SENATE SÉNAT

CANADA

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OFFICIAL REPORT
(HANSARD)

Thursday, April 26, 2018

The Honourable GEORGE J. FUREY,
Speaker

**CONTENTS**



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# THE SENATE

**Thursday, April 26, 2018**

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

Prayers.

## SENATORS' STATEMENTS

### PARALYMPIC GAMES 2018

CONGRATULATIONS TO MARK ARENDZ

**Hon. Diane F. Griffin:** Honourable senators, I rise today to mark the achievement of Mark Arendz, the 28-year-old man from Hartsville, Prince Edward Island, who won six medals in biathlon and cross-country skiing at the Paralympics in Pyeongchang, South Korea recently; and who was the flag bearer for Canada at the games' closing ceremonies.

The Prince Edward Island government has honoured Arendz by renaming the Brookvale Provincial Ski Park the Mark Arendz Provincial Ski Park. Arendz told *The Toronto Star*:

> I hope I can be the inspiration . . . that you can achieve anything you set your heart to. . . . whether it's starting from the smallest province or a small town, you can get onto the world stage, you can win Paralympic titles.

Arendz lost his left arm in a grain auger accident when he was seven years old, and he told *The Times Colonist* that sport became his therapy. His achievement is a reminder of the importance of supporting sport. Arendz didn't have much sponsor support heading into the games; however, his parents, Janny and Johan Arendz, told the CBC that the Own the Podium program was integral to his success.

Honourable senators, 2018 was a great year for Canada at the Paralympics. We set a new record of 28 medals — our previous record was 19. As parliamentarians, let us honour our athletes by reaffirming our support for the programs that make their success possible.

Thank you.

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

### ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING

**Hon. Judith Seidman:** Honourable senators, artificial intelligence, or AI, the science of building and programming a machine that's able to imitate human cognition, is everywhere. Advanced AI technology is being used to tackle personal obstacles and global challenges, like climate change, aging populations, hunger, health care, industrial design, world economic crises and bank fraud.

While everyone recalls the success of IBM's Watson on "Jeopardy," less is known about AI's far-reaching implications for health care.

On Tuesday, May 1, from 3:30 p.m. to 6:30 p.m. in the House of Commons' Speaker's lounge, the Parliamentary Health Research Caucus will hold a reception on Artificial Intelligence and Machine Learning: Reshaping Health Research and Innovation. This gathering will offer parliamentarians the chance to learn about life-altering technology and to meet with 15 leading Canadian experts, scientists and innovators, many of whom are employing AI techniques to improve survival outcomes among patients.

Topics will include Improving Health and Patient Care, Solving Genetic and Genomic Mysteries through Precision Medicine, the Rehabilitative Potential of AI and Machine Learning and Artificial Intelligence and Machine Learning in Mental Health.

I encourage you to join me at this important event to learn more about the groundbreaking work happening right here in Canada to improve patient care through innovation.

Thank you.

### EARTH DAY

**Hon. Rosa Galvez:** Honourable senators, I rise today to speak on the occasion of Earth Day, which took place on Sunday, April 22. The theme of this year's Earth Day was the day to end plastic pollution.

The OECD estimates that about one fifth of the raw materials extracted worldwide end up as waste — 12 billion tonnes per year of waste. The United Nations found a clear relationship between municipal solid waste per capita and national income levels. Canadians are in the top 10 waste producers. This is sad for us. Plastic constitutes between 10 and 20 per cent of household waste.

Plastics are made from petrochemical feedstock and are ubiquitously used in our daily life. Some stay with us for many years, such as panels in refrigerators or cars; others we throw away within minutes, such as bags and containers, without even thinking that they can end in the stomach of a whale or a seal. Furthermore, plastic waste does not biodegrade as many people want to believe. Eighty per cent of trash in the ocean is from terrestrial sources, including urban areas and landfills.

In 2010, 8 million tonnes of plastic made its way to the oceans. In fact, you may know there is the Great Pacific Garbage Patch, the size of Saskatchewan or France, which is made up of several large swaths of the ocean where debris accumulates in gyres due to wind and ocean currents.

Marine wildlife is severely and negatively affected by plastic pollution. Sea turtles cannot differentiate between a jellyfish and plastic bags floating in the ocean. Once ingested, plastic causes blockages and death. Earlier this year, a sperm whale washed up, dead, on a beach in Spain. The whale had 29 kilograms of plastic in its stomach, which caused inflammation and eventually killed it.

As the saying goes, "out of sight, out of mind." However, oceans surround us — from coast, to coast, to coast. When plastics and microplastics contaminate our oceans to the point where ecosystems collapse and cannot support fisheries, we cannot turn a blind eye to this problem. Next time, I encourage you to skip the single-use plastic straw.

[*Translation*]

Pollution, environmental degradation and climate change are issues that transcend political borders and must be addressed in a non-partisan manner.

While we must protect the environment and combat climate change, we must not ignore the balance between environmental preservation and economic stability. Waste management, life cycle analysis and energy efficiency must be central considerations in the design of any new project or we will end up paying the price. Pollution is already costing us dearly in terms of natural habitat restoration and human life.

Sadly, senators, the Senate is the first place I've worked where I don't see recycling boxes in every building —

**The Hon. the Speaker:** I'm sorry, Senator Galvez, but your speaking time is up.

[*English*]

## SILVER ALERT SYSTEM

**Hon. Pamela Wallin:** Honourable senators, many of us here have lived with the fear of a loved one losing the character that made them a much-loved mother, or a father, or a mentor. A brutal, indiscriminate medical condition that knows no boundaries, dementia or Alzheimer's affects more than 700,000 Canadians and their families, with those numbers expected to double in the next 15 years. It robbed the late former President Ronald Reagan of humour; the late comedian Robin Williams of a future; and struck down civil rights advocate Rosa Parks. Coping with this mean and often frustrating disease touches us all.

I remember many years ago my grandmother would leave our home, suitcase in hand, on a biting cold Saskatchewan winter day, in search of a memory and a lifelong past. Her behaviour, known as wandering, is common amongst those suffering from dementia. Our family was in a constant state of panic — mom and dad frantically leaving work or counting on the kindness of strangers and friends to bring her home safely.

Unfortunately, this is not always the case for many other families. There are too many stories of folks with dementia wandering and never coming home. If a person is not found within the first 12 hours, they face a 50 per cent chance of injury or death. About 6 in 10 people with dementia will become wanderers.

The AMBER Alert system, first developed in the United States, is an example of how we all can help. Designed to inform the public about abducted or missing children, it has been implemented Canada-wide and is lauded for its effectiveness. Between 2003 and 2012, 70 of the 73 children subject of AMBER Alerts in Canada were found safe and sound.

Creating a similar strategy for missing adults with cognitive impairments would save lives. The Silver Alert System enables law enforcement agencies to work with the media and the public to locate the missing. Many jurisdictions in the United States have implemented some form of this system, and here at home, Alberta and Manitoba have both passed bills creating a Silver Alert System. An e-petition on the House of Commons' website calls for a national Silver Alert strategy.

• (1340)

Alongside the National Strategy for Alzheimer's Disease and Other Dementias Act passed by Parliament last year, a national framework for the Silver Alert System will be an opportunity to give pragmatic help to families and hopefully spur all provinces to adopt the Silver Alert System. I look forward to raising awareness in the chamber and across the country about this issue and encourage my fellow senators to reach out, contact my office or participate by speaking to the inquiry.

## OTTO P. KELLAND, C.M.

**Hon. Fabian Manning:** Honourable senators, today I am pleased to present Chapter 32 of "Telling our Story."

Newfoundland and Labrador is well known for its high calibre of songwriters, storytellers and musicians. These men and women have spread our wonderful history and culture throughout the world with their songs and stories.

Senators, if there were to be one song, and only one song, to stand next to our beloved anthem, the "Ode to Newfoundland," it would most certainly have to be "Let Me Fish Off Cape St. Mary's." One of our province's greatest poets and writers, Mr. Otto Kelland, wrote this legendary song in 1947.

At the time, Mr. Kelland was working at his desk at Her Majesty's Penitentiary in St. John's when he decided to set to music a conversation he had with a sea captain about a homesick sailor who yearned to be back home fishing in the waters near his southeastern Newfoundland home. It only took about 20 minutes for the poet and author, who made a living as a policeman and a prison official, to pen the beautiful and haunting lyrics of this famous song, which to this day touches the heart and soul of every Newfoundlander.

Mr. Kelland was born in the small rural Newfoundland town of Lamaline in 1904, and together with his wife, raised 10 children. He passed away on July 8, 2004, just one month short of his one-hundredth birthday.

Mr. Kelland wrote several books, including *Dories and Dorymen* and *Strange and Curious*, and his model Newfoundland dories were widely sought by craft collectors for his attention to detail. But it was the emotion-choked song of yearning for the rugged life of small-boat fishing that was his trademark. It is a song that calls the fisherman back to his boat off the awe-inspiring cape where he fishes with his neighbours among wailing foghorns, swirling tides and whirling wild ducks.

In the sixth verse, the fisherman reaches the final shoal swept by the surging sea onto the sand. The song concludes:

> When the wild sands roll to the surge's toll,
> Let me be a man and take it,
> When my dory fails to make it.

In a society where the sea dominates so much of our culture, the song struck a chord with all Newfoundlanders. It evoked a yearning for a simpler way of life and spoke of a love for life on the water.

In the 1990s, after the cod fishery collapsed and thousands of fishermen were forced off the water, the song was reignited by those who wanted to get back to their traditional, rugged way of living.

"Let Me Fish Off Cape St. Mary's" has been recorded by more than a dozen artists and performed throughout the world by many choirs and symphonies. The Newfoundland Symphony Youth Choir performed the song in 1994 when Mr. Kelland was named to the Order of Canada for his contribution to Newfoundland culture.

Denis Ryan, of the famous group Ryan's Fancy, who interviewed Mr. Kelland on a CBC program in 1977, had this to say about him:

> He was a very dignified man, strong and powerful. . . . He symbolized Newfoundland — he was rugged, cultured and tough. . . . You just close your eyes and the lyrics transcend you to Newfoundland.

I will conclude with a verse of this wonderful piece of music — I won't sing it:

> Take me back to my western boat,
> Let me fish off Cape St. Mary's,
> Where the hog-down sail and the foghorns wail,
> With my friends the Browns and the Clearys,
> Let me fish off Cape St. Mary's.
> Oh, take me back to that snug green cove,
> Where the seas roll up their thunder,
> There let me rest in the Earth's cool breast,
> Where the stars shine out their wonder,
> And the seas roll up their thunder.

Mr. Kelland was almost a hundred years of age but his song will live on for hundreds of years. Rest in peace.

[*Translation*]

# ROUTINE PROCEEDINGS

## PARLIAMENTARY BUDGET OFFICER

*PATENT RESTORATION AND THE COST OF PHARMACEUTICALS*— REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the report of the Office of the Parliamentary Budget Officer, entitled *Patent restoration and the cost of pharmaceuticals*, pursuant to the *Parliament of Canada Act*, R.S.C. 1985, c. P-1, sbs. 79.2(2).

## GOVERNOR GENERAL

*COMMISSION APPOINTING MARIE-GENEVIÈVE MOUNIER AS DEPUTY*—DOCUMENT TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, a copy of the commission appointing Marie-Geneviève Mounier Deputy Governor General.

[*English*]

## STUDY ON THE ROLE OF AUTOMATION IN THE HEALTHCARE SYSTEM

EIGHTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY—GOVERNMENT RESPONSE TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the government response to the eighteenth report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *Challenge Ahead: Integrating robotics, artificial intelligence and 3D printing technologies into Canada's healthcare systems*, deposited with the Clerk of the Senate on October 31, 2017.

**The Hon. the Speaker:** Honourable senators, pursuant to rule 12-24(4), this response and the original report are deemed referred to the Standing Senate Committee on Social Affairs, Science and Technology.

[*Translation*]

## OCEANS ACT
## CANADA PETROLEUM RESOURCES ACT

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-55, An Act to amend the Oceans Act and the Canada Petroleum Resources Act.

(Bill read first time.)

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

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

[*English*]

## CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

ANNUAL CONFERENCE OF THE SOUTHEASTERN UNITED STATES–CANADIAN PROVINCES ALLIANCE, MAY 26-28, 2016—REPORT TABLED

**Hon. Michael L. MacDonald:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the 9th Annual Conference of the Southeastern United States–Canadian Provinces Alliance, held in Nashville, Tennessee, United States of America, from May 26 to 28, 2016.

DEMOCRATIC NATIONAL CONVENTION, JULY 25-28, 2016—REPORT TABLED

**Hon. Michael L. MacDonald:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Democratic National Convention, held in Philadelphia, Pennsylvania, United States of America, from July 25 to July 28, 2016.

U.S. CONGRESSIONAL MEETINGS, MARCH 20-22, 2017—REPORT TABLED

**Hon. Michael L. MacDonald:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at United States Congressional Meetings, held in Washington, D.C., United States of America, from March 20 to 22, 2017.

ANNUAL MEETING OF THE COUNCIL OF STATE GOVERNMENTS-WEST, AUGUST 15-19, 2017—REPORT TABLED

**Hon. Michael L. MacDonald:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the 70th Annual Meeting of the Council of State Governments—WEST, held in Tacoma, Washington, United States of America, from August 15 to 19, 2017.

## THE SENATE

NOTICE OF MOTION TO CALL ON THE GOVERNOR IN COUNCIL TO APPOINT CLERK OF THE SENATE UPON RECOMMENDATION OF THE SENATE

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

> That, in the interest of promoting the autonomy and independence of the Senate, the Senate calls on the Governor in Council to appoint the Clerk of the Senate and Clerk of the Parliaments in accordance with the express recommendation of the Senate.

# QUESTION PERIOD

## JUSTICE

LEGALIZATION OF ILLICIT DRUGS

**Hon. Larry W. Smith (Leader of the Opposition):** Honourable senators, my question is for the government leader in the Senate dealing with justice and the decriminalization of drugs.

This past weekend, the Minister of Justice indicated that she is open to listening to arguments in favour of decriminalizing illicit drugs. Minister Wilson-Raybould stated, "It's certainly a conversation I think it's important to have."

The government leader may remember that the Prime Minister stated in the other place on February 1, 2017:

> We have committed to legalizing marijuana, but we are not planning on legalizing anything else at this time.

• (1350)

Could the government leader please tell us what the government's intentions are with respect to decriminalization or legalization of illicit drugs, beyond marijuana?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for the question. Let me simply reiterate that the position of the Government of Canada announced through the Prime Minister's statement, which he quoted, is the position of the Government of Canada.

**Senator Smith:** Thank you, leader, for the response.

The supplementary to that is the Senate is currently giving a thorough examination of Bill C-45. The government should come clean with parliamentarians and with Canadians on its plans respecting highly addictive, illegal drugs other than marijuana, such as cocaine and heroin.

Could the government leader please make inquiries and let us know if, within the last year, any departments or agencies of the Government of Canada have conducted polling or focus group testing on the decriminalization or legalization of illegal drugs other than marijuana?

**Senator Harder:** Again, I'll make inquiries with respect to the specific questions the honourable senator asked. Let me reiterate that the position of the Government of Canada, as articulated by the Prime Minister, is the position of the Government of Canada on this matter.

## TREASURY BOARD SECRETARIAT

### CANNABIS BILL—REGULATIONS

**Hon. Judith Seidman:** My question is for the Leader of the Government in the Senate. Senator Harder, several months ago I requested information from the Treasury Board regarding the unusual exemption that was granted to Health Canada allowing them to skip an important step in the regulatory process for cannabis legalization.

Last week I received a response which confirmed our suspicion that the government is cutting corners in order to meet the Prime Minister's self-imposed political deadline. The answer from the Treasury Board stated clearly, and I quote:

> . . . that an exemption from publication in *Canada Gazette*, Part I would be needed in order to ensure that the regulations necessary to support the implementation of the proposed *Cannabis Act* are in place no later than July 2018; when the government has committed to bring the proposed *Cannabis Act* into force.

Since the government has indicated that the implementation will be delayed until the fall, is there any reason why draft regulations could not be pre-published now?

**Hon. Peter Harder (Government Representative in the Senate):** Again, I thank the honourable senator for the question. Colleagues will remember that the minister responsible, the President of the Treasury Board, was here and responded to questions similar to the one that has just been asked. It is the Government of Canada's view that the President of the Treasury Board is acting in accordance with the exemption criteria of the law, and it is entirely appropriate, given the priority of this legislation and implementation.

**Senator Seidman:** This question is particularly important because our cities, provinces and territories are going to be the ones who are responsible for enforcing these regulations. Right now they don't have any certainty about what they're going to look like.

I was also concerned by the Treasury Board's admission that stakeholders told the government it would be very important to provide feedback on the regulatory text, a standard practice which they will be denied as a consequence of the government's dash to get this done.

It was even more concerning to read that during meetings with provinces and territories, provinces noted the importance of aligning their own regulations and asked for the opportunity to see the federal regulations before they are published.

The document also reveals that stakeholders suggested a compromise, an abbreviated public consultation period as short as 15 days, that would help ensure that everyone is on the same page before legalization begins.

Senator Harder, will the government listen to provinces and key stakeholders and give them the shorter consultation period they are asking for?

**Senator Harder:** Again, I thank the honourable senator for the question and I'll be happy to inquire of the minister, based on what I can take as a representation from the honourable senator.

## EMPLOYMENT, WORKFORCE DEVELOPMENT AND LABOUR

### SUMMER JOBS ATTESTATION

**Hon. Pamela Wallin:** My question is for the Government Representative. It's going to sound very familiar.

Canada's Summer Jobs hiring actually kicked off this week, leaving many faith-based groups without funding because the government has refused to allow them their right to free speech and beliefs. As many have said, the attestation that required employers to forego their right of freedom of expression, religion and belief is possibly unconstitutional.

It has now been reported that an anti-pipeline group, Dogwood, in B.C. received funding through the Canada Summer Jobs program and is now advertising a job funded through the program specifically to help them protest and organize against the Trans Mountain pipeline.

Since then, my office has discovered that Leadnow, a group that organizes advocacy campaigns and protests, is also receiving funding this year in Victoria and Vancouver, and they are recent participants in anti-pipeline protests in British Columbia. The group was also involved in a campaign to pursue strategic voting against the former government in the last campaign.

Now that we know at least two anti-pipeline organizations are being funded through the Canada Summer Jobs program, will we finally be able to get some answers about what the definition of

freedom of speech and expression and belief really is required in the signing of the attestation, and will they please make changes to the attestation form, perhaps even eliminate it?

**Hon. Peter Harder (Government Representative in the Senate):** Again, I thank the honourable senator for raising this and, as she said, alluding to it having been raised before. Let me make a couple of points in respect of the question.

The first is just to recap that the attestation that was requested was to give assurances that the organization's main activity was not involved in advocacy in respect of gender rights and women's reproduction rights. That attestation has obviously been debated here and elsewhere, and the minister herself has indicated that she is prepared to reflect on what happens in the next year.

With respect to the program itself, I can inform the house that almost 70,000 student jobs are expected to be created in the country as a result of the applications received. Some 29,000 different employers from across the country have made those applications, and they are being reviewed at the present time.

With respect to the comments made with regard to a particular successful advocacy group, let me simply say that that organization, having the same advocacy approach, has received funding for years previous, including under the previous government, as people will know, and that advocacy is not, on the face of it, prohibition for the program.

**Senator Wallin:** I think the reason why so many people are concerned about this is that there does seem to be a double standard, that if the point of the attestation is to ensure that the groups who receive public funding are engaged in activities that are in line with our values and norms in Canada, then it is hard for people to understand why protesting against a pipeline that is crucial to this country's economy and millions of jobs is okay, but going to summer camp isn't.

**Senator Harder:** I think, with respect, honourable senator, if it's posed in that fashion, of course it is. But the right of protest is one that we all recognize. The attestation to which I referred is not to deny anybody from going to summer camp but to ensure that in fact there is access for all, irrespective of gender or sexual orientation at the said camps.

## FISHERIES AND OCEANS

### PROTECTION OF WHALES—CONSULTATION

**Hon. Rose-May Poirier:** My question is for the Leader of the Government in the Senate.

[*Translation*]

On Tuesday of this week, in an effort to protect right whales, the Trudeau government implemented a static closure area that will be off limits to lobster fishers beginning April 28. It will also enforce temporary closure areas wherever a right whale is spotted.

Everyone agrees that right whales need to be protected; there is no question about that. However, the government did not consult with fishers, nor did it give them any advance notice to allow them time to adapt. The government says it likes to consult Canadians. Why did the minister not consult with fishers and try to reach a compromise in order to protect the whales while minimizing the impact on the fishing industry?

[*English*]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for the question. I will have to take notice of it and ask the minister responsible.

**Senator Poirier:** I do understand the importance of protecting our environment and wildlife. We all do, just like our fishermen do, but the concern is the impact on the workers and on the local economy.

• (1400)

This is another situation where the workers will be punished because they are living in a seasonal economy. Furthermore, they are stuck in a perfect storm due to a short-sighted government's decision.

The water will be more crowded, so the landing will be lower. The number of hours will be reduced for all involved through the food chain of lobster. Therefore, the black hole widens with no measures in place to support them. On top of that, if a whale is spotted near the area, the zone is closed off for another 15 days, which is crucial in a 60-day season.

Why is the government leaving these workers out to dry with no economic measures announced to help them adapt to the impact of this decision?

**Senator Harder:** Again, honourable senator, I will add that to my inquiry of the minister responsible.

## NATURAL RESOURCES

### TRANS MOUNTAIN PIPELINE

**Hon. Betty Unger:** My question is for the Leader of the Government in the Senate and concerns the Trans Mountain pipeline project.

Following Kinder Morgan's announcement earlier this month, which threw serious doubt on the future of the Trans Mountain pipeline, the Prime Minister reiterated his support for the project and stated that it would be built. Well, talk is cheap here, because in recent days, we've heard very little from the Prime Minister as to how he intends to translate his words into action.

Senator Harder, the clock is ticking on the Kinder Morgan pipeline. This impasse seriously impacts not only Alberta but all of Canada, and it can be resolved only by the Prime Minister. Talk about leaving workers out to dry.

What concrete action does the Prime Minister intend to take to ensure that Trans Mountain will be built?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for her question. She will know that as recently as yesterday, the Prime Minister repeated his commitment to this project. Senators will also know that the Minister of Finance is leading the Government of Canada's discussions with Kinder Morgan, and I'm sure that announcements will be made when appropriate.

**Senator Unger:** As recently as a week ago, Tim McMillan, President and CEO of the Canadian Association of Petroleum Producers, appeared before the Standing Senate Committee on Banking, Trade and Commerce. Mr. McMillan told our committee, "The reputation we have around the world today is a country that can't get things done."

As the Royal Bank recently warned, investment capital is already leaving our country in real time. Energy projects worth tens of billions of dollars have been cancelled since the government took office, and the Canadian Energy Pipeline Association also recently stated our energy sector is in crisis mode.

Why then the government's apparent lax attitude toward what's happening to this very important sector, and why is the Trudeau government funding anti-pipeline activists?

**Senator Harder:** Again, let me repeat that there is no apparent lax attitude. The Prime Minister has been personally involved.

As honourable senators will know, the Government of Canada has had the active engagement of the ministers responsible. The Prime Minister has met with first ministers specifically on this and continues to be actively engaged in ensuring that this project is completed, as it is in the interest of Canada to have it done.

[*Translation*]

## FINANCE

### PHOENIX PAY SYSTEM

**Hon. Jean-Guy Dagenais:** Honourable senators, my question is for the Prime Minister's representative in the Senate. Yesterday, the Quebec Superior Court authorized a class-action lawsuit against the Government of Canada over the issues with the Phoenix pay system. The government has still not fixed the problem and a solution still seems to be a long way off. Clearly, these public servants have suffered harm and experienced stress, and the government is to blame.

Can the Prime Minister's representative tell us whether the government will be proactive and immediately pay the $1,600 in damages that are being sought for each public servant or will it wait to be found guilty and pay billions of dollars in legal fees before doing so?

[*English*]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. He will know from the appearance in this chamber in the last week or so of the Honourable Minister Qualtrough, the minister responsible for this, that the government is taking every possible step to alleviate the problems that this is obviously causing for public servants across the country.

A number of measures were discussed here in terms of advancing funds, of supporting those who are adversely affected. This is a serious issue, one that is a reaction to lack of appropriate planning at the start of this program.

With respect to recent court measures, the government is examining its appropriate step forward.

[*Translation*]

**Senator Dagenais:** I have a supplementary question. There was mention of inappropriate planning, but I do believe that the previous government had recommended that the current government not implement Phoenix right away because it was not ready yet. I do not understand why the previous government is being blamed when the current government was told that the system was not yet ready to launch.

[*English*]

**Senator Harder:** I will inquire. That's not the set of facts as I understand them.

[*Translation*]

## TREASURY BOARD SECRETARIAT

### GOVERNMENT EMPLOYEES—CANADA BORDER SERVICE AGENTS

**Hon. Claude Carignan:** Honourable senators, my question is for the representative of the Trudeau government in the Senate. Representative, for years, Prime Minister Trudeau and his colleagues accused the Conservatives of wanting to muzzle public servants. That is the word they used, "muzzle." However, on April 12, the Canada Border Services Agency sent its employees a memo instructing them to stop speaking to the media on the issue of irregular migrants entering the country. They were reminded that only designated spokespeople were allowed to make statements to the media, in other words, those tasked with relaying the government's answers.

Senator, why is the Trudeau government trying to muzzle border officers?

[*English*]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. It was clear from the start of this government that the government intended to ensure that public servants were engaged in appropriate public speaking and public spokespersoning. That was the first act of the new Prime Minister when he signalled this change of attitude to our heads of mission at posts around the world.

That does not mean there isn't appropriate coordination required to assure that there is consistent messaging that reflects the Government of Canada's views on a wide number of subjects.

[*Translation*]

**Senator Carignan:** Minister Duncan said last week that the government should not be muzzling scientists and that they have the right to speak to the media as they see fit because, according to the minister, it is important that we know the truth.

Senator Harder, is the Trudeau government trying to muzzle border officers because it is afraid that Canadians will learn the truth about the extent of the wave of illegal immigrants?

[*English*]

**Senator Harder:** Let me simply say, senator, that it is the appropriate view of the Government of Canada — in my view, anyway — that it is entirely appropriate for public servants to be assured that the messages they are conveying are the ones that reflect the institution that they represent on the matters that they adjudicate. That consistency of messaging is important for Canadians, and it is important for stakeholders and clients.

## ORDERS OF THE DAY

### CRIMINAL CODE
### DEPARTMENT OF JUSTICE ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Sinclair, seconded by the Honourable Senator Mitchell, for the second reading of Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act.

**Hon. Paul E. McIntyre:** Honourable senators, I rise today to speak on Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act.

[*Translation*]

There are three components to Bill C-51. The first two parts amend the Criminal Code while the third part amends the Department of Justice Act.

• (1410)

[*English*]

The first part amends the Criminal Code to modify or repeal provisions that have been found unconstitutional, or as similar to those found unconstitutional by appellate courts or contrary to the Charter.

For example, Bill C-51 amends the definition of "publishing" used in offences addressing defamatory libel; removes the requirement that an accused establish a lawful excuse, also known as a reverse onus, from a number of offences in the Criminal Code; addresses the issue of pretrial custody; and removes a number of evidentiary presumptions as well.

It also amends or repeals code provisions that could be considered redundant and or obsolete — in other words, provisions or Criminal Code offences that were enacted many years ago but no longer have a place in criminal law.

Bill C-51 repeals a number of sections of the code that can be considered specific examples of the general offence of fraud. For example, clause 41 of the bill proposes to repeal section 365 of the code, which makes it an offence to pretend to practise witchcraft.

[*Translation*]

I note that clause 14 of Bill C-51 proposed the repeal of section 176 of the Criminal Code, which makes it a criminal act to unlawfully obstruct, threaten or injure an officiant before, during or after the celebration of a religious service. It also created an offence for interrupting or disturbing a religious service. After hearing from witnesses, the members of the justice committee decided to not make changes to section 176 of the Criminal Code.

[*English*]

The bill also repeals other offences that can be addressed using other Criminal Code provisions. There are other offences that would seem to be obsolete or redundant. That said, it is difficult to say whether the repeal of those offences was considered in the preparation of this bill.

The second part of the bill amends provisions in the code relating to sexual offences or sexual assault law. This part is broken down into three categories: consent, rape shield provisions, and records relevant to the complainant in the hands of the defence and the complainant's private records in the hands of third parties.

On the issue of consent, Bill C-51 proposes to amend the Criminal Code provisions relating to sexual assault to clarify the law of consent and the defence of honest but mistaken belief in consent. The concept of "consent" in the law of assault has both a legal component, how consent is defined, and a factual component, whether the complainant subjectively consented and whether the accused had an honest but mistaken belief in consent.

The amendments in clauses 19 and 20 of Bill C-51 seek to clarify both of these components. The amendments in clause 19 are intended to reflect the Supreme Court's decision in *R. v. J.A.* in 2011.

In that judgment, Madam Justice McLachlin, writing the majority decision, held that consent to sexual activity is not related to advance consent to sexual activity while unconscious. In other words, an individual cannot give consent in advance to a certain type or range of sexual activity to be engaged in while unconscious.

Justice Fish, writing in dissent, was of the opinion that Parliament could take the same approach as the one taken in the United Kingdom's Sexual Offences Act 2003.

In other words, Parliament could enact a provision under which an unconscious complainant would be presumed not to have consented to sexual activity, unless the defendant provided evidence proving that it was more likely than not that the complainant had given consent.

As noted earlier, Bill C-51 seeks to clarify the law on consent to sexual activity based on the Supreme Court's decision in *R. v. J.A.*, which related to advance consent to sexual activity while unconscious.

[*Translation*]

The bill also seeks to clarify the fact that mistaken belief is not a defence if this belief results from an error in law, particularly if the accused believed that failure to resist or to protest constitutes a sign of consent. This amendment would codify aspects of the Supreme Court of Canada's 1999 decision in *R. v. Ewanchuck*.

[*English*]

Critics of the bill argue that Bill C-51 does not amend the definition of sexual assault. In their opinion, changes in Bill C-51 are simply a codification of the decision in *R. v. J.A.* and do not change the law in Canada on consent to sexual activity.

Clause 21 of the bill would make changes to the rape shield provisions or sexual activity evidence currently found in section 276 of the Criminal Code. That section governs the way information related to a complainant's prior sexual history can be used at trial.

The bill would amend the code to specify that for the purpose of the rape shield provisions, sexual activity includes any communication made for a sexual purpose or whose content is of a sexual purpose. This section would capture, for example, emails, videos and other images that form part of a communication, if made for a sexual purpose or if their content is sexual in nature.

[*Translation*]

These provisions of the Criminal Code will now state that evidence of a complainant's sexual history cannot be used to support an inference that the complainant was more likely to have consented to the sexual activity at issue, or that the complainant is less credible, which is referred to as the "twin myths."

[*English*]

Bill C-51 sets out a two-step process to be followed whereby the defence seeks to introduce sexual activity evidence. First there would be an application hearing, and, if granted by the court, an admissibility hearing would follow. The bill also provides that a complainant has a right to legal representation in rape shield proceedings. Complainants have not previously had the right to appear and make submissions in rape shield hearings.

On the issue of rape shield provisions, the only other point I would like to mention is the fact that the bill does not amend a list of offences to which the rape shield provisions apply to explicitly include historical sexual offences prosecuted under the older versions of the code.

Historical offences are explicitly included in the list of offences in clause 21 of the bill, creating a new regime to govern the use of a complainant's private records in the hands of the defence or private records in the hands of third parties.

Bill C-51 also seeks to clarify the law pertaining to the admissibility of a complainant's private records. There are two types of records: those in the hands of third parties and those in the hands of the accused. In the case of a complainant's private records in the hands of third parties, the bill makes only one change to the existing regime for the production of those records. It extends the notice period for the application from 14 to 60 days before a hearing will be held to determine whether the record holder will be required to produce the record to the judge for review. In the case of a complainant's records already in the hands of the accused, Bill C-51 puts a new procedure in place which would govern the use at trial of records relating to the complainant that are already in the hands of the defence, such as texts, messages, photographs and emails.

The new provisions would require a judge to hold a hearing before the defence can use this evidence and cross-examine the complainant on it at trial. The new procedure may require the defence to disclose elements of its case, disclose evidence in its possession, as well as the relevance of that evidence to the complainant and the complainant's counsel because the complainant will now have standing to participate in the admissibility hearing.

Criminal defence lawyers have expressed concerns that this would allow a complainant and complainant's counsel to prepare a response to cross-examination at trial well in advance and that these amendments do not balance with the rights of the accused.

• (1420)

The third part of Bill C-51 deals with new Charter statement requirements.

Currently, section 4.1 of the Department of Justice Act requires the Minister of Justice to report to Parliament if a bill is inconsistent with the Charter. This has never been done.

The Minister of Justice has tabled Charter statements for bills she has introduced in the House of Commons on a voluntary basis. Charter statements have not been issued for bills introduced by other ministers.

[*Translation*]

Various observers have called for more fulsome Charter reviews. In other countries, such as the United Kingdom, New Zealand and Australia, when the government introduces legislation, it has to provide legislators with a rights-based analysis.

[*English*]

Bill C-51 will require that the Minister of Justice table a Charter statement in Parliament for every new government bill, setting out the bill's potential effects on Charter rights and freedoms. However, the new section does not provide further details about what is to be included in such a statement.

[*Translation*]

I gather that the Minister of Justice's legal obligation will apply to all government bills.

[*English*]

Honourable senators, overall, Bill C-51 is good legislation that seeks to clarify the law in the code on a number of sexual assault provisions, amends or repeals a number of provisions and, finally, amends section 4.1 of the Department of Justice Act in order to ensure Charter considerations.

However, there are concerns with the bill that need to be addressed at the committee level. I note that the bill is now at second reading, and for the purpose of addressing those concerns, I invite the sponsor of the bill to refer this matter to committee for further consideration.

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

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

[*Translation*]

## THE SENATE

### MOTION TO AFFECT QUESTION PERIOD ON MAY 1, 2018, ADOPTED

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of April 25, 2018, 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 1, 2018, 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.)

[*English*]

## ADJOURNMENT

### MOTION ADOPTED

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of April 25, 2018, moved:

> That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, May 1, 2018, at 2 p.m.

She said: Colleagues, I move the motion standing in my name.

**The Hon. the Speaker:** It is moved by the Honourable Senator Bellemare, seconded by the Honourable Senator Harder, that when the Senate — shall I dispense?

**Hon. Senators:** Dispense.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## CANNABIS BILL

FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE AUTHORIZED TO EXTEND DATE OF REPORT ON STUDY OF SUBJECT MATTER

**Hon. Peter Harder (Government Representative in the Senate),** pursuant to notice of April 25, 2018, moved:

> That, notwithstanding the order of the Senate adopted on February 15, 2018, the date for the submission of the report of the Standing Senate Committee on Foreign Affairs and International Trade relating to its study of the subject matter of Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, insofar as it relates to the Canada's international obligations, be extended from May 1, 2018 to May 9, 2018.

He said: I propose to make it three in a row: I move the adoption of the motion standing in my name.

**The Hon. the Speaker:** It is moved by the Honourable Senator Harder, seconded by the Honourable Senator Mitchell, that — shall I dispense?

**Hon. Senators:** Dispense.

**The Hon. the Speaker:** Anything on debate?

Are honourable senators ready for the question?

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## ENDING THE CAPTIVITY OF WHALES AND DOLPHINS BILL

BILL TO AMEND—SEVENTH REPORT OF FISHERIES AND OCEANS COMMITTEE ADOPTED

On the Order:

> Resuming debate on the motion of the Honourable Senator Manning, seconded by the Honourable Senator Housakos, for the adoption of the seventh report of the Standing Senate Committee on Fisheries and Oceans, entitled *Bill S-203, An Act to amend the Criminal Code and other Acts (ending the captivity of whales and dolphins), with amendments*, presented in the Senate on October 31, 2017.

**Hon. Dennis Glen Patterson:** Honourable senators, I humbly request leave of the Senate to speak to this item.

**The Hon. the Speaker:** Honourable senators will know that, on April 18, 2018, Senator Patterson moved the adjournment of debate on the seventh report of the Standing Senate Committee Fisheries and Oceans, and that motion was defeated. In a ruling from then Speaker Kinsella in 2009, citing Bourinot, it was decided that, should a member move an adjournment that the house subsequently negatives, that member no longer has a right to speak. Senator Patterson is asking that, notwithstanding this ruling, he be allowed to speak.

Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

**Senator Patterson:** Thank you, honourable senators. I do appreciate the opportunity you have given me to speak to this bill. After all, this bill is about whales. Nunavut provides home waters for most of Canada's whale population, and many Inuit are whale hunters.

What drew my interest is a provision in this bill that could potentially affect the rights of many Nunavummiut who are whalers. While that clause has been somewhat addressed by this report, I do not feel confident it has gone far enough. I will elaborate on that a little later.

Additionally, my review of the committee transcripts has caused me to question the bill from a legal viewpoint: Does this bill encroach on provincial jurisdiction? Is this the correct avenue for protecting the well-being of cetaceans, or are there already mechanisms in place that could, perhaps, instead be enhanced? Finally, I wonder if this chamber has given enough consideration to the projected economic and social impacts of this bill.

I have concerns regarding clause 4 of the bill. In its original form, the provision would have, if enacted, suddenly thrown up barriers to trade or the sale of whale products within the circumpolar world. Many of us in the North are already well familiar with legislation interfering with Inuit harvesting rights. Our growing fur and fashion industry has been crippled by opposition to the seal hunt, as countries and the European Union banned the import of seal products.

For years, the U.S. Marine Mammal Protection Act has crippled our ability to trade marine mammal products between Canada and the U.S., depriving us of a huge potential market of U.S. polar bear hunters who don't come to Canada because this law requires them to leave their polar bear skin behind after their hunts. I do want to explain that these hunts are incredibly lucrative for Inuit hunter outfitters. They employ their dog teams, the bears must be hunted by sport hunters in the traditional way and the Inuit are handsomely paid for providing winter clothing, transportation and support for the hunter. This involves entire families in providing clothing, food and supplies.

Were we to then introduce a Canadian law that would criminalize the export from Canada of a cetacean, including a whale, dolphin or porpoise, whether living or dead — and I emphasize the word "dead" — we would, in essence, be limiting the ability of Inuit whalers to share their bounty and earn a return for their efforts. The potential loss of the narwhal tusk industry alone has been described in a brief submitted by the Department of Fisheries and Oceans as a $400,000 industry.

The annual bowhead whale hunt in Nunavut, a major event in the community selected to hold it, results in country food that is shared with family and friends across the territory and throughout the circumpolar world, as well as whale bone carvings that are highly prized and sought after.

The second issue of likely concern to Inuit, I would think, are the provisions in the bill that deal with harvesting. The bill would make it a criminal offence to have the "custody or control of a cetacean," but note the words used in the bill: "custody or control."

On March 2, 2017, Adam Burns, Assistant Director General of Fisheries Resource Management at DFO, testified that the ". . . wildlife harvesting rights of Inuit under various land claims agreements include the right to harvest whales in accordance with the respective agreements. The wildlife harvesting rights of the Inuit under these agreements are protected by section 35 of the Constitution Act."

Whale harvesting in Canada is limited to Aboriginal subsistence needs, but it does include the ability of members of some Aboriginal groups to sell products, for example, narwhal tusks, from whales that are legally harvested. On average, 500 narwhal, 800 beluga and 300 bowhead whales are harvested under strict management conditions on an annual basis in the Canadian Arctic.

• (1430)

Senators, if we are to turn to the definition of "harvesting" as per the Nunavut Land Claims Agreement, we see that it is defined as "the reduction [of wildlife] into possession and includes hunting, trapping, fishing as defined section 2 of the *Fisheries Act*, netting, egging, picking, collecting, gathering, spearing, killing, capturing or taking by any means." Possession is, in fact, custody and control, thus my apprehension surroundings this clause. Whales hunted by Inuit are typically harpooned to secure and, yes, control them in the process of the hunt.

While I do recognize that a standard non-derogation clause was introduced as an amendment, I do not believe that this measure is strong enough to prevent potential court challenges in the future, and I firmly believe that if there is even the slightest possibility of this bill infringing on the rights of Inuit, we must fulfill our duty as per section 35 of the Constitution to adequately consult. We cannot require Inuit to have to go to the expense and trouble of going to court to again define and confirm Indigenous rights. How unfortunate that consultation with Inuit has never taken place during the study of this bill.

Second, colleagues, I draw your attention to testimony and words of caution and advice received by the committee that I believe is important for the entire chamber to hear as part of this debate.

Ms. Joanne Klineberg, Senior Counsel in the Criminal Law Policy Section at Department of Justice Canada, raised two important issues that resonated with me as a lawyer. First, she stated that ". . .the regulation of aquaria would be a matter of provincial responsibility. Any inspections that might take place and codes with respect to best practices and so on would be at the provincial level."

She goes on to say that the criminal law is meant to be "general in nature":

> Criminal law is about setting down a basic minimum moral code for all society. It strives to do that by setting down rules that are specific enough so that we know when they are being breached and can be enforced but are general enough, because morality is general in nature, that we can describe what is wrong in a general way.
>
> It's difficult for the Department of Justice to opine on this legislation. We have no expertise in cetaceans, what are the social needs of cetaceans and what are the needs with respect to the water and the materials in tanks that they are kept in. . . .
>
> If the criminal law becomes overly specific and overly particularized, we try to think what it will look like five years or ten years from now. This is a policy question. . . .
>
> . . . there would have to be some confidence there was scientific grounding to the proposition that the mere fact of captivity is cruel to cetaceans.

Honourable senators, the scientific evidence that I read in the testimony does not give me, as a legislator, the confidence that captivity in and of itself is cruel to cetaceans. Dr. Michael Noonan, Professor of Animal Behaviour, Ecology and Conservation at Canisius College, appeared before the committee and testified that he believes that "the singling out of cetaceans for special exemption is unjustified by science."

Mr. Burns of DFO also gave testimony to the committee and submitted a written brief that outlined an exhaustive list of measures that currently exist under the Fisheries Act to address much of what this bill seeks to accomplish.

Could we improve our overall standards for animal care in captivity? Perhaps. Would that change require amendments to the Criminal Code? I don't believe that it would.

By failing to recognize the conflicting scientific testimony and criminalizing the captivity of a specific order of animal, we set a precedent that could, in future, be easily extended to other orders or classes, putting at risk all zoos and aquaria in Canada.

If you can now justify the potential infringement on Indigenous harvesting rights with the sop of the non-derogation clause, and you can gloss over the potential jurisdictional overreach, the unnecessary duplication of laws and the precedent

that we risk setting, I ask you to consider this: The former and longest-serving mayor, and now chairman of Niagara Falls Tourism, Mr. Wayne Thomson, described the economy of Niagara prior to the opening of the water park Marineland a business that could be charged with criminal activity should this bill be passed, and his support for Mr. Holer, Marineland's owner, as this:

> I'm delighted to be here to support him, to support our community, because this is what we have left. We have a community that is totally dependent on tourism and visitation.
>
> We go back to what we used to call the magic hundred days. When people used to come to Niagara Falls, they would go down and have their picture taken in front of the falls and then leave and go elsewhere on their visitation in Canada. We used to call it the magic 100 days because they would come May 24 weekend and throughout the summer, and then after Labour Day everything would close up and all the jobs would be lost and everybody was on Employment Insurance and out of work. It was pretty sad.
>
> Now we have year-round tourism because of a lot of spectacular things that have happened in our community: casinos, Marineland, fine dining, the wine country in our area, the golf courses — everything is spectacular to visit. Marineland was the start of this and it continues to be the major attraction.

Colleagues, it is not just Marineland shareholders and employees that could be affected by this bill. An entire city's economy is dependent on attractions like Marineland to support hotels, restaurants, tour operations, taxi and shuttle services, and so much more. This would affect the souvenir shop owner who just renewed his lease, the server who needs to make rent, the janitor who relies on the income to support his family.

And what about the many thousands of children who have a space to visit, experience and learn about these animals in a fun, engaging and interactive way? Our late colleague Senator Enverga said it best at the committee:

> I was talking about the kids. When kids go to Marineland — and I remember my kid — they have an experience, they get inspired and they really appreciate nature. That's what my kid told me . . ."

These are real people that we will affect with this bill, and I don't think that we can ignore the human cost of what we are proposing when, from what I have read, there is no solid scientific evidence to suggest that captivity alone constitutes cruelty to cetaceans.

Dr. Noonan provided a very balanced statement when he said:

> Undoubtedly . . . captivity imposes welfare issues.
>
> The central theme that I want to emphasize is that it is not unique to cetaceans. Does captivity not impose animal welfare issues on every animal in the Toronto Zoo? Not only that, but does it not impose on every animal in the food industry? Does it not impose animal welfare implications for animals in the companion animal industry? We know there are all kinds of welfare concerns for people who are less ideal or enlightened pet owners. Just consider horseback riding and all the animal welfare implications there, or circuses.

Honourable senators, I would respectfully submit that this report does not present to the chamber, either via amendments or by way of observations, the full picture. Consultation with Inuit about the impact of this bill on their harvesting rights and traditional economy has not taken place — a very serious omission. The clear conflict and overlap with the provincial jurisdiction in this bill has not been addressed. That is why, should this bill proceed to third reading, I will not be supporting it.

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

**Hon. Senators:** Question.

**The Hon. the Speaker:** It was moved by the Honourable Senator Manning that this report be adopted. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to, on division, and report adopted.)

• (1440)

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

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

## COMPETITION ACT

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

On Other Business, Senate Public Bills, Second Reading, Order No. 4, by the Honourable Yonah Martin:

> Second reading of Bill S-242, An Act to amend the Competition Act (misrepresentations to public).

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, this bill at second reading has not yet been moved. I ask leave of the Senate to adjourn debate at this time and reset the clock.

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

**Hon. Senators:** Agreed.

(Debate postponed until the next sitting of the Senate.)

## THE SENATE

### MOTION TO RESOLVE THAT AN AMENDMENT TO THE REAL PROPERTY QUALIFICATIONS OF SENATORS IN THE CONSTITUTION ACT, 1867 BE AUTHORIZED TO BE MADE BY PROCLAMATION ISSUED BY THE GOVERNOR GENERAL—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Patterson, seconded by the Honourable Senator Runciman:

Whereas the Senate provides representation for groups that are often underrepresented in Parliament, such as Aboriginal peoples, visible minorities and women;

Whereas paragraph (3) of section 23 of the *Constitution Act, 1867* requires that, in order to be qualified for appointment to and to maintain a place in the Senate, a person must own land with a net worth of at least four thousand dollars in the province for which he or she is appointed;

Whereas a person's personal circumstances or the availability of real property in a particular location may prevent him or her from owning the required property;

Whereas appointment to the Senate should not be restricted to those who own real property of a minimum net worth;

Whereas the existing real property qualification is inconsistent with the democratic values of modern Canadian society and is no longer an appropriate or relevant measure of the fitness of a person to serve in the Senate;

Whereas, in the case of Quebec, each of the twenty-four Senators representing the province must be appointed for and must have either their real property qualification in or be resident of a specified Electoral Division;

Whereas an amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

Whereas the Supreme Court of Canada has determined that a full repeal of paragraph (3) of section 23 of the *Constitution Act, 1867*, respecting the real property qualification of Senators, would require a resolution of the Quebec National Assembly pursuant to section 43 of the *Constitution Act, 1982*;

Now, therefore, the Senate resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by His Excellency the Governor General under the Great Seal of Canada in accordance with the Schedule hereto.

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA

**1. (1) Paragraph (3) of section 23 of the *Constitution Act, 1867* is repealed.**

**(2) Section 23 of the Act is amended by replacing the semi-colon at the end of paragraph (5) with a period and by repealing paragraph (6).**

**2. The Declaration of Qualification set out in The Fifth Schedule to the Act is replaced by the following:**

I, *A.B.*, do declare and testify that I am by law duly qualified to be appointed a member of the Senate of Canada.

**3. This Amendment may be cited as the *Constitution Amendment, [year of proclamation]* (Real property qualification of Senators).**

**Hon. André Pratte:** Honourable senators, this motion was tabled in this chamber a few days before I was sworn in two years ago. I remember because one of the first senators who came to this seat to shake my hand was Senator Patterson, who proceeded to talk to me about the motion and its cousin, Bill S-221. I was so overwhelmed by the emotions of the day and perplexed by the procedures of this place that I comprehended very little of what Senator Patterson tried to explain. But I gathered that it somehow concerned my own province and understood that as soon as I could, I should take a close look at it. So here we are, two years later, and I finally found the time to examine this motion and the bill.

I must thank Senator Patterson for raising this issue, and I also thank him for his patience because we must recognize that the matter has been moving at a snail's pace in this chamber. It has been moving slowly not only during this session but during previous sessions, too, since there have been similar bills and motions before the Senate aiming to eliminate the property qualifications for new senators. Those bills and motions have either died on the Order Paper or have been withdrawn.

The idea of dropping the property qualifications requirement was proposed at least as far back as 1984, 34 years ago, by a Special Joint Committee on Senate Reform, the Molgat-Cosgrove committee. Former Senator Tommy Banks tabled three bills on the subject in 2008 and 2009. Senator Banks certainly was right when he called these qualifications "a preposterous requirement" and "antediluvian." I believe we all agree.

The opposition critic of the bill, Senator Consiglio Di Nino, after a very well researched speech on the raison d'etre on the property qualifications, concluded that:

> . . . these requirements are outdated and anachronistic, a vestige from an earlier era in the history of this country.

So I will not bore you with the history of this requirement. You know this history as well as I do, and I have no doubt that you have all come to the conclusion that there is no reason today for such a requirement.

In principle, Senator Patterson's bill, Bill S-221, and this motion, Motion 73, should have been adopted long ago. What happened? We can summarize what happened with two words: Constitution and Quebec.

As you know, in its historic ruling on Senate reform four years ago, the Supreme Court told us that the property qualifications could be repealed by Parliament alone for all provinces except Quebec. This is what Bill S-221 would do. It would get rid of qualifications for all provinces and territories but Quebec.

Motion 73 is about Quebec. It authorizes the amendment of the Constitution Act of 1867 to definitely remove the property qualifications for all senators, including Quebec senators, and to abolish the provisions regarding senatorial divisions which, as you know, are specific to my province.

It also asserts that such an amendment requires a resolution to be voted by the Quebec National Assembly, and therein lies the rub.

[*Translation*]

In 2009, when Senator Banks introduced Bill S-215, he wrote to the Government of Quebec to see if it would be prepared to vote the necessary resolution in the National Assembly. The Government of Quebec politely replied, "No, thank you very much." Specifically, he was told that if Ottawa wants to make changes to the Senate, Quebec would be willing to discuss it as long as total Senate reform was on the table. I should point out that, ever since the 1960s, the Government of Quebec has been asking for a say in who represents the province in the upper chamber. Philippe Couillard's government made the same demand in 2015 when Prime Minister Justin Trudeau's government implemented the new Senate candidate selection system. As always, except in the case of the Meech Lake Accord, Ottawa refused.

Faced with the Government of Quebec lack of interest in 2009, Senator Banks decided to simply withdraw the motion. Is that to be the inevitable fate of Senator Patterson's Motion No. 73?

That is the reason a number of senators, myself included, were so reluctant to wade into the debate initiated by Senator Patterson. Is it really worth the trouble? Will the whole debate be for naught? The Government of Quebec will say it is not interested unless it gets something in return, and the Trudeau government will say that is out of the question.

Anyway, as everyone knows, no one wants to hear about the Constitution, and that will be the end of Motion No. 73 and Bill S-221.

[*English*]

I am one who believes that one day we will need to get over this constitutional phobia. I understand why we feel this way and of course I know full well the risks of constitutional discussions. Nevertheless, especially in a federation, a constitution has to be an evolving contract. I know the Supreme Court calls it a living tree, but the court's interpretations cannot be the only way our Constitution evolves. If we let that happen, the Canadian people will gradually lose control over this evolution. The Constitution has to change not only by judicial will but also by popular will, as represented by Parliament and assemblies and as expressed by elections and referenda.

[*Translation*]

Of course the Constitution should not be amended every five or 10 years, but nor should we take it for granted that constitutional acts are carved in stone for eternity. Stagnation is unhealthy for all living things.

[*English*]

However, we are not there yet. So what are we to do with such an obsolete bequest as property qualifications?

One thing we could do, of course, is stay put. There is no doubt that requiring from senators that they own property makes no sense today in a society where the distrust towards democracy that existed amongst the elite in 1867 has disappeared. But the amount demanded, $4,000, which has not changed for 150 years, is not very significant anymore.

• (1450)

Sixty-eight per cent of Canadians already own their home and, therefore, are qualified to become senators. What about the other 32 per cent? Many Canadians, even low-income Canadians, save money each year, in a Tax-Free Savings Account, for instance. So if someone was going to be appointed to the Senate, he or she could free up some of that money and buy a small patch of land.

Also, don't forget that according to the current rules:

> An individual must meet the constitutional eligibility requirements at the time of appointment to the Senate.

This means that when the Prime Minister recommends someone's appointment to the Governor General, the person, if he or she does not already own property worth $4,000, has some time to find and buy it before the official appointment.

It may be more difficult, of course, in Nunavut than elsewhere in the country. I recognize that, but, since there are 2,000 homeowners in the territory, it is obviously not impossible. Knowing that the individual will receive a senator's salary of some $150,000, even if he or she is of modest means, finding $4,000 to buy the property should not be too big of a difficulty.

So, in my view, the property qualifications are not much of a practical problem anymore. They are a symbolic problem, an image issue, and an unloved institution like ours can ill afford to ignore such an image issue.

[*Translation*]

For the past few years, senators have been working hard to restore the image of the upper chamber. Except for a few bumps along the way, I would say that things are going rather well. However, we still have a lot of work to do to regain the trust of Canadians. It will be a long process. Regrettably, many still see us as lazy, overpaid freeloaders who sit around in an antiquated institution. Senators' property qualifications, which make the news almost every time a new senator is appointed, only serve to reinforce that negative image. That is reason enough to want to get rid of them.

[*English*]

We also want the Senate to be seen as an efficient and modern legislative institution. This does not mean that we should forego our traditions. Traditions are important. They anchor us in the values and the principles on which this country, and this Parliament, were founded. But we do need to change the plumbing and dust off the furniture. Property qualifications are part of the cast-iron pipes inherited from days gone by. So eliminating them is eminently desirable.

In principle, then, we should have no difficulty at all in adopting both Bill S-221 and this motion. These would be sent to the other place, and we would have to convince the government to support the passage of both. To be perfectly frank, I would be extremely surprised if the government showed any interest at all in this issue, for fear of opening the constitutional Pandora's box.

At the very best, the government could decide to pass Bill S-221, thereby abolishing property qualifications for all senators, except those from Quebec. We would then have, in this chamber, two categories of senators — those that are appointed without property qualifications, and those from Quebec that do have to satisfy such qualifications. I don't think this is really a major issue. As we know, there already are different criteria that Quebec senators have to satisfy, and this has never caused any difficulty.

I am quite certain that the government would not wish the other place to move to vote on Motion No. 73 before an agreement has been reached with Quebec. Such an agreement would probably require long and difficult negotiation, for which no one has any appetite for the moment.

So the question again comes back: Is it worth it?

After much thought, I reply, yes. Voting in favour of Bill S-221 and of Motion No. 73 would at least have two effects. One, it would send a strong and clear message that senators are working seriously towards modernization. The Senate would assert a clear, principled position against elitism in the upper chamber and in favour of a modern and fair appointment process.

Second, it would put some pressure — I am not overestimating it, but neither should we underestimate it — on the Government of Canada and on the Government of Quebec to move on the issue one day. I am confident that we would have public opinion on our side. A majority of Canadians would fail to understand, in fact, why this matter could not be easily resolved.

Therefore, honourable senators, I am in favour of this motion. I urge you to support this motion and Bill S-221 so that we take another step towards the modernization of the Senate of Canada.

[*Translation*]

**The Hon. the Speaker:** Senator Pratte, your time has expired, but I see there are some senators who have questions to ask. Are you asking for five more minutes?

**Senator Pratte:** Yes.

**Hon. Ghislain Maltais:** Senator Pratte, I will forgive you since you haven't been here very long, but I think that your research is incomplete. For years, Senator Joyal and I have debated this matter in this place. We established the necessary process: unanimity in the Senate, in the House of Commons, and at the National Assembly. I invite you to share the good news in the House of Commons and at the National Assembly. Then come back and we will support the bill.

**Senator Pratte:** I would like to answer the question, but I didn't hear a question mark at the end of your sentence. I read all the debates and I have a solid understanding of the situation. We do not disagree, you and I. Everyone agrees. It is a matter of getting the various governments to agree, which seems more difficult to me.

[*English*]

**Hon. Anne C. Cools:** I thank Senator Pratte for his novel opinions. I would like to put a question to him. I have always understood that the nature and character of constitutions are to resist change. I have always understood that. That is why constitutions are made difficult to alter and to amend.

Canada has had a peculiar success in the universe of nations in that it has had a successful Constitution that has endured for 150 years, all because the individuals who assembled and put the Constitution together were very learned men in the business of politics and people and in the business of law.

So I would ask Senator Pratte to tell me: What is the justification and reasoning behind this novel concept? Because the British North America Act, 1867 has succeeded enormously. The Americans laboured under two failed constitutions and the savage carnage in their two episodes of failed constitutions.

Canada's Constitution has been exceptional for its abiding endurance.

I have another question when I am finished with this one.

**Senator Pratte:** I'm not sure I see any contradiction between what you're saying about the success of Canada's Constitution, about which I agree totally. Do I understand correctly that you believe, Senator Cools, that, if we remove property qualifications for senators, we will have carnage in Canada?

**Senator Cools:** I was not suggesting that at all. I was talking about the success in Canada of peace, order and good government. We have been extremely successful in that way. That is why every single Canadian Constitution Act, from the 1763 Proclamation, right down to the 1867 British North America Act, which is now 150 years old in itself — I am saying to you that that success means something. I would like you to take courage from its success because the Fathers of Confederation proceeded in an extremely brilliant and wise way as they moved along, inch by inch, to get and hold agreement.

• (1500)

If you read the Confederation debates and if you read the Quebec Conference in 1864, you see those men working eagerly and really trying to get to an agreement. Getting to agreement is a very difficult proposition, but they were eager to do it because they understood that their very existence depended on getting to an agreement because they were being intruded upon by American aggression.

I would invite you to study that period of history because those men were brilliant. I have read them carefully. I have taken a lot of time to study how they proceeded because there is a reason for their success. Canada's Founding Fathers had the examples at all times, these two American failures: One was called their revolution, and they resented this part of British North America because it didn't participate in their revolution; and they also had a more savage war that they call the Civil War.

There are certainly some advantages to enduring constitutions.

(On motion of Senator Gold, debate adjourned.)

## LEGAL AND CONSTITUTIONAL AFFAIRS

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

Leave having been given to revert to Notices of Motions:

**Hon. Serge Joyal:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

> That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to meet on Tuesday, May 1st, 2018, at 2:30 p.m., even though the Senate may then be sitting, and that the application of rule 12-18(1) be suspended in relation thereto; and
>
> That the committee be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate its report on the subject matter of Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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

**Hon. Senators:** Agreed.

**Senator Joyal:** Honourable senators, allow me to quickly provide the information on why I moved this motion this afternoon.

The Standing Senate Committee on Legal and Constitutional Affairs has been sitting, as it was ordered by this chamber, on Bill C-45 and must report by May 1, which is next Tuesday. The committee has sat for eight days, has heard more than 39 witnesses and this morning, from 10:30 a.m. to 1:30 p.m., we sat for more than three hours in the drafting session of our report.

We still have more work to do to complete the drafting. To meet the target of May 1 to table our report, we would need to continue our sitting Tuesday afternoon. The second part of the motion would allow us to table the report with the Clerk of the Senate. Of course, if the Senate would have adjourned, as chair of the committee I would not have been in a position to report. But to meet the target date of the chamber, and we are very mindful of honouring that commitment, we are seeking concurrence to be authorized to sit Tuesday afternoon while the Senate is sitting.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## THE SENATE

### MOTION TO AUTHORIZE SENATORS WHO ARE CHAIRS OR DEPUTY CHAIRS OF MORE THAN ONE COMMITTEE TO WAIVE ALLOWANCES FOR ADDITIONAL POSITIONS AS CHAIR OR DEPUTY CHAIR— DEBATE ADJOURNED

On the Order:

> Resuming debate on the motion of the Honourable Senator Saint-Germain, seconded by the Honourable Senator Lankin, P.C.:
>
> That, pursuant to chapter 4:01, section 2, of the *Senate Administrative Rules*, for the remainder of the current session, any senator who occupies more than one position of chair or deputy chair of a committee for which an additional allowance is payable be authorized to waive the portion of his or her allowance payable in respect of those additional positions of chair or deputy chair.

**Hon. Serge Joyal:** Honourable senators, I realize that this item is on its fourteenth day, and I would like to take the adjournment under my name, with the concurrence of Senator Andreychuk, of course.

(On motion of Senator Joyal, debate adjourned.)

## POLICIES AND MECHANISMS FOR RESPONDING TO HARASSMENT COMPLAINTS AGAINST SENATORS—INQUIRY— DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator McPhedran, calling 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.

**Hon. Grant Mitchell:** Colleagues, I welcome the opportunity to join the debate on Inquiry No. 26, which addresses the matter of ensuring that the Senate has the strongest and most effective policies and mechanisms possible to deal with the issue of harassment.

Like the colleagues who have spoken before me, I believe that this is a serious and pressing matter for the Senate. I also believe that it will require changes in both our policies and our workplace culture. Harassment, of course, can be sexual, physical or psychological. It is never acceptable and here in the Senate it harms all of us — staff and senators. It is an issue that speaks to the very soul of any institution, and taking it seriously inevitably enhances the effectiveness and integrity of institutions and organizations like ours.

I think it is fair to say that we can do a better job at preventing harassment, at investigating and responding to it when it does occur, and at ensuring everyone understands how the processes work. We are a significant and important institution that provides leadership in many ways at the national level. Ensuring that we have the best possible policies and processes for dealing with harassment can establish us as a model for Canadian society.

Much of my experience on the issue of harassment is through my work with members of the RCMP, who, in their workplaces, have been subjected to sometimes startling harassment, bullying and abuse. Colleagues will be aware that the Senate's Standing Senate Committee on National Security and Defence undertook a study and released a report on this important subject in 2013. In addition, member of Parliament Judy Sgro and I organized round tables to allow victims of harassment in the RCMP to speak about what they had gone through. Following these round tables, we published a report in 2014 in which we identified a number of changes to both the structures and the culture of the RCMP that we believe are needed to make it a safer workplace. I will say that progress is being made in the RCMP.

I also gained experience with the issues of harassment and bullying in my work with transgender people, particularly during the debates on Bill C-279 and Bill C-16. They too — transgender people — experience harassment and bullying within their workplaces, but also much too frequently on a much broader basis in society at large.

While they would argue that there is much more to do, both of these groups have done remarkable work in finding ways to communicate the problems, to provide support where it is needed and to create healing and renewal. These remarkable people have impressed upon me a number of key lessons. I'd like to share them with you.

First, we need to treat complainants seriously and respectfully and provide support that is sufficiently flexible to meet the needs of different and diverse individuals.

Second, we need to recognize the importance of workplace training on how to avoid and prevent harassment. This should include training for bystanders who witness unacceptable behaviour.

Third, words matter. We all need to pay attention to the impact of our words on others.

Finally, it is clear that cultural change in an institution is difficult and requires concentrated effort, perseverance, determination and organizational leadership over a long period of time.

• (1510)

I want to close by stating my support for the work of the Senate Subcommittee on Human Resources in their efforts to review the Senate's policies and procedures on harassment. I think the four lessons that I have just outlined are worthy of consideration by the subcommittee.

I also believe that to be successful, the subcommittee's review process and the revised procedures that will be developed as a result must include those who are most affected: Senate staff.

I appreciate the leadership and insights of my colleagues who have spoken before and participated in this debate, and I welcome further participation.

I once again want to express my appreciation for the work of the subcommittee and I want to thank Senator McPhedran for launching this important inquiry.

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

(On motion of Senator Galvez, debate adjourned.)

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF THE EFFECTS OF TRANSITIONING TO A LOW CARBON ECONOMY WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Rosa Galvez,** pursuant to notice of April 24, 2018, moved:

> That the Standing Senate Committee on Energy, the Environment and Natural Resources be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, no later than May 4, 2018, an interim report relating to its study on the transition to a low carbon economy, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Chamber.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF MARITIME SEARCH AND RESCUE ACTIVITIES

**Hon. Fabian Manning,** pursuant to notice of April 24, 2018, moved:

> That, notwithstanding the order of the Senate adopted on Tuesday, November 28, 2017, the date for the final report of the Standing Senate Committee on Fisheries and Oceans in relation to its study on Maritime Search and Rescue activities, including current challenges and opportunities, be extended from June 30, 2018 to December 31, 2018.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## THE SENATE

MOTION TO CALL ON THE CANADIAN CONFERENCE OF CATHOLIC BISHOPS—DEBATE ADJOURNED

**Hon. Mary Jane McCallum,** pursuant to notice of April 24, 2018, moved:

> That the Senate call on the Canadian Conference of Catholic Bishops to:
>
> (*a*) invite Pope Francis to Canada to apologize on behalf of the Catholic Church to Indigenous people for the church's role in the residential school system, as outlined in Call to Action 58 of the Truth and Reconciliation Commission report;
>
> (*b*) to respect its moral obligation and the spirit of the 2006 Indian Residential Schools Settlement Agreement and resume the best efforts to raise the full amount of the agreed upon funds; and
>
> (*c*) to make a consistent and sustained effort to turn over the relevant documents when called upon by survivors of residential schools, their families, and scholars working to understand the full scope of the horrors of the residential school system in the interest of truth and reconciliation.

She said: Honourable senators, I rise today to speak to Motion No. 325, which is the sister motion to the one introduced in the other place on April 18.

This motion calls on the Canadian Conference on Catholic Bishops to assist in facilitating profound steps towards reconciliation, as well as to provide spiritual healing for many Indigenous peoples across Canada.

I stand here today, honourable senators, as a survivor who spent 11 years at Guy Hill Indian Residential School in The Pas, Manitoba.

Guy Hill was a residential school, run by the Roman Catholic Church, wherein the teachings of Christianity and Catholicism were instilled in me from a young age.

However, I entered residential school as a little girl who already had a spiritual connection. This spirituality was the way of life for my family and my people, the Crees and Denes in Brochet.

There was always bannock and tea on the table for visitors. The men took off their hats at the door, which signified respect. After sharing a meal with our guests, there was conversation, storytelling and laughter. The spirit of hospitality, nurturing and sharing brought closeness to family and community. The silence when paddling taught me mindfulness. The slow, methodical search for food demonstrated patience. The spirituality that influenced even the smallest of actions revealed the workings of a higher power.

Daily activities with such close connection to the land were demonstrations of the spirituality within my people. These were happy times where I, a young child, learned about work ethic and the values of sharing, compassion, peace, non-judgment and love. However, my spirituality was forever altered when I entered residential school.

Honourable senators, I would like to share an excerpt from a chapter I have written, entitled "Bless Me Father, For I Have Sinned," found in the book, *First Lady Nation Vol. II: Stories by Aboriginal Women:*

> The man was strapped to the large wheel that continued to turn endlessly. At the base of the cycle the sharp points of metal, which were anchored to the ground, tore into his stomach. At the peak of the cycle, salt was poured into his wounds. The flames of the fire threw great heat in the labyrinth and roared closely to the wheel. As the wheel reached ground level the pitcher of water was just outside his reach and the heat was unbearable and so his thirst was even more unbearable.

Honourable senators, this image of hell I envisioned won me first prize in religion class at residential school when I was 9. This fear of hell has remained with me throughout my life. I always believed — and still fear — I will end up in hell.

Later on, the chapter continues:

> The little girl of four opened the door of the cabin in the trapline and looked up at the full moon that cast a bright light on the snow. The snow on the jack pine tree branches and the snowbanks were pristine and the forest was quiet. She looked up at the moon excitedly and looked to see if she could see the face of her mother on the moon. She wondered if her mom could see what a good little girl she was.
>
> The night I looked up at the beautiful full moon, I knew my mom was somewhere in a place called Heaven and I was full of hope, innocence, love and expectation. That was my identity as I entered residential school.

Honourable senators, I was not defective. As a Cree child, before residential school, the higher spiritual being was called Kici Manitou, which means Great God, and Kici Manitou lived in kicikisikok, which means heaven. Kici Manitou created Aski, or earth, and all that lives on this earth.

All creation was living and interconnected. Humans were dependent on the earth to sustain life. Indigenous peoples led a nomadic lifestyle, which promoted sustainability and only taking enough to live well.

Before I entered residential school I was safe, I was loved and I was fulfilled in the spirituality that surrounded my very existence. There was no violence in my home but rather an emphasis on acquiring a strong work ethic, honing my critical thinking skills, the passing of traditional life skills, ingenuity, creativity, curiosity, freedom, spirituality and, above all, laughter and a genuine love of life.

This all changed drastically when I began my time at residential school.

Honourable senators, I was five years old when my mother passed on in December 1957. I was on the plane to residential school three weeks later. I had left my little community in the woods by plane and although my sister had been beside me the whole way, it was of little comfort as everything I saw was overwhelmingly strange and frightening. I remember crying the whole way because I wanted to go back home to my dad and family.

I would like to share another excerpt from my aforementioned chapter, "Bless Me Father, For I Have Sinned," which highlights a reality which many students quickly understood. It's going to be difficult:

• (1520)

> When nighttime came, she could no longer hold back her tears. She cried, from her heart and soul, because she was so lonesome, displaced and heartbroken. She cried for many nights over the winter and her brother was brought from the next building to stay beside her and comfort her.
>
> Over the next two years, she watched and copied what the other little girls did as she was still learning to speak and understand English. She went to the classrooms, carrying her doll, and learned to be quiet. She watched as the women in the long black dresses strapped students but couldn't understand what the students had done wrong. She understood pretty quickly that all the students were bad. It seemed to her that she was here to learn how bad she was.

Honourable senators, within the healing work I have done personally, I have had to dig deep and see what was creating and continuing the disharmony and dysfunction in my life. I strived to understand the root cause. With the years of shame-based upbringing that reshaped my identity in residential school, I had learned not to love myself.

In December 2013, as part of my own personal healing journey, I travelled with my youngest daughter to visit with a number of retired nuns at Mother House in Sherbrooke, Quebec. I had gone to speak to them about residential schools and to thank them for their years of service. During our visit, I expressed my amazement that an institution run by the Roman Catholic Church did not practise the tenet that teaches us: "God has gifted people with amazing talents." Rather than asserting how bad we were, the representatives from the church should have said, "How can we develop those skills and celebrate the spirit within you?"

Colleagues, the last two centuries have been brutal for First Nations with regard to their treatment at the hands of the federal government and the churches. The churches administered the rules, policies and procedures of these government-funded institutions known as residential schools. In my case, it was Catholic priests and nuns who ran the Guy Hill Residential School. The young students were affected by structural, political and spiritual violence created by the residential school system all in the name of God. Many of these young and innocent children have grown into adults who still retain the deep and persisting soul wounds they received through the trauma they suffered at these institutions.

As stated in the book *Trauma Healing* by Carolyn Yoder, trauma affects our very physiology, including our ability to do integrated whole-brain thinking. Removing children from their homes and keeping them imprisoned in isolated, foreign territory

and removing their language and culture was a form of terrorism. The compounding of these traumatic events magnifies the presence of structural violence and injustice.

Honourable senators, with regard to the motion before us, the question many ask is: Why do former students need this apology? In response, I would like to quote from a lauded book entitled *Indian Horse* written by acclaimed Ojibway author the late, great Richard Wagamese. He writes:

> We lived under constant threat. If it wasn't the direct physical threat of beatings . . . it was the dire threat of purgatory, hell and the everlasting agony their religion promised for the unclean, the heathen, the unsaved. Those of us who remembered the stories told around our people's fires trembled in fear at the images of hell, damnation, fire and brimstone. . . .
>
> When your innocence is stripped from you, when your people are denigrated, when the family you came from is denounced and your tribal ways and rituals are pronounced backward, primitive, savage, you come to see yourself as less than human. That is hell on earth, that sense of unworthiness. That's what they inflicted on us.

So why is this apology important? The journey to healing the profound wounds inflicted on our souls and spirits at these schools is long and complex. Many victims need vindication. All people have a basic need to achieve closure, to experience the righting of wrongs.

Part of this closure and journey towards healing and reconciliation includes a moral balancing. We want to know that we — former students — are not to blame but that the responsibility for what happened to us lies elsewhere. This includes removing the shame and humiliation that accompanies victimization and, ideally, replacing it with a sense of honour and respect. At times this can be simply achieved, at least in part, by apologies and restitution. Despite the fact that the actual losses are impossible to compensate, there exists a need for some symbolic statement or reparation as indicated by author Carolyn Yoder on page 26 of her book *Trauma Healing*.

Colleagues, Indigenous and Northern Affairs Canada indicates that there were 139 recognized residential schools across Canada. Of these, 64 were administered by the Roman Catholic Church. It is integral to reconciliation that reparations be made, a notion which is recognized by the Catholic Church itself through their involvement in the 2006 Indian Residential Schools Settlement Agreement. It is with this agreement in mind and the intent behind it that I lend my voice to the call for the Canadian Conference of Catholic Bishops to assist Canadians, Indigenous and non-Indigenous, in taking an important step towards achieving actual reconciliation.

There is no clearer or more comprehensive path to achieving fulsome reconciliation than the 94 calls to action as set out by the Truth and Reconciliation Commission, whose extensive trailblazing efforts have made the path to reconciliation tangible. This is a concept I have strived toward for many decades as part of my own healing journey. While at times I have regressed into thinking that there is no hope and no path forward, I would like to quote the words of our colleague, Senator Murray Sinclair, whose wisdom uplifts my soul and replenishes my hope. In testimony he gave before the Standing Senate Committee on Aboriginal Peoples on February 14, 2001, he said, in part:

> . . . you don't have to believe that reconciliation will happen; you have to believe that reconciliation must happen. That's what will get you through this. You have to believe that you have to do something about this. If you believe that it's going to happen and then you don't see it happen, you'll give up on that belief very easily. But you have to believe that it must happen and you have to believe that you have to do what you can to make it happen.

**The Hon. the Speaker *pro tempore*:** Honourable senator, your time has expired. Would you like five more minutes?

**Hon. Senators:** Agreed.

**Senator McCallum:** It is with these words, colleagues, that I stand before you today and urge you to join me in doing what we can as Canadian parliamentarians to make reconciliation happen. There are deep, profound and historical wounds that require attention. Let us be attentive. Let us use our voices to support this important step in the healing journey for many Indigenous peoples, and let us use our voices as a catalyst for the move towards reconciliation.

Thank you.

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

(On motion of Senator Coyle, for Senator Sinclair, debate adjourned.)

## FISHERIES AND OCEANS

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

**Hon. Fabian Manning,** pursuant to notice of April 25, 2018, moved:

> That the Standing Senate Committee on Fisheries and Oceans have the power to meet on Tuesday, May 1, 2018, at 5 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

• (1530)

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

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

**Hon. A. Raynell Andreychuk,** pursuant to notice of April 25, 2018, moved:

> That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to meet on Tuesday, May 1st, 2018, even though the Senate may then be sitting, and that the application of rule 12-18(1) be suspended in relation thereto.

**Hon. Donald Neil Plett:** Madam Speaker, I have a question, please.

**The Hon. the Speaker *pro tempore*:** Will you accept a question, Senator Andreychuk?

**Senator Andreychuk:** Yes.

**Senator Plett:** Can you tell us what time this relates to? The previous motion said 5 o'clock but this one doesn't have a time on it.

**Senator Andreychuk:** It doesn't have a time. We are targeting 4 o'clock. We're waiting for the final confirmation from the minister herself. We've been given the alert that it will be 4 p.m. However, with my legal background, unless I actually get it, if it turns out to be 10 minutes or is 5 minutes one way or another, I cannot say but it is intended to be at 4 o'clock.

**Senator Plett:** The anticipation is until 5 o'clock?

**Senator Andreychuk:** Yes.

**Senator Plett:** Thank you.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## CANADA'S FOUNDING FATHERS

### WILLIAM WYNDHAM GRENVILLE, JOHN GRAVES SIMCOE AND JOHN WHITE—INQUIRY—DEBATE ADJOURNED

**Hon. Anne C. Cools** rose pursuant to notice of March 28, 2018:

> That she will call the attention of the Senate to the great nation-building authors of Canada and their constituting statute, the *British North America Act, 1867*, and to this Act's single conceptual and comprehensive framework expressed in its section 91, in the words "It shall be lawful for the Queen to make Laws for the Peace, Order and good Government of Canada;" and to British Whig Prime Minister William Wyndham Grenville, the architect of the British statute, the *Canada Act 1791*, known as the Constitutional Act 1791, that divided Quebec into two provinces, Upper Canada and Lower Canada; and to Upper Canada's first Lieutenant Governor, the great soldier-general, the slavery abolitionist John Graves Simcoe, who, in 1793, with Upper Canada's first Attorney General John White, achieved the adoption of their Bill, *An Act to prevent the further introduction of Slaves, and to limit the Term of Contracts for Servitude within this Province*, which Act was the world's first slavery abolition statute.

She said: Honourable senators, I rise to speak to my Inquiry No. 41 on the British North America Act, 1867, and to William Wyndham Grenville, the architect of the British statute, the Canada Act, 1791, also called the Constitutional Act, 1791. This act divided Quebec into the two provinces, Upper Canada and Lower Canada. I speak also to Upper Canada's first Lieutenant Governor John Graves Simcoe, who, with Upper Canada's first Attorney General John White, in 1793, succeeded in their legislature's adoption of their slavery abolitionist bill, An Act to prevent the further introduction of Slaves, and to limit the Term of Contracts for Servitude within this Province, being Upper Canada. This act was the first slavery abolition statute in the British colonies.

Colleagues, on October 20, 1789, at London's Whitehall, before he was raised to the House of Lords, Prime Minister William Pitt's Home Secretary, William Wyndham Grenville, wrote to Lord Dorchester, as General Guy Carleton then was, seeking Carleton's input on Grenville's draft bill, the Canada Act, 1791. Grenville's Canada Act proposed the division of the Province of Quebec into two separate provinces, Upper Canada and Lower Canada, a division that Lord Dorchester opposed. Grenville's letter to Dorchester was published in the 1930 book, *Statutes, Treaties and Documents of the Canadian Constitution 1713-1929*, selected and edited by Canada's great Professor William Paul McClure Kennedy. Grenville wrote, at this book's page 185, that:

> Whitehall, 20th Oct., 1789
>
> My Lord,
>
> It having been determined to bring under the consideration of Parliament early in the next session the propriety of making farther provision for the good government of the Province of Quebec, I enclose to your Lordship the draught of a Bill prepared for this purpose.
>
> His Majesty's Servants are desirous, before this Plan shall be proposed to Parliament, to avail themselves of such observations upon it as your Lordship's experience and local knowledge may suggest. . . .
>
> Your lordship will observe that the general object of this plan is to assimilate the Constitution of that Province to that of Great Britain, as nearly as the difference arising from the manners of the people and from the present Situation of the Province will Admit.

> In doing this a considerable degree of attention is due to the prejudices and habits of the French Inhabitants who compose so large a proportion of the community, and every degree of caution should be used to continue to them the enjoyment of those civil and religious Rights which were secured to them by the Capitulation of the Province, or have since been granted by the liberal and enlightened spirit of the British Government. This consideration has had a great degree of weight in the adoption of the plan of dividing the Province of Quebec into two Districts which are to remain as at present under the administration of a Governor General, but are each to have a Lieutenant Governor and a separate Legislature. The King's Servants have not overlooked the reasons urged by your Lordship against such a separation, and they feel that while Canada remained under its present form of Government great weight would have been due to those suggestions; but when the resolution was taken of establishing a Provincial Legislature to be constituted in the manner now proposed, and to be chosen in part by the People, every consideration of policy seemed to render it desirable that the great preponderance possessed in the Upper Districts by the King's antient Subjects, and in the Lower by the French Canadians, should have their effect and operation in separate Legislatures; rather than that these two bodies of People should be blended together in the first formation of the new Constitution, and before sufficient time has been allowed for the removal of antient prejudices, by the habit of obedience to the same Government, and by the sense of a common interest. . . .

Honourable senators, Grenville's Constitutional Act, 1791 was published in Professor W.P.M. Kennedy's 1918 reference book, *Documents of the Canadian Constitution 1759-1915*, selected and edited by him. The Preamble of the Constitution Act, 1791 states, in section I, at page 207:

> Whereas an Act was passed in in the fourteenth year of the reign of his present Majesty, intituled "An Act for making more effectual provision for the Government of the Province of Quebec, in North America:" And whereas it is expedient and necessary that further Provision should now be made for the good Government and Prosperity thereof: May it therefore please your most Excellent Majesty that it may be enacted; and, be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, that so much of the said Act as in any Manner relates to the Appointment of a Council for the Affairs of the said Province of Quebec, or to the Power given by the said Act to the said Council, or to the major Part of them, to make ordinances for the peace, welfare, and good Government of the said Province, with the consent of His Majesty's Governor, Lieutenant Governor, or Commander in Chief for the time being is hereby repealed.

Colleagues, this Act, in Section II, repeats Canada's defining constitutional phrase, which has been the whole point of these interventions, at page 208, thus:

> II. And whereas his Majesty has been pleased to signify, by His Message to both Houses of Parliament, His Royal Intention to divide His Province of Quebec into Two separate Provinces, to be called the Province of Upper Canada, and the Province of Lower Canada; Be it enacted by the Authority aforesaid, that there shall be within each of the said Provinces respectively a Legislative Council and an Assembly, to be severally composed and constituted in the manner hereinafter described; and that in each of the said Provinces respectively, his Majesty, his Heirs and Successors, shall have power, during the Continuance of this Act, by and with the advice and consent of the Legislative Council and Assembly of such Provinces respectively, to make laws for the peace, welfare, and good Government thereof, such laws not being repugnant to this Act; . . .

Honourable senators, William Wyndham Grenville well knew the great abolitionists of England and British North America, and their commitment to humanity, justice and the common good. In 1807, on William Pitt the Younger's death, King George III had asked Grenville to form and lead a Whig Government. That same year, in the House of Lords, Whig Prime Minister Lord Grenville led on his own bill to abolish the African slave trade.

What I'm bringing out here, colleagues, for those who have studied those times in school or on one's own, is the great drive toward a humanity underlying these men's work and the close attachment that they had to the greatest humanitarians of all time. I speak of the abolitionists. Grenville is one of them. In fact, Grenville County is not too far away from here.

En passant, I note that the brilliant abolitionist member of the British House of Commons, the famous Whig Charles James Fox, was the first member of Parliament ever to be described as a Liberal. Whigs and Whiggery had been alive and active in the Canadas and in Britain. I note that Upper Canada's famous reformers from Toronto — Senator Eaton will know their names — William Warren Baldwin and Robert Baldwin, also had Irish Whig roots. At this time British Whigs were a strong and powerful force, advancing and winning greater rights and freedoms for their peoples. Through the 19th century, British Whig governments were responsible for the support of reforms on free trade, suffrage, catholic emancipation and a whole range of other ones, particularly in the suffrage. In the United States, Thomas Jefferson and other leaders had adopted Whig social and political ideals.

Colleagues, in his 1922 book, *The Constitution of Canada*, Professor Kennedy treated of the 1791 Canada Act political reforms. He wrote at page 84, that:

• (1540)

> On August 24, 1791, an order in council divided the province of Quebec into Upper and Lower Canada, and instructed the secretary of state to prepare a warrant authorizing the governor of the province to fix a date for the commencement of the Act within the province not later than December 31, 1791. On November 18, Alured Clarke issued a proclamation bringing the Act into effect on December 26, 1791. In September 1791, Dorchester's commission and instructions were issued as Governor-in-chief of Upper and Lower Canada, and, Alured Clarke and John Graves Simcoe were appointed lieutenant-governors of Lower and Upper Canada respectively. On May 7, 1792 Clarke divided Lower Canada into twenty-seven electoral districts returning fifty

> members to the house of assembly, and in the following July, Simcoe divided Upper Canada into nineteen counties which were to elect sixteen members. When we turn to consider the debates on the Constitutional Act, certain principles governing the new constitution appear. The division of the province was intended to put an end to the competition between the French-Canadians and the British. The idea was distinctly stated by Pitt: the creation of two separate colonies which should be left to work out their own destinies. The guiding force, however, was the reproduction, as far as possible, in each province of the eighteenth century British constitution, with a local aristocracy and an established church. This reproduction was to act as a kind of charm. It was to prevent the repetition of the first great colonial tragedy; . . . .

Which, as you know, is the revolution in the United States, the loss of 13 colonies.

Honourable senators, William Grenville believed that the real cause of the American Revolution's success and Britain's loss of its 13 colonies was Britain's failure to grant the colonies more flexible and representative government possibilities. He endeavoured that such tragedy should be avoided absolutely in the two Canadas, and in the remaining British North America provinces, Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland.

In those days the maritime provinces were called the lower provinces.

On September 17, 1792, pursuant to the Canada Act 1791, in the Legislative Council of Upper Canada, at Newark, today Niagara, His Excellency Lieutenant Governor John Graves Simcoe opened Upper Canada's first parliament. The Speaker of the Legislative Council was Chief Justice William Osgoode. That day's *Journals of the Legislative Council of the Province of Upper Canada* report Governor Simcoe's first throne speech. He said, partly, at page 1:

> I have summoned you together under the authority of An Act of Parliament of Great Britain . . . which has established the British Constitution and also the forms which secure and maintain it in this distant country.

Colleagues, on October 15, 1792, a month later, Governor Simcoe, by his throne speech and his prorogation, closed their first session of Parliament. That day's *Journals and Proceedings of the Legislative Council of the Province of Upper Canada 1792* record Simcoe saying partly, at page 11, that:

> Honourable Gentlemen and Gentlemen,

Two houses of assembled, of course, as always for every Throne Speech.

> I cannot dismiss you without earnestly desiring you to promote by precept and example among your respective counties the regular habits of piety and morality; the surest foundations of all private and public felicity; and at this juncture I particularly recommend to you to explain that this Province is singularly blessed, not with a mutilated constitution, but with a constitution which has stood the test of experience, and is the very image and transcript of that of Great Britain, by which she has long established and secured to her subjects as much freedom and happiness as is possible to be enjoyed under the subordination necessary to civilized society. Then the Speaker, by His Excellency's command, declared both houses to be prorogued to Monday the 31st day of December next.

Honourable senators, I note that on June 19, 1793, in Upper Canada, the great soldier-general and slavery abolitionist, Lieutenant Governor John Graves Simcoe, and his Attorney General John White moved and debated their abolition bill in Upper Canada's Legislative Assembly. This bill was intituled An Act to prevent the further introduction of Slaves, and to limit the term of Contracts for servitude within this Province. Attorney General White had lived in Jamaica, in the British West Indies, and well knew the law of slavery and its codes. The adoption and enactment of Simcoe's bill by Upper Canada's Parliament made it the British Empire's first slavery abolition statute. In our province of Ontario, August 1, now called the Civic Holiday, used to be called Simcoe Day, and before that Emancipation Day, upholding the abolition of slavery by the British 1833 statute of the long title An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted slaves; and for compensating the Persons hitherto entitled to the Service of such Slaves. The Slavery Abolition Act 1833 received Royal Assent on August 28, 1833, and came into force on August 1, 1834.

That's why people call it a Civic Holiday. It used to be called Emancipation Day. I ask senators to remember that next August when it comes around.

Colleagues, I close on the mischievous and disturbing activities that are recently arising in Canada. I speak of the revisionist actions that seek to demonize John Macdonald, et al. and to rewrite history.

In particular, I note an article in *The Globe and Mail*from some days back

I note Bob Plamondon's learned *Globe and Mail* opinion piece last February 19, headed "To Vilify Macdonald is to Malign Canada." Plamondon wrote, at page A13:

The Elementary Teachers' Federation of Ontario wants to take his name off their schools. Because of vandalism, his birthday is no longer celebrated in Kingston. Members of the Canadian Historical Association will soon vote on dropping his name from its annual literary prize. Is it only a matter of time before we knock down Sir John A. Macdonald's statue on Parliament Hill?

**The Hon. the Speaker *pro tempore*:** Senator Cools, do you want five more minutes?

**Senator Cools:** Yes. Thank you.

**The Hon. the Speaker *pro tempore*:** Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

**Senator Cools:** A forthright and clear-minded Plamondon added:

> While Macdonald can certainly be criticized, he was nonetheless enlightened by the standards of his time. He was in rare company in expressing sympathy for the Indigenous people: "We must remember that they are the original owners of the soil, of which they have been dispossessed by the covetousness or ambition of our ancestors . . . the Indians have been the great sufferers by the discovery of America and the transfer to it of a large white population." . . . Macdonald wanted to avoid an "Indian war" that had ravaged the United States, arguing it was better to feed them than to fight them. . . . As the Truth and Reconciliation Commission records, residential schools were in place before Macdonald became prime minister and did not reach their peak until about 40 years after his death.

So we can take Sir John A. Macdonald out of that particular scheme.

Honourable senators, I do not understand this hobnail boots approach, nor why some choose to stomp all over the good reputation of others, most particularly of John A. Macdonald. The unalterable facts are that the Confederation Fathers who shaped and made Canada were outstanding human beings who opted for government and governance by peace, order and good government. That is a high standard. I thank colleagues for their attention.

That is why Canada is the country that it is. There is no accident. Those men sat down and worked to reach agreement. They wanted a country that would not be as savage as the United States of America, even though they had great respect for the Constitution of the United States.

I thank colleagues for their time. I hope and encourage, in all of our hearts, to spread the love and affection that I have for these men and for the great things that they did, and for the country, nation and constitution they assembled. As I was saying earlier to my friend, Senator Pratte, it is a constitution that has already lasted 150 years.

Colleagues, in constitution times, 150 years is a long time. Our Constitution has, in my mind, done better than France and the United States of America. We've done better than most countries.

I recommend that we uphold our Constitution, praise it and love it. I urge honourable senators to take it to bed with them and read it. Thank you.

(On motion of Senator Ringuette, debate adjourned.)

(*At 3:50 p.m., the Senate was continued until Tuesday, May 1, 2018, at 2 p.m.*)

# CONTENTS

**Thursday, April 26, 2018**

# CONTENTS

## Thursday, April 26, 2018