Rules*, the SARs. Those are in the jurisdiction of the Internal Economy Committee. Those rules have a whole chapter headed “caucuses,” and they have their own definition and own rules about caucuses. It will be for the Internal Committee Economy to decide what they do about that.

• (1540)

What I am proposing to you is what we proposed for changes to the *Rules of the Senate*, which consist largely of ordering the way we do business in the chamber, in committee and associated

negotiations, but we will all await with interest to see what Internal comes up with in terms of the SARs.

Having decided what definition we would recommend, we then went on to make some other recommendations: first, that we add the words “Facilitator of a recognized parliamentary group,” where the Rules now refer to “the leader of any other recognized party,” “any other recognized party” being other than the government or the opposition party.

For example, in terms of speaking times, we would propose that the rules say, “Leader of the Government and the Leader of the Opposition shall be allowed unlimited time for debate” — that is the rule as it now stands — “and the leader or facilitator of any other recognized party or recognized parliamentary group shall be permitted up to 45 minutes for debate.” That is the model that you’ll find repeated in most of our recommendations.

What is the impact of the changes that we propose? There are a number of things.

First, and perhaps from the point of view of the parliamentary group or groups that are recognized, there is the ability for them to substitute committee members. If one of their members is absent from a committee, the facilitator or the facilitator’s designate would be able to substitute, as whips have always been able to do, the member of the committee with another member from that group.

The sessional order now in force contains that provision. This would just formalize it in the rules.

As you may have gathered, we suggest giving facilitators of recognized parliamentary groups essentially the same speaking time as leaders of other — other than government opposition — recognized parties to put them on a level playing field, if you will. The changes would recognize that the facilitators of parliamentary groups participate in negotiations about chamber business. That’s basically a reference to the Daily Scroll meeting and ancillary meetings, which they attend and have been attending for months and months. This is not actually an innovation that we are proposing. It is a recognition of what is being done now.

We would include the facilitators of recognized parliamentary groups in consultations about a couple of other things. One involves a change of dates for sittings. If while the Senate has suspended or has adjourned for a prolonged period of time and it becomes apparent that the date for resumption of the session should be changed, the facilitators of parliamentary groups would be included in negotiations about that change of date.

Remember, consultation does not give you the power of decision, but it gives you the right to be heard.

And we would also include them in consultations about where proposed new user fees should be referred when it comes to sending them to a committee.

Also, facilitators of recognized parliamentary groups would be able to request extending the times for Senators’ Statements, which is particularly important in connection with scheduling

tributes to departing senators. As we know, that's always done by the leader of the group from which you are departing as you leave the Senate.

I think that covers what we have proposed in the seventh report from the Rules Committee. We have tried hard to be faithful to the principles and to the realities of the Senate today without pre-empting future changes or adoptions of position or principle.

I would like, in closing, to thank most sincerely all the members of the Rules Committee for their work on this matter, starting, of course, with the deputy chair, Senator White, and the other members of the steering committee, Senators Frum and Lankin, but all members of the committee. We all know that any change in the rules of this place can lead to deep emotional discussions, deep discussions of principle, and that was the case in the preparation of this report.

I really cannot tell you how important it has been that this committee has managed to maintain a civil, senatorial, if I may, approach to these matters. Sometimes the discussions have been a bit heated, but they have been constructive. I think that what you see here is the reflection of the work of a committee on which not only all groups but essentially all philosophies, all opinions about the nature of this place were represented. These are our best recommendations for adjustment to this chapter of the *Rules of the Senate*, and I thank you for your attention, colleagues.

**Hon. Colin Kenny:** Senator, would you accept a question?

**Senator Fraser:** Of course.

**The Hon. the Speaker:** Senator Fraser, your time has expired. Are you asking for five more minutes?

**Senator Fraser:** Only five minutes, Your Honour.

**Senator Kenny:** Thank you, Senator Fraser. On the question of substitution by whips when a member is being replaced, would you consider any requirement that the person being replaced be notified and be in agreement with the substitution?

**Senator Fraser:** We did not. That is not now in the rules. It is not either, to the best of my recollection, in the Modernization Committee report. Personally, I think it is a fine idea, and I know the Modernization Committee has a subcommittee working on the question of committees, and I would strongly urge you to suggest it to them.

**Senator Kenny:** If I may, it's a practice that's been used more frequently in the other place, but I think it's a disastrous practice that has caused embarrassment to many members when they arrive at a meeting and discover they're no longer a member of the committee, and it's an opportunity for leadership to exercise undue authority over an individual who might want to express a view that is different from the rest of the gang.

**Senator Fraser:** Indeed, as you say, it has not been used very often here. Here, substitutions are usually made to compensate for the absence of a given committee member. But the kind of

substitution that you're talking about, Senator Kenny, has occurred on occasion here, which is why I urge you to draw it to the attention of the relevant subcommittee of the Modernization Committee.

[Translation]

**Hon. Renée Dupuis:** Would Senator Fraser agree to answer another question?

**Senator Fraser:** Patience, you know I often have a hard time hearing you.

**Senator Dupuis:** Patience and time are worth more than strength and anger. You got me thinking about that proverb and it is quite timely.

My question is more of an expression of appreciation for your professional expertise and the way you ensured that recently appointed senators could understand this entire issue by putting this discussion into context, but also for the sophistication with which you handled the debate and guided us in writing this report.

I wanted to acknowledge that. Thank you.

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

[English]

**Hon. Murray Sinclair:** Would Senator Fraser entertain another question?

I have a question about the rule change with regard to rule 6-3(1)(a), which deals with the amount of time allocated to leaders within the chamber. I notice that the facilitator of parliamentary groups, which is in effect the facilitator of Independent Senators Group, is limited to 45 minutes, whereas the leaders of the other groups within the chamber have unlimited time for debate. Maybe you could explain to the chamber why that is so.

• (1550)

**Senator Fraser:** The only folks who get unlimited time, Senator Sinclair, are the leaders of the government and the opposition. The leader of my group in the Senate gets 45 minutes, and we were trying to put the facilitators of the recognized parliamentary group or groups, as time goes on, on that level footing. You may recall that I said at the outset that we were attempting to do nothing that would encroach upon or affect the position of the government or the opposition at this time, because Modernization is deep into a fairly serious consideration that will affect those decisions.

So for the time being, we argued for putting the facilitators on the same ground as the leaders of other recognized parties.

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

[ Senator Fraser ]



**Hon. Senators:** Question.

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

(Motion agreed to and report adopted.)

[Translation]

## THE SENATE

### MOTION TO CALL UPON THE GOVERNMENT TO RECOGNIZE THE GENOCIDE OF THE PONTIC GREEKS AND DESIGNATE MAY 19TH AS A DAY OF REMEMBRANCE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Merchant, seconded by the Honourable Senator Housakos,

That the Senate call upon the government of Canada:

- (a) to recognize the genocide of the Pontic Greeks of 1916 to 1923 and to condemn any attempt to deny or distort a historical truth as being anything less than genocide, a crime against humanity; and
- (b) to designate May 19th of every year hereafter throughout Canada as a day of remembrance of the over 353,000 Pontic Greeks who were killed or expelled from their homes.

**Hon. Lucie Moncion:** Honourable senators, I move that the debate be adjourned to the next sitting of the Senate.

(On motion of Senator Moncion, debate adjourned.)

[English]

### ROLE IN THE PROTECTION OF REGIONAL AND MINORITY REPRESENTATION—INQUIRY— DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Seidman, calling the attention of the Senate to its role in the protection of regional and minority representation.

**Hon. Salma Ataullahjan:** Honourable senators, I rise today to speak to the Senate's role in the protection of regional and minority representation. Like my esteemed colleague says, I promise to be brief, and that's Senator Baker that I'm speaking about.

Senator Seidman and Senator Fraser before me have provided tremendous insight on this issue to the chamber. I would like to commend my colleagues for bringing to light a critical function of the upper house.

In this regard, the Senate of Canada was given two separate tasks by the Fathers of Confederation. The first task is oversight of the legislation put forth by the House of Commons. The second equally important task is the Senate's role in protection of regional and minority representation. As stated by Senator Seidman, the role of equal representation in the upper house was initially intended to create a counterbalance to representation by population. Without this measure, smaller regions with smaller population sizes would have the potential of being tangled in a political system catering only to regions with much larger populations. The fear of under-representation at the federal level would have made it very difficult for all of our less populous provinces to join Confederation.

Honourable senators, without the protection of regional and minority representation, the voice of minorities and small regions could quite easily be quelled by the louder voice of Canada's larger population centres on important issues, for example, on matters of national finance.

This is where equal representation in the Senate of Canada plays a pivotal role. While we do recognize that larger regions require significant financial investment in health care, education and infrastructure, the Senate also takes into consideration smaller regions which may not be fully represented in the lower house. For example, the Standing Senate Committee on National Finance published an interim report on infrastructure spending in February 2017. This document examined and reported on the federal government's multi-billion dollar infrastructure program. Part of the committee's mandate was to ensure that project funding is timely, efficient and economical and to further consider the manner in which money is distributed among large and small communities.

Initially, the regional representation of minorities allowed the upper house to represent anglophone minorities in Quebec and francophone minorities in the rest of Canada. This was initiated as a safeguard against under-representation and it provided a voice for minorities living in provinces where they were under-represented in the House of Commons.

To this day, the vision of our founding fathers for the upper house holds true. Currently, representation of minorities takes on a similar and much broader scope. Canada is made up of minorities from all over the world. The Senate ensures that Canada's minorities in all regions are represented. Additionally, the Senate reviews legislation to ensure that Canada's minorities are not negatively impacted.

To further emphasize the importance of minority representation, I look to the Standing Senate Committee on Human Rights, for which I serve as deputy chair. This committee has studied legislation, heard testimony from many witnesses, and written countless reports. For example, in 2013, the committee tabled a report entitled *Employment Equity in the Federal Public Service: Staying Vigilant for Equality*. The report examined and reported on issues related to discrimination in the hiring and

promotion practices of the federal public service. Furthermore, the committee considered the extent to which the federal government was meeting its employment equity obligations at the federal level.

Finally, the report examined the labour market outcomes for minorities in Canada's private sector. The report highlighted weaknesses in relation to the hiring of minorities and recommended the implementation of training programs for the leaders across federal government departments. In the eleventh recommendation, the committee urged "the federal government to place special emphasis on the need for leadership and a strong organization culture when seeking to achieve its employment equity goals." These examples highlight the importance that the Senate places on the protection of Canada's regions and minorities.

Honourable senators, as I look around this chamber today, I trust the Fathers of Confederation would rejoice seeing the diversity in our upper house. We represent people from all walks of life and from all regions too. We ensure that all Canadians from all regions, majority and minority, are heard and accounted for in the decision-making process.

I would like to thank Senator Seidman for raising this very important topic.

(On motion of Senator Martin, debate adjourned.)

### INCREASING OVER-REPRESENTATION OF INDIGENOUS WOMEN IN CANADIAN PRISONS

#### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Pate, calling the attention of the Senate to the circumstances of some of the most marginalized, victimized, criminalized and institutionalized in Canada, particularly the increasing over-representation of Indigenous women in Canadian prisons.

**Hon. Bob Runciman:** Honourable senators, this matter is adjourned in Senator Boniface's name, but I would like to speak today and ask that when I conclude it be adjourned in her name.

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

**Hon. Senators:** Agreed.

**Senator Runciman:** Honourable senators, I want to start by thanking Senator Pate for launching this inquiry. Her remarks in the chamber were a powerful call to action, and they come from her decades of dedication to helping the disadvantaged in Canada's prisons.

Senator Pate and I share a history of working to try to solve the serious problem of substandard mental health treatment for inmates, especially female inmates in federal correctional institutes. Although, her efforts have been much more full-time than mine.

• (1600)

As corrections minister for the Province of Ontario, I became concerned with the number of mentally ill offenders in our jails and established the St. Lawrence Valley Correctional and Treatment Centre, a 100-bed institution for male offenders with serious mental illnesses. I view this as a public safety issue.

More than four years ago, I launched an inquiry in this chamber on the topic of the lack of mental health treatment in federal prisons, particularly for female inmates.

And I regret to say it didn't have much impact. While the overrepresentation of indigenous women in Canada's prisons and lack of adequate mental health treatment might seem like separate topics, they are not. We know that a disproportionate number of inmates suffer from mental health conditions or addictions. This has been documented time after time in reports by the Correctional Investigator.

We know the rate of serious mental illness is even higher in women inmates. The Correctional Investigator's 2015-16 report notes that more than half of all women inmates have an identified mental need compared to 26 per cent of male inmates. That same report included the startling statistic that 36 per cent of women inmates are indigenous. This is from a population that comprises less than 5 per cent of the population at large.

We also know that mental health treatment in Canada's federal prisons leaves a lot to be desired. The situation is even worse for female inmates. It's a story that's all too familiar. A woman may be incarcerated for a relatively minor offence committed because of underlying mental health or addiction problems, she doesn't receive the treatment she needs and she poses a threat to herself, to other inmates and to prison staff. She reoffends either inside prison walls or following statutory release and the cycle continues. Too often the response of prison authorities is segregation and restraints rather than treatment.

The Correctional Service of Canada knows how to run prisons, but I think the evidence is clear that they do not know how to run hospitals. And in many cases, these women should be in a hospital instead of a prison.

The Standing Senate Committee on Legal and Constitutional Affairs has heard evidence, particularly during its study of Bill C-10, the Safe Streets and Communities Act in a previous session of Parliament, that federal prisons are an extremely challenging environment in which to work, making it difficult to attract and retain experts in this field. There are treatment options that do work but, in my view, Corrections has been in no hurry to seek them out to say the least.

In particular, I'm talking about alternative methods of service delivery to treat seriously mentally ill offenders such as the St. Lawrence Valley Correctional and Treatment Centre that I

mentioned earlier. This secure facility, operated by the Royal Ottawa Hospital, has vastly reduced reoffending by male offenders. One of the reasons is because it doesn't operate like a prison. Although it may look like a prison from the outside, it is a highly advanced hospital built to maximum security prison standards. The ratio of clinical staff to correctional staff is approximately 80 to 20, which is exactly the opposite of mental health facilities within federal prisons and the response to an incident of self-harm is very different from what happens in prison. It starts with response by a primary care nurse, followed by a psychiatrist, rather than guards in riot gear likely to respond in a prison as we saw in the Ashley Smith videos. The approach is different and so is the outcome.

The inquest into the death of Ashley Smith addressed the issue of alternative service delivery in some detail. The jury, in one of its 104 recommendations, urged Corrections to "adopt the methods of the St. Lawrence Valley Correctional and Treatment Centre model of care for disruptive or self-injurious behaviours symptomatic of a mental health disorder."

The Correctional Investigator has also encouraged the use of alternative service delivery. Corrections could not avoid this issue in light of shocking testimony and clear recommendations flowing from the Ashley Smith inquest, but the steps and services taken have been timid and intended more for show than anything else.

For example, Corrections entered into a pilot project agreement with the Royal Ottawa to contract for two beds for female offenders at the hospital's Brockville site. That did not allow for the economies of scale or the capital investment to ensure a secure environment. The hospital had presented a proposal for a unit of 35 to 50 beds.

In the summer of 2014, Corrections transferred Marlene Carter, one of its most troubled inmates, to the Brockville facility. A member of the Onion Lake Cree Nation in Saskatchewan, Marlene Carter's story is heartbreaking. The product of an abusive home, she suffers from severe mental illness, has attempted suicide many times, repeatedly attacked nurses and guards and has spent much of her time inside jails, hospitals or mental institutions. A profile on the APTN news website calls her "one of the more difficult inmates in Canada for staff to handle."

Predictably, her time in Brockville did not go well. She stabbed a nurse and was eventually transferred back to the regional treatment centre in Saskatchewan.

Make no mistake — this is my view, but I hold it very strongly — the pilot project in Brockville was a program set up to fail by a federal institution that is more concerned about protecting its own empire than it is in effective treatment.

Last June, I filed a request under the Access to Information Act for internal documents regarding the pilot project in the selection of the inmate. The documents I requested were limited and specific, but Corrections said it could not comply within the 30-day deadline and requested a 300-day extension. I lodged a complaint to the Information Commissioner of Canada. And the last I heard, Corrections told them it might be able to provide the information by September of this year.

I don't think it's any coincidence that that is one month after I depart the Senate.

This stonewalling is completely in character for the senior officials at Corrections Canada. These are the same folks who tried to restrict the Ashley Smith inquest at every turn, spending over \$3 million tax dollars in a doomed fight to limit the inquest mandate and to prohibit the jury from seeing videos that showed the horrific treatment Ashley received within the system. They are the same folks who failed to provide a comprehensive response to the recommendations of the Smith inquest. And I know, because I have asked for a detailed response to the inquest recommendations, as has the Correctional Investigator. It's among the reasons why I called for new leadership at the top of Corrections. There is a systemic problem in that bureaucracy and it won't change until the people running things change.

I urge Minister Goodale to clean house and to do it now.

**Hon. Jim Munson:** That was very compelling, senator, and very timely because our Senate Human Rights Committee will be away next week and the first stop on our journey is at the institute in Brockville, on our study on the human rights of prisoners in the correctional system.

I have a couple of questions. If you were amongst us and walking through it next Monday, what questions would you ask? Is there a lineup to get into this kind of place? You said it was set up to fail, but at least it is doing much more than having those with mental health issues inside serious maximum security prisons. Finally, is there anything like this in the rest of the country?

• (1610)

**Senator Runciman:** In terms of the St. Lawrence Valley Correctional and Treatment Centre, they have people coming from around the world, essentially, to view the facility and to speak with staff with respect to the good works they are doing. They have reduced recidivism rates over the 11 years they have been in operation by around 45 per cent in terms of reoffending rates. It is quite a success story.

They will tell you with respect to the federal pilot that they initially started with a 30-bed proposal with no capital investment required from the federal government. That was rejected, and they came back with the two-bed proposal, which they negotiated again and indicated they might be able to work with 10 beds because of the security requirements. If you look at the staffing mix required to ensure safety for staff, as well as providing the clinical services necessary, this posed a real challenge for the Royal Ottawa with the two-bed requirement. As we saw, they weren't able to meet the real needs in terms of security, let alone clinical responses.

They have indicated an interest in continuing to provide this kind of service, but if the Corrections insists on remaining at two beds, the Royal Ottawa has said that the per diem costs will have to increase dramatically. The hospital itself, over this brief period of time, estimates they lost around \$750,000 in dealing with this one patient.

From a financial perspective, they can't continue and from achieving success, they cannot continue under the current circumstances.

**Hon. Serge Joyal:** You alluded in your remarks that you would be unfortunately leaving this chamber in some months this year. How would you envisage passing on the commitment that you have been serving so effectively during your term in the Senate to make sure that this issue is not dropped and would be followed up by your colleagues in the chamber?

**Senator Runciman:** I can hopefully rely on individuals like you, Senator Joyal, who serve on the Standing Senate Committee on Legal and Constitutional Affairs. You are aware that the committee travelled to the Brockville facility. We not only toured the St. Lawrence Valley facility, but we also toured the forensic unit there as well.

The committee, while dealing with the report on the "safe streets and communities act" had an observation in that report to the Senate indicating our encouragement of the government of the day to move to a meaningful pilot in terms of alternative service delivery.

So I would hope my colleagues who care about this issue — and we certainly know Senator Pate feels deeply about this issue — will continue to pursue this and ensure that it becomes a reality at some point in the not-too-distant future.

**The Hon. the Speaker:** Your time has expired, but Senator Boisvenu would like to ask a question. Are you asking for time to answer another question?

**Senator Runciman:** Yes.

[Translation]

**Hon. Pierre-Hugues Boisvenu:** Congratulations, Senator Runciman. I have contacted the Minister of Public Safety twice this year to show him that an incarcerated person costs the government between \$180,000 and \$200,000 a year because of the specialized services that are offered, while it costs only \$40,000 to \$60,000 a year to keep that same person in supported housing under the federal At Home / Chez Soi program.

In your opinion, should the Minister of Public Safety and the Minister of Health not partner on this file? Controlled housing is managed by the Department of Health, while the budget for those with mental illnesses is managed by the Department of Public Safety. Should there not be some kind of merger between these two departments so that the prison system budget can be shared with the Department of Health and we can ensure that as many people as possible end up in supported housing rather than in prison?

[English]

**Senator Runciman:** It's hard to argue with that. I know that some of these individuals who are talking about controlled housing can be real challenges, so it has to be in an environment

where you can ensure security for staff and the public beyond that as well in case, for instance, somebody actually got out of a facility.

You have to be cautious, but I know in the original proposal the Royal Ottawa made to the government, they provided a significant and extensive cost-benefit analysis. That material is still within the office of the Minister of Public Safety. It showed a real benefit to government and taxpayers in moving in this direction.

If you look at the cost of dealing with Ms. Carter or Ashley Smith and the millions and millions of dollars involved in these situations, the money can be better spent and be much more effective in getting people on the path to recovery.

**Hon. Kim Pate:** Thank you very much, Senator Runciman, for your information. I first want to frame my question in terms of your inquiry of Correctional Service Canada and your access to information request for information regarding what they have done. There are two parts to the question: Does this information include an analysis of why the 35-bed unit was important and the problems of putting a woman like Marlene Carter, an Aboriginal woman, into a unit for men, particularly given her long history of abuse; and second, would it be possible for you to have that information made available to our office in light of the fact that it may come in after you have moved on from this place?

**Senator Runciman:** "Moved on." Onward and upward.

I'm not sure about the processes involved once someone leaves this place with respect to access to information requests; I'm not sure what that process might be and whether I could have it referred to the Clerk's office or whatever. If there is an option like that, I will certainly pursue it.

My access to information did not deal with the 35- to 50-bed proposal. It dealt with the decision to move Marlene Carter. She was the selected individual for the pilot, and as I indicated in my comments, she was a very difficult and challenging individual to try and provide care for.

I am trying to determine through access to information and the discussions that took place with respect to that decision why that decision was taken. Why, specifically, was that individual chosen to be the person to be engaged in the pilot?

(On motion of Senator Boniface, debate adjourned.)

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

**Hon. Judith Seidman,** pursuant to notice of May 10, 2017, moved:

That, for the purposes of hearing the Minister of Environment and Climate Change, during its consideration of Bill C-18, An Act to amend the Rouge

[ Senator Runciman ]

National Urban Park Act, the Parks Canada Agency Act and the Canada National Parks Act, the Standing Senate Committee on Energy, the Environment and Natural Resources have the power to sit at 5:00 p.m. on Tuesday, May 16, 2017, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## ABORIGINAL PEOPLES

### COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

**Hon. Lillian Eva Dyck,** pursuant to notice of May 10, 2017, moved:

That the Standing Senate Committee on Aboriginal Peoples be authorized to meet on Tuesday, May 16, 2017, even though the Senate may be sitting, and that the application of rule 12-18(1) be suspended in relation thereto.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

• (1620)

[Translation]

## SOFTWOOD LUMBER CRISIS

### INQUIRY—DEBATE ADJOURNED

**Hon. Ghislain Maltais** rose pursuant to notice of May 4, 2017:

That he will call the attention of the Senate to the softwood lumber crisis.

He said: Honourable senators, please be assured that I will not use all my time this afternoon. The softwood lumber crisis is hurting our cities, towns and regions. Considering the importance of this file, honourable senators, today I want to draw your attention not to the political debate between the two countries or the debate between various companies, but rather to how it is affecting our workers.

Last week we commemorated the Battle of the Atlantic, a ceremony that I attend every year. This year, however, I chose instead to meet with some forestry workers, and I could see the distress on their faces. We are talking about 300,000 Canadian

forestry workers. That is significant. We feel sorry for people when there are 10 or 15 who lose their jobs, but in this case, we are talking about 300,000 workers.

Let's try to understand what's going on inside the head of a forestry worker, a man or woman who works in a mill and will have no pay at the end of the week. These workers are worried about not being able to pay the bills, including the mortgage, their car payment, and even groceries.

What if it were us in that situation? I was reminded of the oath we took to stand up for those who don't have a voice. These workers don't have a voice. They are at home or at work. They don't have time to keep up to date on the evolution of NAFTA, because they have to work. Then suddenly their plant is shut down. This is happening in all 10 Canadian provinces.

Mr. Speaker, I am sure that if you were to speak, you would defend the workers of Newfoundland and Labrador who are going to lose their jobs. Senators, I know that many of you come from big cities and that lumber, sawmills, and forestry workers are not exactly on your radar. However, I am asking you today, as part of a collective effort, to think about these workers.

Later, we will talk about how to solve the problem, but I guarantee you that it would be a game changer if you woke up tomorrow morning and were no longer receiving a pay cheque. I have seen the distress on the faces of these workers, and it is with much feeling that I ask each senator from each of the 10 provinces and three territories to speak out about this issue to support these workers so that they will know that we have compassion for them, that people are thinking of them, that they are not alone in the woods or in their small villages. Canadian parliamentarians are there for moral support and will do what it takes, when the time comes, to reassure these workers so that they know that we are going to work together to find a solution.

For now, all we can do is encourage them to stay strong and optimistic and assure them that senators support them. In order to do that, at least one senator per province must rise to speak about this issue in this chamber. All of the provinces are affected. A total of 300,000 people could lose their jobs, and I have here a whole list of people who have lost their jobs already. I met them. I saw their reaction. These are fathers and mothers who, by the end of next week, will no longer have enough money to buy groceries.

Together with the government, let us find a way to help them if the crisis continues. Employment insurance helps those who are unemployed. These people are losing their jobs because of the softwood lumber dispute between two countries. Large businesses are better able to weather the storm than small businesses that employ 50, 75, or 100 people in small villages where the sawmill is the economic engine. Together, we must show them that we support their cause and that we are seeking solutions.

I would like to thank the Leader of the Government in the Senate who made it possible for us to meet the ministers concerned. Rest assured, Senator Harder, that I will raise the humanitarian aspect first and without any partisanship. As a senator, my pledge to help the people inspires me today to assist these workers.

Therefore, I invite senators from the provinces affected by this problem to take the floor, for even two minutes, beginning next week until the first week in June, in order to offer their support for these workers. One senator per province and territory makes a total of 13 senators. If we can establish a National Fiddling Day, then we can have a compassion for forestry workers day. It is incumbent upon all of us, as senators, to support them.

[English]

**Hon. Carolyn Stewart Olsen:** Would you take a question?

**Senator Maltais:** Yes.

**Senator Stewart Olsen:** I appreciate what you're doing here, and I wanted you to know that in New Brunswick it's a matter of \$1.45 billion to the economy of the province. It employs 22,000 workers. I was wondering if you are aware that 14 companies operating a total of 25 sawmills in New Brunswick, which could be affected by this decision by the United States, several of these mills and forestry groups have indicated they are in imminent dangers of closing or beginning their layoffs. About 2,000 people work directly for the mills, but there are many indirect jobs related to them.

The New Brunswick lumber producers say that New Brunswick softwood mills create 4,100 jobs. Many of these small mills have

gone public saying that they will not be able to continue if government doesn't take quick action.

[Translation]

**Senator Maltais:** You are quite right, senator. Exports total \$57 billion, which represents 20 per cent of Canada's GDP. The small sawmills will be especially affected. We must not forget that the tariff is being applied retroactively by 90 days.

Last weekend, I met with representatives of a company that has to pay \$1.5 million per month retroactively for a total of \$4.5 million, and the money is due now. What are they supposed to do? The bank shuts down the operation, and the 1,400 Resolute Forest Products workers are out of a job.

We must find a way to help them. The companies, the federal government, and provincial governments are doing everything they can to find a solution, but right now, putting food on the table is the priority for these workers.

(On motion of Senator Day, for Senator Mercer, debate adjourned.)

(The Senate adjourned until Tuesday, May 16, 2017, at 2 p.m.)

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