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(HANSARD)

Tuesday, April 23, 1996

THE HONOURABLE GERALD R. OTTENHEIMER
SPEAKER *PRO TEMPORE*

This issue contains the latest listing of Officers of the Senate, the Ministry, Senators and Members of the Senate and Joint Committees.

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THE SENATE

Tuesday, April 23, 1996

The Senate met at 2:00 p.m., the Speaker *pro tempore* in the Chair.

Prayers.

THE LATE HONOURABLE JEAN LE MOYNE

TRIBUTES

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I rise today on behalf of those on this side of the house to express our feelings of deep sadness at the loss of our former colleague Jean Le Moyne, who, as colleagues know, died on April 1 at the age of 83.

As one who worked with Jean Le Moyne during the early years in Prime Minister Trudeau's office, I developed an enormous respect and a great deal of affection for him. As an adviser to Mr. Trudeau, Mr. Le Moyne's thoughtful and often eloquent phrases were reflected in some truly important speeches made in our country. His way with words in both official languages was legendary.

Appointed to the Senate in December 1982, Jean Le Moyne was immediately dedicated to the opportunities evident to him that were offered by this institution. During his six years here, this was shown in his contributions to the Joint Committee on Official Languages and to the committees on fisheries and agriculture.

However, I think he will always be remembered best for his eloquence in writings and speeches ranging from Senate reform to Canadian culture. It was on that subject during one debate in this chamber that he provided his definition of what made Canada unique. In response to the question, "How can we explain Canada's existence?", Senator Le Moyne said:

> Canada was and more than ever is, an act of will, the will to be a certain way that has not yet been perfectly defined....The federation as it exists at this time is thus Canada's only decisive originality and it is only in an increasingly open federalism, dynamic and demanding, that Canada has a chance to perfect the North American differentiation of its elements, and to ripen and define its identity, give itself an image from which nothing can distract it, achieve wholeness, be of interest to itself and the world, by becoming a cultural crossroad where Europe and North America can review their connection and their creativity....Faithful to this ideal, Canada would contribute to humanity's advancement toward a global federation.

• (1410)

These words, honourable senators, hold particularly strong meaning even today, amidst the challenges that the Canadian federation is now facing.

Jean Le Moyne was a gentleman of great principles, humour and passion for Canada. When we said farewell to him on his retirement from the Senate in 1988, I noted:

> Through all of the issues in the last 20 years that have touched on the unity of our country Senator Le Moyne's loyalty to his province, inside a larger loyalty to his country, is a very touching and rare attribute in a Canadian politician.

He received many honours throughout his life for his writing, including the Governor General's award, the Athanas David Award in 1962, the Molson Award in 1968 and the Order of Canada in 1982. However, honourable senators, I suspect that the one which delighted him the most was his appointment to this institution where he enjoyed six years as a parliamentarian, a poet and a sage, a very unusual and potent combination.

I know that all senators join me in expressing sadness and deep sympathy to his wife, Suzanne, and the rest of their family. He has left us with great memories.

[*Translation*]

Hon. Gérald A. Beaudoin: Honourable senators, I wish to pay tribute to Senator Jean Le Moyne. Born in Montreal in 1913, our colleague was a top-ranking intellectual, author, journalist, public servant, officer of the Order of Canada and CBC analyst. In 1982, Jean Le Moyne was appointed to the Senate after serving as Prime Minister Trudeau's adviser.

He stood out in the literary pantheon and among the great minds of Quebec, Canada and the world. A highly literate and cultured man, educated by the Jesuits at Collège Sainte-Marie, Jean Le Moyne was a remarkable figure.

He enjoyed his time in the Senate. "Much needs to be done," he once commented.

He was truly a man of breeding, worthy of the classical period.

His mind was always alert. He could be quite tough in debate. He was a good swordsman, who fought for freedom of expression, as Voltaire did before him by saying:

> I may not agree with you, but I will die fighting for your right to express your opinion.

His writings, his books and his commentaries published in leading Canadian newspapers were a pleasure to read.

I can recall his 1961 essay entitled *Convergences* receiving rave reviews. This masterpiece brought him the highest honours. It was translated into English in 1966. Jean Le Moyne received the Governor General's award in 1962, the Prix David for Quebec in the same year, and the Molson Prize in 1968.

Honourable senators, we have just lost a very great mind.

[*Later*]

Hon. Marcel Prud'homme: Honourable senators, I join the Leader of the Government in the Senate and Senator Beaudoin in paying tribute to my friend Senator Le Moyne. I share their grief and I want to give the late senator's family the assurance of my prayers.

[*English*]

Hon. Anne C. Cools: Honourable senators, I rise to join senators in their tributes to our former colleague Senator Jean Le Moyne. I extend my sympathies to his wife, Suzanne, and to his family.

I attended his funeral at the Notre Dame Basilica on Easter Monday, April 8, 1996, a funeral which was attended by Prime Minister Jean Chrétien, His Excellency the Governor General, Roméo LeBlanc, and many senators. I should add that one of our colleagues, Senator Corbin, read one of the readings at Senator Le Moyne's funeral.

Jean Le Moyne served his country well. He was a son of Quebec. He was a great humanitarian and a great man of letters. He will be missed by all of us and all who knew him.

He left a great legacy. Senator Le Moyne was an eloquent and learned man who could quote clearly, swiftly and easily from Blaise Pascal, St. Augustine, Samuel Johnson and other great masters. Honourable senators may not know that Senator Le Moyne kept in his office, on its own stand, an edition of Samuel Johnson's great *Dictionary* to which he regularly referred.

In 1987, during a plane trip with a Senate committee to the Northwest Territories, I watched Senator Le Moyne as he carefully observed the geological formations, excited by the explanations of a young geologist sitting next to him.

When I arrived at the funeral, I felt honoured when his wife walked up to me, looked at me and said "Senator Cools, he liked you a lot." Honourable senators, I liked him a lot, as did many of us. Mr. Trudeau held him in great affection and esteem.

This pilgrim's journey is over. I send his wife, Suzanne, and his family my warmest wishes. I wish them well.

Hon. Peter A. Stollery: Honourable senators, I recently learned of the death of Senator Le Moyne, whom I came to know when he was here in the Senate. He was a great Canadian and a very fine man. I wish to pay my respects to Senator Le Moyne and say that Canada, of which he was a great citizen, is less rich with his passing.

[*Translation*]

Hon. Jean-Louis Roux: Honourable senators, I would like to add my voice to those of my distinguished colleagues, Senators Fairbairn, Beaudoin, Prud'homme, Cools and Stollery, in a tribute to our late colleague Senator Jean Le Moyne, an essayist and a writer of great talent.

I should like to refer in my tribute to something that may well be unique about him, something directly related to the fact that the late senator was a writer.

Senator Le Moyne had the singular honour, one not shared by many Canadians, of having inspired a character in a novel. I am sure that he roared with laughter to find himself in the novel *Le ciel de Québec*, written by the incisive and often acerbic pen of another great Canadian writer, Jacques Ferron.

SENATORS' STATEMENTS

HUMAN RESOURCES DEVELOPMENT

UNEMPLOYMENT INSURANCE REFORM—NECESSITY TO PRE-STUDY EMPLOYMENT INSURANCE BILL

Hon. Jean-Maurice Simard: Honourable senators, three weeks ago, I addressed this house on Bill C-12. As you probably remember, I asked at that time that the Senate consider the bill before it was passed by the other place. This was, in my opinion, a sensible request, perhaps too sensible a request for people who cannot recognize common sense.

The Leader of the Government in the Senate had the last word, saying that she was following the progress of the bill in the other place closely to ensure that the Senate would have enough time to consider it carefully. For the benefit of those who get lost in the government leader's answers, she said no to any pre-study.

As a result, here we are, three weeks later, three weeks during which we could have started taking a look at this important bill. The House of Commons is almost done considering the bill. The government can boast about winning this one because the logistics are such that we cannot start preliminary consideration of the bill. That is a disgrace.

It is a disgrace because New Brunswick is not well represented in this matter. The silence of Liberal members from New Brunswick speaks volumes. Only the Minister of Human Resources Development speaks up once in a while — some would say too often — and when he does, it is usually to insult the workers of New Brunswick and Canada.

No wonder the House committee, with its Liberal majority, uses video conferencing to hear witnesses. They will say, of course, that they do it to save money, but it is much "easier" to speak to a witness through a camera than in person. It is especially less awkward than facing angry constituents or needy families. That is the beauty of technology, as some would say.

I am flabbergasted by the Liberal Party's transformation in the last three years. When they were in opposition, the Liberals claimed to be close to workers and promised them jobs. They advocated a different approach. However, that was before the election.

After winning the people's trust, the Liberals changed their tune and turned their backs on their commitment to help people regain their dignity and to give them more job opportunities. These two values have disappeared from the Liberal song book. Instead, when the Liberals mention unemployment, they talk about penalizing frequent users, about zero tolerance, about paid agitators. Besieged Liberal members shut themselves up in Ottawa and try to give the impression they are consulting people by hearing witnesses via satellite.

Quebec poet Félix Leclerc wrote this:

> On election day, he called me sonny; the next day, he could not remember my name.

This could describe the Liberals. They promised Canadians they would listen to them; they promised them the moon, and then they abandoned them.

That is why we in the Senate needed a pre-study of Bill C-12. The government must be held accountable for its actions, and I can assure you that when this bill comes before the Senate, we on this side of the house will review the Liberal government's proposal meticulously.

In closing, I urge the Leader of the Government in the Senate, Senator Fairbairn — as I have asked her many times — to see to it, after convincing her caucus, that the Senate committee responsible for reviewing the bill is allowed to travel across the country, and especially to New Brunswick, to hear the workers, employers and other stakeholders affected by Bill C-12.

[*English*]

PRECINCTS OF PARLIAMENT

STRUCTURAL AND INFRASTRUCTURAL CHANGES

Hon. Colin Kenny: Honourable senators, as chairman of the Standing Committee on Internal Economy, Budgets and Administration, it is my honour to inform you of some changes that have taken place over the past six weeks with respect to our facilities. These changes are intended to assist us with our work as senators and to maintain, as best we can, the historic features of the Senate.

• (1420)

Senators will have discovered that there is a new sound system in the Senate chamber. This is essential if the debates of the Senate are to be conducted efficiently and without interruption. Apart from improved sound quality, the only visible changes are microphones, control units and indicator lights. Senators will find on their desks a memo describing the system and explaining how it works.

We also took advantage of the Easter recess to restore the reading room to its traditional 1920's elegance. The original furniture has been tracked down, refurbished, and returned to its place. Our aim is to make the room a true reading room once again and to recreate the atmosphere it used to have. With this in mind, we have modified the television audio system to make it more discreet, as well as available in both official languages. Senators can now use small personal receivers that will carry the debates of the Senate and the House of Commons in both languages. The television screen will show the proceedings of the House of Commons. The staff member looking after the reading room will be able to show honourable senators how the receivers work.

In order to make a temporary work space available to senators whose offices are in other buildings and to provide a quiet place for telephone calls, we have set up six work stations in Room 254-N. There, honourable senators will find booths equipped with work areas, telephones, speakers that can broadcast the debates of either house or committee proceedings, as well as a fax machine and photocopier. The first booth also contains a "hands-free" telephone. It has enough space for four people.

With an eye to longer-term gains in our efficiency, we have updated the Senate's electronic infrastructure. By modernizing our cable grid and certain of our computers, we will be able to install new applications such as the Internet and PubNet, which will give us rapid and inexpensive access to parliamentary debates and international publications.

In addition, this project will make it possible to solve the problem of network access that senators in the Centre Block have been experiencing for some time. We will now be fully compatible with our partners in the House of Commons and the Library of Parliament.

I should like to express my appreciation to those senators and staff who were inconvenienced during the construction period for their patience and understanding.

Finally, I should like to draw the attention of honourable senators to the work of our Services and Materiel Management Directorate, some of whose employees are sitting in the Speaker's Gallery above us. This effective and dedicated team is responsible for the planning and execution of these activities in a very short time period and under a considerable amount of pressure.

On behalf of the Internal Economy Committee and all senators, I should like to thank Jean Pierre Lavoie, Director of Services; Hélène Bouchard, Manager, Information Systems; Peter Feltham, Systems Officer; Paul Beaudoin, Manager, Materiel Management; Randy Greene, Technical Services Officer; Hélène Damphousse, Services Officer; and Leo Martin, Chief of Trades. To all these employees, we extend our very special thanks.

Hon. Senators: Hear, hear!

Hon. Consiglio Di Nino: Honourable senators, I should like to join Senator Kenny in applauding the staff for their excellent dedication to the task.

However, I stand to recognize principally Senator Kenny's role in this initiative. His determined and focused vision truly drove the initiative. Without taking anything away from the contribution of the staff, I doubt the task would have been undertaken and/or completed without Senator Kenny's commitment. We owe him our gratitude.

Hon. Senators: Hear, hear!

[*Translation*]

FOREIGN AFFAIRS

BOMBARDMENT OF LEBANON BY ISRAEL

Hon. Marcel Prud'homme: Honourable senators, the other issue which I want to discuss is a current and tragic one. On March 19, 1978, resolution 425 was passed by the United Nations. Its main paragraph asked Israel to immediately stop its

military action against Lebanon's territorial integrity, and to quickly withdraw its forces from Lebanese territory. We are now in 1996.

I say once again that, with this savage aggression against Lebanon — let us not be afraid of using the proper words — Israel has shown that peace may not be its leaders' primary objective.

How can we explain this bloody retaliation against Qana, in South Lebanon? How can we accept that 400,000 people, out of a population of just over two million, have been displaced, and still hope that peace will be restored? How can we believe in the objectives of this massive destruction of Lebanon's new infrastructures, a new Lebanon which I visited twice last year, and a new country where all Lebanese came together? How can we explain the destruction of the hydro-electric power stations of Beirut and East Beirut, in the mountains where Hezbollah guerillas are not to be found?

In recent days, I attended a number of ceremonies to protest as a Canadian. Honourable senators, believe me, everything I said back in 1970 on the recognition of two nations in Israel finally came true. I overlooked all that.

How can one not feel some sympathy for this country, given that Hezbollah was created solely because of Israel's presence in South Lebanon?

I urge you to read what is, in my opinion, Eric Margolis' best article in Monday's *Ottawa Sun*, where he explains exactly why there is a feeling of insecurity, why Hezbollah did not exist before and why it was created. Why was Hezbollah created? It is the duty of every Canadian to not only feel for this people and try to help it, but also to understand it and to ask the Government of Canada to do its utmost.

I just learned that President Hrawi will address the UN General Assembly this afternoon, since it appears that the Security Council is under the control of our American neighbour regarding this issue. All roads to South Lebanon were blocked today. No one can go to South Lebanon.

[*English*]

The Hon. the Speaker *pro tempore***:** Honourable senators, according to the rules, the time for Senators' Statements has elapsed. I am aware of at least three other senators who wish to make a statement under Senators' Statements. If there is agreement, I will continue to recognize them. Is it agreed?

• (1430)

Hon. Senators: Agreed.

HER MAJESTY THE QUEEN

TRIBUTES ON THE OCCASION OF SEVENTIETH BIRTHDAY

Hon. Noël A. Kinsella: Honourable senators, Her Majesty's Loyal Opposition in the Senate of Canada wishes to pay a special tribute today to Elizabeth II, Head of State, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland, and of her other realms and territories, as Queen, Head of the Commonwealth, Defender of the Faith.

Honourable senators, the Queen of Canada celebrated her seventieth birthday on Sunday, April 21. We on this side of the chamber wish to underscore this milestone in a remarkable life's journey. Mindful that the Parliament of Canada is composed of three parts — the House of Commons, the Senate, and the Crown — and recalling the many visits to Canada which the Queen has made — such as the 1957 tour, the opening of the St. Lawrence Seaway in 1959, and many subsequent visits — the people of Canada extend every good wish to Her Majesty on this her seventieth birthday.

We take note of the Queen's association with this chamber and the participation, directly or indirectly, of the Crown in the opening of our Parliament. Her wisdom and care for the people of Canada is fitting reason for our tribute to her on this occasion. We also underscore with pleasure that Canadians are now hosting her son, His Royal Highness the Prince of Wales.

Honourable senators, Her Majesty has always been a model of duty and service. Canadians have many vivid images of her public responsibility and devotion to duty, whether it be the picture of the young driver in the Auxiliary Territorial Service during World War II or her messages of encouragement and fortitude delivered to Canadians and all members of the Commonwealth.

It was during a 1947 visit to South Africa, which she was making with her parents, the King and the Queen, that she reached the age of 21. On her birthday broadcast to the Commonwealth, she promised to devote the whole of her life to the service of the Commonwealth family. Honourable senators, Her Majesty has kept that promise. Her life has been a story of extraordinary devotion to all the peoples of the Commonwealth.

On February 8, 1952, the Queen made her speech to her accession Privy Council with a moving reference to:

> ...this heavy task that has been laid upon me so early in my life...

Honourable senators, Canadians everywhere acknowledge that Her Majesty has been dutiful in her task as our head of state, and we all extend to her our congratulations and thanks *ad multus annus*.

YOUTH INVOLVEMENT IN SPORTS

Hon. Gerry St. Germain: Honourable senators, over a week ago I had the honour and the privilege of being invited by Mr. Bettis Rainsford of South Carolina to attend the Masters golf tournament in Augusta, Georgia, one of the most prestigious sporting events that the world has to offer. I do not rise today to mention this event in order to draw envy, but to tell you that, as I entered the grounds and looked at the main scoreboard, I realized that something was missing, as far as I was concerned. There was no Canadian flag, and no Canadian participant.

Honourable senators, I mention this subject today to pose the following question: Are we doing enough for our young people to keep them competitive in international sports? When I remember the great legends that have gone before — Stan Leonard of Vancouver and George Knudson of Winnipeg, who competed in this event and left their mark there — I reflect on why it is that today, we, as one of the leading G-7 nations, would not have competitors competing in this great tournament.

An Hon. Senator: It is free trade!

Senator St. Germain: The question for each and every one of us is whether we are doing enough for our young people in order to put them in a competitive position within the world of sports.

[*Translation*]

THE SENATE

STATISTICS ON QUESTIONS WITH ANSWERS PENDING

Hon. Pierre Claude Nolin: Honourable senators, I thought it would be opportune to report to you again on the status of questions taken under advisement by Senator Fairbairn. Since the beginning of the second session, 24 questions have still not been answered. If we add the 74 still awaiting answers from the last session, that leaves us with a total of 98 questions asked by senators on this side of the Senate that have still not been answered.

[*English*]

POST-SECONDARY EDUCATION

REDUCTION IN EDUCATIONAL RESOURCES— EFFECT ON ADULT PART-TIME STUDENTS

Hon. M. Lorne Bonnell: Honourable senators, mature and adult part-time students in Canada often face the added responsibilities and stresses of raising families and holding down full-time jobs, as well as having other commitments within their communities. Still, in 1991, more than 351,000 adult Canadian students were registered full-time in an educational institution. Adult students represented nearly 40 per cent of the total student population at colleges and 27 per cent of the total population at universities. In addition, part-time students now constitute almost 40 per cent of total university and college enrolment.

However, with diminishing resources, many colleges and universities may not be able to offer courses or programs at convenient hours for part-time students, the vast majority of whom, over 80 per cent, work full time. The trend in many provinces towards rationalization in post-secondary education will down-size or close schools in rural regions and small communities, and centralize programs and services in larger centres. If this trend continues on its present course, there will be a significant decrease in the amount of education and retraining most adults are able to undertake.

• (1440)

Most affected, of course, will be those women who study part time. Women account for 63 per cent of undergraduates, 43 per cent of masters' students and 42 per cent of doctoral part-time students. Statistics Canada reports that among the unemployed, the lack of courses and programs, in addition to their situation, are the most serious barriers to their participation.

Steps have been taken to recognize the importance of adult education. For example, the 1994 Canada Student Financial Assistance Act raised the ceiling on loans for part-time students from $2,500 to $4,000. However, just three provinces — Ontario, Alberta and British Columbia — have complementary loan programs for part-time students.

Honourable senators, let us call upon federal and provincial governments, universities and college boards to remember the importance of life-long learning and encourage them in these times of financial constraint to recognize the different needs and responsibilities of mature and adult part-time students.

The Hon. the Speaker *pro tempore***:** Honourable senators, I should like to point out that leave was granted to continue with Senators' Statements. We have now gone a full 30 minutes. Our rules state that the time allotted for Senators' Statements shall not exceed 30 minutes, and require that I point out the time of expiry. I am aware of three or four senators who wish to speak under this rubric, and I must know whether the Senate wishes to continue with Senators' Statements at this time.

Hon. Eymard G. Corbin: Honourable senators, today is International Book Day, and I think Senator Roux should be heard on that topic.

The Hon. the Speaker *pro tempore***:** Honourable senators, I am a servant of the Senate. Is there unanimous agreement to hear other statements by senators?

Hon. Senators: Agreed.

CUBA

HELMS-BURTON LAW—EFFECT OF PASSAGE BY U.S. CONGRESS

Hon. Norman Atkins: Honourable senators, during the Senate break, I had the opportunity to travel to Cuba. I accompanied the Chief Justice of Ontario, the Honourable Roy McMurtry, who was invited to a law conference in Havana where he gave a paper on the criminal justice system in Canada. It was a thorough presentation and was well received by conference delegates from a number of countries, including Mexico, Colombia, Peru, Argentina and other Caribbean jurisdictions.

During our visit, the Chief Justice and I, as well as two other Canadians who accompanied us, had the opportunity to meet with senior ministers and deputy ministers of the Cuban government, including the Vice-President and Prime Minister of the country, Dr. Carlos Lage.

I had previously visited Cuba, and I must say that I have noticed some progress in the general appearance of the capital. I had a sense that, in spite of recent events, it was "business as usual." However, it became clear as the week progressed and from our visits to various government officials, that there was deep concern regarding the passage of the Helms-Burton law in the Congress of the United States. While it appears the bill's main purpose was to bring down the President of Cuba, it could affect many innocent people who do not deserve to be penalized as a result of recent events. There was apprehension as to how determined the Americans would be in implementing this new legislation, in particular, what definition the Americans would apply to this bill — whether it would be broad or narrow, and what was the true meaning of the word "trafficking". It was also clear that, while Cuba is moving towards an open market and their economy is now trading, to some degree, in U.S. dollars, the Helms-Burton law could have a significant effect on a struggling economy.

Honourable senators, it is interesting to note that we met a number of Americans in Cuba. For the most part, they were appalled by the passage of the Helms-Burton law and expressed the view that most people in the United States believe it was wrong to pass it, in spite of Cuba's actions against the unarmed aircraft. They believe that, because of the pressure from some powerful Cubans in south Florida in a presidential election year, legislators were moved to overreact, and that the President may have violated the Constitution by giving away in the bill "the power of veto". This bill confirms as well that the embargo will remain indefinitely.

This is a country that is interested in importing technology, encouraging foreign investment and looking for new market opportunities. It is difficult to assess what impact this bill would have on these initiatives. The bill clearly impacts on many other countries, not just Cuba.

Honourable senators, it is apparent to anyone who speaks to the officials in Cuba that Canada is seen to be a friendly nation vigorously defending its sovereign interest and supporting the continuing development of free trade among nations. It is clear that Canadians are welcome, not only as tourists but as people with whom the Cubans like to conduct business. The fact that Canada established diplomatic relations with Cuba 51 years ago and that the relationship has developed through the years has generated a considerable mutual trust that is helpful now and for the future.

A great deal of credit must go to our present ambassador, Mark Entwistle, and his staff, who I believe are doing an excellent job in representing Canada.

Honourable senators, it is my opinion that the position Canada has taken in recent weeks is to our credit and that, in the long run, it will benefit both countries.

WORLD BOOK AND COPYRIGHT DAY

Hon. Jean-Louis Roux: The UNESCO General Assembly, in its Twenty-eighth Session, which met from October 25 to November 16, adopted a resolution declaring every April 23 World Book and Copyright Day. This idea, which was launched by the International Union of Publishers, was presented to UNESCO by the Government of Spain and unanimously approved by all member states.

[*Translation*]

The idea of celebrating a book day came originally from Catalonia, where there is a tradition on St. George's Day, April 23, to make gifts of a book and a rose. There is a more universal reason behind that date. It marks the death of three great writers, all on April 23, 1616: Miguel de Cervantes, William Shakespeare, and the Inca Garcilaso de la Vega.

[*English*]

However, we can cite other authors born or deceased on April 23. The French writer, Maurice Druon; the Irish Nobel Prize laureate, Laxness; the Colombian, Manuel Mejia Vallejo; the Russian, Nabakov; and the Spaniard, Josep Pla, to name a few.

[*Translation*]

Celebration of this World Book and Copyright Day will focus the attention of government authorities and society in general on this means of communication, one that continues to be the foundation for active education and critical reflection, despite the advent of other means, particularly audiovisual means, which grow more sophisticated by the day. This day will remind people of the role of books and writers as protectors of the spirit and as instruments of fundamental ideas for a culture of peace, tolerance and dialogue.

May I share my secret wish that, one of these coming April 23, before the year 2000, the government will be able to announce that books will be tax exempt.

[*English*]

POINT OF ORDER

Hon. Finlay MacDonald: Honourable senators, in the 12 years that I have been here in this chamber, I have never questioned the right of any senator to speak, nor have I ever heckled a senator who was speaking.

If I recall correctly, Your Honour announced that the time for Senators' Statements had expired but that there were three more senators wishing to speak. No one in the chamber made any objection to that, so we continued. However, several more senators spoke after the expiration of the extra time period. Those extra statements were excellent, but I did answer "no" in a loud voice when asked for consent. Obviously, Your Honour did not hear me.

May I be assured that, in the future, when unanimous consent is required and consent is not given by any senator, someone will draw it to your attention so that the *Rules of the Senate* will be followed?

The Hon. the Speaker *pro tempore***:** Honourable senators, I very much regret that I did not hear the disagreement of the Honourable Senator MacDonald. My only question is whether or not there is agreement. If one senator says "no" to that question and I fail to hear it, that may be my fault. However, I can do nothing to rectify that situation unless the senator concerned makes an extra effort to indicate that disagreement. I can think of no other way to resolve such a dilemma. Therefore, in future, if I incorrectly interpret your responses as "yea" or "nay," please bring it to my attention.

PRIVILEGE

The Hon. the Speaker *pro tempore***:** Honourable senators, I am now required to recognize Senator Cools. She gave notice to the Clerk of the Senate this morning with respect to a question of privilege. Rule 43(7) indicates that a senator, having given such written notice:

> ...shall be recognized during the time provided for the consideration of "Senators' Statements", for the purpose of giving oral notice of the question of privilege.

Hon. Anne C. Cools: Honourable senators, I rise to give notice that, pursuant to rule 43(7) of the *Rules of the Senate of Canada*, I shall raise a question of privilege later this afternoon.

Earlier today, I gave written notice to the Clerk of the Senate as required by rule 43(3). I shall ask His Honour the Speaker of the Senate to rule on the facts as I shall briefly outline them, and to rule if a *prima facie* case of breach of privilege exists. If so found, I am prepared to move the necessary motion. In the notice which was circulated, I indicate my intention to raise the question of privilege. If there is not sufficient time later on today, I am prepared to wait.

However, I would point out that the rules compel members to raise these issues at the earliest opportunity. A situation arose two years ago where I complied with everyone else's wishes. At the end of the process, when His Honour the Speaker ruled on *prima facie* privilege, he said that I had not raised the matter at the earliest opportunity. However, I do understand Senator MacDonald's concern, and I want to be cooperative.

Hon. B. Alasdair Graham (Deputy Leader of the Government): That has nothing to do with statements. You are on a question of privilege.

Senator Cools: On this particular rule, one must rise during Senators' Statements.

Senator MacDonald: I have no problem with that.

The Hon. the Speaker *pro tempore***:** Senator Cools, you have fulfilled the requirements as noted in the rule which you have cited. You have given that notice. At a later period, the senator giving such notice shall have the opportunity to put forward what she considers to be the *prima facie* case. That will come later in today's proceedings.

Senator Cools: At this point, during Senators' Statements, I give what is called oral notice.

[*Translation*]

ROUTINE PROCEEDINGS

TRANSPORT AND COMMUNICATIONS

REPORT OF COMMITTEE TABLED

Hon. Lise Bacon: Honourable senators, pursuant to rule 104(1) of the *Rules of the Senate*, I have the honour to present the first report of the Standing Senate Committee on Transport and Communications. This report deals with the expenses incurred by the committee during the First Session of the Thirty-fifth Parliament.

(*For text of report, see today's* Journals of the Senate.)

[*English*]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

REPORT OF COMMITTEE TABLED

Hon. Mabel M. DeWare: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Social Affairs, Science and Technology. This report deals with the expenses incurred by the committee during the First Session of the Thirty-fifth Parliament.

(*For text of report, see today's* Journals of the Senate.)

CANADIAN HUMAN RIGHTS ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Sharon Carstairs, Chairman of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Tuesday, April 23, 1996

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

THIRD REPORT

Your Committee, to which was referred Bill S-2, An Act to amend the Human Rights Act (sexual orientation), has, in obedience to the Order of Reference of Tuesday, March 26, 1996, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

SHARON CARSTAIRS
Chairman

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

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

SCRUTINY OF REGULATIONS

REPORT OF COMMITTEE TABLED

Hon. P. Derek Lewis: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Joint Committee for the Scrutiny of Regulations in relation to its permanent reference. This report also deals with the expenses incurred by the committee during the First Session of the Thirty-fifth Parliament.

(*For text of report, see today's* Journals of the Senate.)

• (1500)

ABORIGINAL PEOPLES

REPORT OF COMMITTEE TABLED

Hon. Len Marchand: Honourable Senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Aboriginal Peoples, which deals with the expenses incurred by the committee during the First Session of the Thirty-fifth Parliament.

(*For text of report, see today's* Journals of the Senate)

ADJOURNMENT

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, with leave of the Senate, and notwithstanding rule 58(1)(*h*), I move:

> That when the Senate adjourns today, it do stand adjourned until tomorrow, Wednesday, April 24, 1996, at one thirty o'clock in the afternoon.

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

Hon. Senators: Agreed.

Motion agreed to.

THE ESTIMATES, 1996-97

NOTICE OF MOTION TO REFER VOTE 10 TO THE STANDING JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I give notice that tomorrow, Wednesday, April 24, 1996, I will move:

> That the Standing Joint Committee on the Library of Parliament be authorized to examine the expenditures set out in Parliament Vote 10 of Estimates for the fiscal year ending March 31, 1997, and
>
> That a message be sent to the House of Commons to acquaint that house accordingly.

NOTICE OF MOTION TO REFER VOTE 25 TO THE STANDING JOINT COMMITTEE ON OFFICIAL LANGUAGES

Hon. B. Alasdair Graham, Deputy Leader of the Government: Honourable senators, I give notice also that tomorrow, Wednesday, April 24, 1996, I will move:

> That the Standing Joint Committee on Official Languages be authorized to examine the expenditures set out in Privy Council Vote 25 of the Estimates for the fiscal year ending March 31, 1997, and
>
> That a message be sent to the House of Commons to acquaint that house accordingly.

BUSINESS OF THE SENATE

NOTICE OF MOTION TO AUTHORIZE COMMITTEES TO MEET DURING ADJOURNMENTS

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I give notice that tomorrow, Wednesday, April 24, 1996, I will move:

> That for the duration of the present session, any select committee may meet during adjournments of the Senate.

WITNESS PROTECTION PROGRAM BILL

FIRST READING

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from the House of Commons with Bill C-13, to provide for the establishment and operation of a program to enable certain persons to receive protection in relation to certain inquiries, investigations or prosecutions.

Bill read first time.

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

On motion of Senator Milne, bill placed on the Orders of the Day for second reading on Thursday next, April 25, 1996.

CONTRAVENTIONS ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from the House of Commons with Bill C-16, to amend the Contraventions Act and to make consequential amendments to other Acts.

Bill read first time.

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

On motion of Senator Losier-Cool, bill placed on the Orders of the Day for second reading on Thursday next, April 25, 1996.

PEARSON INTERNATIONAL AIRPORT AGREEMENTS BILL

FIRST READING

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from the House of Commons with Bill C-28, respecting certain agreements concerning the redevelopment and operation of Terminals 1 and 2 at Lester B. Pearson International Airport.

Bill read first time.

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

Some Hon. Senators: Never!

On motion of Senator Graham, bill placed on the Orders of the Day for second reading on Thursday, April 25, 1996.

[*Translation*]

CANADA-FRANCE INTER-PARLIAMENTARY ASSOCIATION

TWENTY-SIXTH ANNUAL MEETING HELD IN PARIS AND STRASBOURG—REPORT OF CANADIAN DELEGATION TABLED

Hon. Jean-Louis Roux: Honourable senators, I have the honour to table in both official languages the report of the Canadian delegation to the Canada-France Inter-Parliamentary Association, which attended the 26th annual meeting in Paris and Strasbourg from January 20 to 28, 1996.

TRANSPORT AND COMMUNICATIONS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Lise Bacon: Honourable senators, I give notice that on Wednesday, April 24, 1996, I will move:

> That the Standing Senate Committee on Transport and Communications be authorized to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

[*English*]

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY MATTERS RELATED TO MANDATE

Hon. Len Marchand: Honourable senators, I give notice that on Wednesday next, April 24, 1996, I will move:

> That the Standing Senate Committee on Aboriginal Peoples, in accordance with rule 86(1)(*q*), be authorized to examine such issues as may arise from time to time relating to the Aboriginal Peoples of Canada; and
>
> That the committee present its report no later than March 31, 1997.

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Sharon Carstairs, with leave of the Senate and notwithstanding rule 58(1)(*a*), moved:

> That the Standing Senate Committee on Legal and Constitutional Affairs have power to sit at 3:30 in the afternoon on Wednesday, April 24, 1996, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

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

Hon. Senators: Agreed.

Hon. John B. Stewart: Honourable senators, may I ask a question for the sake of clarification?

The Hon. the Speaker *pro tempore***:** Certainly.

Senator Stewart: It is my understanding that when the Senate agrees to sit at 1:30 p.m. on a Wednesday, it is understood that the Senate will be rising at or about three o'clock in the afternoon.

If I understand the situation correctly, the motion which has been proposed would seem to anticipate that that understanding will not be observed tomorrow. As some senators know, I have been uneasy about the fact that, again and again when we have sat at 1:30 p.m. on Wednesdays, we have continued to sit well beyond three o'clock. I am not objecting to Senator Carstairs' motion but I am asking for clarification.

• (1510)

Is the old understanding still in place that when we meet at 1:30 p.m. on a Wednesday, the Senate will rise at about 3:00 p.m.? Or by the process of attrition, has the situation changed so that, although we still meet at 1:30 p.m., we continue well beyond 3:00 p.m.? A bit of information in this regard would be most helpful.

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, perhaps I should attempt to respond to Senator Stewart's request for information.

I must accept responsibility for the fact that the Legal and Constitutional Affairs Committee is seeking permission to sit while the Senate may still be sitting at 3:30 p.m. on Wednesday afternoon. The chairperson of that committee originally asked this afternoon if the committee could meet at 3:15 p.m. because they have a witness who has a scheduled flight to catch. In anticipation of what may develop tomorrow afternoon, I suggested to Senator Carstairs that, indeed, she schedule her meeting for 3:30 p.m. In requesting that particular time, the honourable senator was cooperating with a request from the Deputy Leader of the Government in the Senate.

I know of the anxiety that has been expressed many times about this topic. I can almost feel the anxiety from the Chairman of the Foreign Affairs Committee, Senator Stewart, whose committee normally occupies the 3:15 p.m. time slot on Wednesday afternoons. I am not sure whether he has scheduled a meeting for tomorrow afternoon at 3:15 p.m.

Senator Stewart: Yes, we have.

Senator Graham: I am trying to be realistic. I have had discussions with the Deputy Leader of the Opposition about our Wednesday agenda. This particular time provides us with an excellent opportunity to ask for the cooperation of all honourable senators in expediting the business of the Senate on Wednesday in particular. We find ourselves at 3:10 p.m. this afternoon not having reached the Question Period or the items on the Order Paper. I accept responsibility for the request. Again, I take this opportunity to ask all honourable senators to cooperate so that, indeed, we can be on time.

I should point out that it is not set down in our rules that we must adjourn at 3:00 p.m. It is merely an understanding that has developed over the years. However, I am sure that we can meet that particular target if all honourable senators will cooperate.

Senator Stewart: Honourable senators, I have two points. First, it may not be a rule, but I remember attending a meeting at which it was agreed that we would meet at 1:30 p.m. with the clear understanding that at 3:00 p.m., or a few minutes thereafter if it was not convenient to terminate the sitting of the Senate at 3:00 p.m., we would adjourn.

I know how leaders approach such matters — they nibble away like mice. This is almost a classic example of nibbling. If we are not to pay some attention to the 3:00 p.m. adjournment, then let us forget this business of meeting at 1:30 p.m., which was the reason we made the change in the first place.

The case that has been made on behalf of Senator Carstairs and her committee is a very compelling one. However, it is a case that I could have made again and again in past months.

I am quite unhappy. I am hoping that I will receive assurances that, when we meet on a Wednesday at 1:30 p.m., it is on the clear understanding that the leadership will do everything they possibly can to enable the committees to carry out their duties which they have arranged on the assumption that the understanding, which was formally made and which never has been revoked, will be observed.

Hon. Eric Arthur Berntson (Deputy Leader of the Opposition): Honourable senators, I will take a minute to see if I can extract myself from the category of "mouse."

While I was not around when this understanding was arrived at, my understanding is that there was a bit of a trade-off. There is work to be done in the chamber and in the committees. No matter what the understanding, we must still get through the Order Paper on Wednesdays. While Senator Graham and I may agree that we will make every endeavour in the world to be out of here at 3:00 p.m., that does not automatically make it happen.

The other point I should like to make is that it is my understanding that, when this understanding was arrived at, there was a trade-off in that we would have sittings on Monday evenings to make up for the time that we were losing on Wednesdays in the chamber. Perhaps we should take another look at that.

I understand fully that there is a great deal of work to be done by committees, and that we work hard to try to accommodate committees. However, I have some concerns about the tail wagging the dog. After all, this is the mother chamber, and it should take precedence over committees.

Having said that, I am quite prepared to work with my colleague, every Wednesday if necessary, to try to reach this understanding that we have come to accept. Perhaps we should work on something more than an understanding and put it into the rules.

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

Hon. Senators: Agreed.

Some Hon. Senators: On division.

Motion agreed to, on division.

OFFICIAL LANGUAGES

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

Hon. Jean-Louis Roux: Honourable senators, I give notice that on Wednesday next, April 24, 1996, I will move:

> That the Standing Joint Committee on Official Languages have power to sit during sittings and adjournments of the Senate; and
>
> That a message be sent to the House of Commons to inform that house thereof.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE PERSONNEL AND SERVICES

Hon. Mabel M. DeWare: Honourable senators, I give notice that on Wednesday, April 24, 1996, I will move:

> That the Standing Senate Committee on Social Affairs, Science and Technology have the power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

POST-SECONDARY EDUCATION

NOTICE OF INQUIRY

Hon. M. Lorne Bonnell: Honourable senators, pursuant to rule 57(2), I give notice that on Tuesday next, April 30, 1996, I will call the attention of the Senate to the serious state of post-secondary education in Canada.

QUESTION PERIOD

THE CONSTITUTION

NEWFOUNDLAND REFERENDUM ON EDUCATION— AMENDMENT OF TERMS OF UNION—GOVERNMENT POSITION

Hon. Michel Cogger: Honourable senators, before I put my question to the Leader of the Government in the Senate, I wish to give a bit of background for senators who may not be all that familiar with my question.

Honourable senators will remember that on September 5, 1995, the citizens of Newfoundland were called upon to express their opinion by way of a referendum on the matter of the possible changes to Term 17 of the Terms of Union concerning the school system in Newfoundland.

Following the referendum, which resulted in a slim "yes" vote, a resolution was adopted in the House of Assembly on October 31, 1995. Following that, Speaker Snow of the House of Assembly of Newfoundland forwarded a letter to the Clerk of the Privy Council here in Ottawa, which resulted in a letter by Mr. Chrétien to then Premier Wells.

• (1520)

This question is important to the people of Newfoundland. It is also important to all Canadians inasmuch as how this government conducts itself in this case will probably give Canadians an indication of how they intend to deal with constitutional amendments, especially as they refer to the rights of minorities as entrenched in the Canadian Constitution.

In his letter to then Premier Wells, Mr. Chrétien says:

> I can therefore confirm that the federal government intends to proceed with the amendment resolution. I expect that the Government will be in a position to table it in Parliament once the House reconvenes in February.

Honorable senators, February and March have come and gone, and April is virtually over. Since we will soon be looking at the summer and an adjournment of several months, my question, therefore, is: Could the Leader of the Government enlighten us as to whether the Government of Canada intends to meet its commitment given to the then Premier of Newfoundland? If so, when?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I am advised that the Prime Minister will honour the commitment to which my honourable friend referred, and which was mentioned in the exchange of correspondence. He has indicated that the House will have the opportunity to debate this matter before the summer recess. That is the latest information that I have received.

Senator Cogger: Will that be before or after the bill eliminating the GST?

Senator Lynch-Staunton They will harmonize them!

GOODS AND SERVICES TAX

HARMONIZATION WITH PROVINCIAL SALES TAXES— PUBLICATION OF EFFECTS—GOVERNMENT POSITION

Hon. Gerry St. Germain: Honourable senators, my question for the government leader concerns the question of harmonizing the GST with provincial sales taxes.

The Ontario Treasurer says that harmonization could cost Ontario taxpayers as much as $3 billion. The Consumers' Association of Canada cites a national figure of $6 billion and an inflationary impact of 1.75 per cent. The consumers' association figure is based on a study by Global Economics, the same firm the Liberals hired in 1993 to put a price tag on the Red Book promises. The Finance Department dismisses those numbers, saying that, based on the experience of the GST, reduced taxes on business inputs will be passed on to consumers.

Honourable senators, when the PC government replaced the old federal sales tax with the GST, it also set up a consumer information office to monitor the effects on consumers, and it made the results public.

First of all, could the minister provide assurances to the Senate that the effects of any harmonization on consumers will be monitored by the government, and second, will she provide assurances that the results will be made public?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, on both those questions I wish to check with my colleagues the Minister of Finance and the Minister of National Revenue.

Senator St. Germain: Honourable senators, my supplementary question is very short. Possibly the government leader in the Senate can confirm this, but it is my understanding that an agreement in principle has been arrived at with three of the Atlantic provinces. The cost to Canadians of implementing

and harmonizing the GST in those particular three provinces will be $1 billion.

Is this $1 billion the price of political expedience to keep the Deputy Prime Minister and various others who said that they would resign if the GST was not scrapped or replaced?

Senator Fairbairn: Honourable senators, not at all. The honourable senator will know, certainly from the statement today by the Minister of Finance, that the memorandum of understanding with the three Atlantic provinces is the beginning of a process, not the end of it.

The honourable senator made reference to a $1-billion price tag for the transitional adjustment provision that is part of this memorandum of understanding. Actually it is $960 million.

Senator Berntson: That is $100 million.

Senator Fairbairn: However, $960 million is a substantial amount of money. I just wished to have the accurate figure on the record.

Senator Lynch-Staunton: It is an expensive pay-off!

Senator Fairbairn: The agreement with Atlantic Canada is obviously one which will —

Senator Berntson: Exclude Prince Edward Island.

Senator Fairbairn: — benefit the three provinces that have entered into the agreement to harmonize with the federal tax.

Senator Kinsella: How?

Senator Fairbairn: The senator should know that the adjustment provision in this agreement is not new. In many situations in the past, when important arrangements like this have been put in place, the federal government has been prepared to offer transitional assistance.

Senator Lynch-Staunton: Such as when Quebec harmonized?

Senator Fairbairn: In the experience of 1972 and the tax reform issue of that time, adjustment assistance was provided. If you look back to last year when the Western Grain Transportation Act was put in place —

Senator Lynch-Staunton: You were supposed to abolish the tax.

Senator Fairbairn: — assistance was provided in another region of the country.

In the case of Atlantic Canada, the three provinces will receive assistance from the federal government over a period of four years. By that time, the tax arrangements agreed to today will be firmly in place and will carry the situation on their own. There will be no apologies from the federal government for making this kind of arrangement.

Senator Lynch-Staunton: That is for sure. Mr. Mulroney knows about "no apologies."

Senator Fairbairn: It is done according to a formula that is available to every province of the country. For some of them, it is an open formula. Some of them will be able to take advantage of it; others will not. The three Atlantic provinces that have taken the lead in this process will benefit from it, as would the province of Prince Edward Island; as would the province of Manitoba; as would the province of Saskatchewan.

HARMONIZATION WITH PROVINCIAL SALES TAXES—COST TO TAXPAYERS OF BENEFIT PACKAGE—GOVERNMENT POSITION

Hon. Gerry St. Germain: Honourable senators, for the Leader of the Government in the Senate to compare the freight rate subsidies on grain to the harmonization of the GST is ludicrous. It does not make any sense. There is no comparison at all.

As a British Columbian, I do not mind paying equalization to maintain a high standard of living across this country, but not for political expediency. My former cabinet colleague the Honourable John Crosbie was very adept at bestowing names on individuals, such as "the billion dollar baby." Do we need to spend $1 billion to save a particular member of Parliament?

It is ludicrous that the Leader of the Government in the Senate would use the freight rate subsidies on grain in a comparison with a move to satisfy a political promise that was ridiculous in the first place.

Could the leader explain for me who will pay this $960 million, which is close to $1 billion? Will it come from the other provinces? It is merely a means to expedite a political agenda.

Hon. Joyce Fairbairn (Leader of the Government): My honourable friend may carry with him his views from the particular area in which he lives.

• (1530)

Even though my honourable friend and I always have interesting exchanges in the Senate, I find it incredibly insulting to the three Atlantic provinces who have had the foresight to take advantage —

Senator Berntson: I find that insulting to Prince Edward Island!

Senator Fairbairn: — to take up an option which is offered to every province in this country, namely, to harmonize taxes.

Senator Lynch-Staunton: How much are you offering Ontario?

Senator Fairbairn: That harmonization will give to consumers and business people, particularly small business people, in Atlantic Canada, a great opportunity both in terms of their activities within Canada and their competitive advantage in exporting.

I find it incredible that my honourable friend would tell the people of Nova Scotia, New Brunswick and Newfoundland, who have entered into an agreement with goodwill, enthusiasm and great hope for the opportunity that it will bring, that this is nothing but political expediency. Balderdash, Senator St. Germain!

Senator Berntson: You are on a roll!

Hon. Gerald J. Comeau: Honourable senators, I cannot resist this one comment. The Leader of the Government in the Senate just said that it was insulting to Nova Scotians. My colleague also suggested that Nova Scotians were insulted by this deal. In fact, Nova Scotians were not even consulted. If you really want to hear what happened in Nova Scotia, I will tell you. It was a back-room deal formed by three premiers. Premier Callbeck at least had the foresight to get out right away, because there was no Senate seat available for P.E.I. Our Premier of Nova Scotia obviously knew what was coming up in July; the senator who sits next to the Leader of the Government will be retiring. We will then see another price that must be paid for the harmonization of the GST.

If the Leader of the Government in the Senate wishes to see or hear what Nova Scotians are saying about this proposal, I invite her to come down to Nova Scotia and ask them herself.

Senator Fairbairn: Honourable senators, I will read *Hansard* tomorrow to get a firm grip on this conspiracy theory that seems to motivate this question. It is so complex that it is difficult to grasp.

As far as I am aware, Premier John Savage of Nova Scotia, along with his cabinet colleagues and his fellow colleagues of the Nova Scotia legislature, were elected by the people of Nova Scotia to form the government of Nova Scotia and to make decisions on behalf of the best interests of the people of Nova Scotia.

The question of harmonization of the GST has been hardly a back-room secret. It has been under discussion for two and one-half years. It has been a very difficult issue to resolve, we admit that. However, for my honourable friend to suggest that this has been done in some back room without the knowledge of the people of Nova Scotia is ludicrous. For heaven's sake, give the people of Nova Scotia a break! They have an aggressive, active, thoroughly elected and electable premier, John Savage, who, together with some of his Atlantic colleagues, has taken the opportunity to bring benefit to his province and the people of that region. Instead of criticizing the Premier of Nova Scotia, my honourable friend should be on the bandwagon, congratulating him for taking this enlightened approach.

Senator Comeau: This is the same —

The Hon. the Speaker *pro tempore***:** Honourable senators, I should point out that other senators, presumably with other subjects, wish to ask questions. If we are to accommodate them, this will be the honourable senator's last supplementary question.

HARMONIZATION WITH PROVINCIAL SALES TAXES—
EFFECT ON PRICE OF BOOKS—GOVERNMENT POSITION

Hon. Gerald J. Comeau: Honourable senators, the government leader has suggested that she will be reading *Hansard* over the next few days. I suggest that she go back in *Hansard* and read the comments she made when the previous government introduced the goods and services tax, particularly those regarding the legitimate right of a government to bring in a bill of that kind.

I would suggest that she research the process that has been followed under the current harmonization procedure. Basically, everything that has been done has been done in airports. The minister is flying across Canada, meeting with provincial ministers and coming up with decisions in airports rather than consulting with the people of Nova Scotia, New Brunswick, P.E.I. and Newfoundland. These decisions were all made in back rooms. What we have today is a fait accompli.

At the same time, the Leader of the Government in the Senate might want to review the comments she made regarding taxes on books. I understand that the government leader is also the minister responsible for literacy. She might want to find out whether books will now be taxed under this new program in Atlantic Canada.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I hardly consider the cross-Canada hearings by a parliamentary committee on the whole area of the options for changing this tax to be hearings that were conducted in airports or in back rooms. The doors to those rooms have been open. This issue has been openly discussed and hearings have been held over a long period of time. Suggestions have been made — in fact, a number of them — and they have been studied. All the options and alternatives have been studied.

As far as the federal government is concerned, the alternative that will be part of the legislation is the alternative that will produce the greatest sense of fairness, the greatest sense of cooperation between provinces and the greatest advantage to business people. That is why this particular alternative has been chosen.

It certainly has not been done, as my honourable friend would suggest, in a haphazard way in an airport or over a telephone. This is a serious issue, as my friend will understand. The Minister of Finance, the Premier of Nova Scotia, the Premier of New Brunswick and the Premier of Newfoundland have all engaged in a serious way in these negotiations. I think they should be congratulated for their efforts.

HEALTH

SAFETY OF BLOOD SUPPLY—GOVERNMENT POSITION

Hon. Richard J. Doyle: Honourable senators, nearly one year has passed since I posed to the Leader of the Government in the Senate certain questions about the intentions of the cabinet to deal with the mounting crisis in this country's blood supply. Those were not rhetorical questions, and I was relieved when the government leader replied that, "The urgency to the questions is obvious. I will attempt to obtain a quick response."

The response, as I complained last November, did not come quickly and consisted largely of assurances that all would be well once Mr. Justice Horace Krever had submitted a final report on the Commission of Inquiry on the Blood System in Canada. That report, however, was delayed. As I explained in questions placed before the Leader of the Government on March 28, there have been serious legal challenges to the commission's right to recommend changes or eliminate risks, or even to attach blame for tragedies.

• (1540)

At that time, it was our hope on this side of the chamber that the government would take the opportunity to advise us and assure the country that it would do everything in its power to make sure that Judge Krever would be defended in his efforts to present a "…full report on the horrors his witnesses have disclosed..."

On that occasion, the Leader of the Government in the Senate noted that a new minister was in place in the health department, and that discussions with the major players would begin the following month. It has been announced that such a meeting is set for Thursday of this week, but not a word on the position the Liberal government will take in support of Judge Krever, and in response to the agony of the public at large in what must be the most serious crisis of confidence the government has faced since the election of 1993.

The Leader of the Government in the Senate will know that I have never placed blind faith in polls. As a journalist and as a politician, I have regarded such contacts with the public at large as interesting exercises, and about as useful as a CBC weather report on the likelihood of snow at Christmas. However, perhaps honourable senators will join me in asking this question: Does the leader not feel something of our sense of alarm at the findings of a Gallup poll, sponsored by a pharmaceutical firm, surveying 1,007 Canadians? The result was announced last week. The poll indicated that only 7 per cent of Canadians would want to be given blood provided by the Red Cross; 73 per cent of respondents said they would be concerned if they had a child who required a transfusion.

What words of reassurance are we to expect? What evidence will there be of a contingency plan taking shape to restore public confidence? What guarantees will there be that federal leadership will support the provinces in easing the anxiety that will fester until all the facts are known about the decline and the shame of the blood service?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I appreciate both the care with which my honourable friend has asked the question and the frustrations that he expresses. Even with the snapshot results of that poll, no one can feel anything but concern about the confidence of Canadians in what has been an institution in our country for a very long time.

As my honourable friend knows, Judge Krever's very important inquiry continues. There have been interim reports, and we await the final report. He noted that the new federal Minister of Health is convening discussions with the major stakeholders involved in this issue. The minister has said that he is doing so because of what he sees as a pressing need to restore public confidence in the blood supply. He is attempting, in advance, to lay some groundwork and to be prepared for a rapid reaction when the Krever commission issues its final report.

I am sure honourable senators will watch the discussions with interest. I will do my best to convey to him any information I receive following those discussions on any agreements or plan of action that comes out of those meetings.

GOODS AND SERVICES TAX

HARMONIZATION WITH PROVINCIAL SALES TAXES— BENEFIT PACKAGE OFFERED TO SELECT PROVINCES— GOVERNMENT POSITION

Hon. David Tkachuk: Honourable senators, my question relates to the GST. I do not think anyone in the Atlantic provinces should be insulted by $1 billion in subsidies; I think the people of Canada should be insulted by the fact that the scrapping of the GST is now the harmonization of the GST.

Honourable senators, it was interesting to note the attempts by the Leader of the Government in the Senate to present arguments in support of the extension by the provinces of the coverage of their sales taxes. That is all that the word "harmonization" means. Instead of having a federal goods and services tax, we will now have a provincial goods and services tax that we will call "harmonization." Nonetheless, it is a tax.

The leader talked about some interesting things that the Liberals failed to understand a number of years ago when the GST was first introduced. Today the leader talked about input costs and the reduction of trade barriers; in other words, manufacturers having better opportunities. It has taken them eight years to figure it out, but I think they have finally done so.

What I do not understand in this argument is that if this package is being offered to all provinces, does that mean that it is being offered to the province of Ontario and the province of Quebec? This extended benefit package introducing the GST to the provinces, something that is being offered to save the Deputy Prime Minister from having to resign, is it being offered to all the provinces or just some of the provinces?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, as I said earlier, the harmonization program has been before all of the provinces continuously for a long period of time. There is a formula for provinces which come on now and those which come on in the future. A formula is in place for exactly the same treatment as the provinces in Atlantic Canada.

My friend mentioned Quebec. Of course, Quebec has been involved in harmonization over a period of six years. My understanding is that it will be completed this year. It is the only province in Canada to have taken that course.

In terms of other provinces, some will qualify under the formula for transitional adjustments, as would Manitoba and my honourable friend's province. Other provinces would not fit that formula, nor would they require it. I trust that my honourable friend will encourage the government of Saskatchewan to take advantage —

• (1550)

Senator Berntson: A long shot! We had it once and they shot it down.

Senator Fairbairn: — of this particular offer and of the potential benefits for his province.

The Hon. the Speaker *pro tempore*: Honourable senators, the 30 minutes for the Question Period has expired. By consent, we may continue. Is there consent?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker *pro tempore***:** There is no unanimous consent. Question Period is concluded.

ORDERS OF THE DAY

LAW COMMISSION OF CANADA BILL

SECOND READING

Hon. Landon Pearson moved second reading of Bill C-9, respecting the Law Commission of Canada.

She said: Honourable senators, it is my privilege today to speak to Bill C-9. In my opinion, this bill has considerable significance beyond the advantages it seeks to provide. In establishing a new commission to advise government on the improvement of Canada's law and the modernization of its bi-juridical legal system, this bill is an excellent example of the way government is becoming more responsive to the people.

The former Law Reform Commission of Canada, which the new commission will replace, was established in 1971 in a form which led to it being dominated by the legal profession and its academic establishment. By legislation, at least two-thirds of the commission's membership were required to have extensive legal experience as judges and lawyers, and they were to be full-time.

This meant that reform was managed by the profession itself. The fact that most of the members were full time also meant that the commission operated primarily out of Ottawa. Without the advanced capacity of today's computers for communications, its work remained centred in the capital. It was financed by the government at a cost to the Canadian taxpayer of over $5 million per year.

Yet, in spite of making such an investment, the historical evidence suggests that governments did not utilize the Law Reform Commission as well as one might have expected. In 1985, noting the increased importance of legal reform issues, the Auditor General reported that the Law Reform Commission itself was "not satisfied with its impact on legislative changes." This problem continued until 1992. At that time, pressures in the economy appeared to demand cutbacks that showed decisiveness, so the government of the day decided to eliminate a large number of government-funded think-tanks, boards and commissions. Among these was the Law Reform Commission.

This cost-cutting measure suddenly left Canada without an independent national body to assess requirements objectively and make recommendations in the area of law reform. This was done precisely at a time when dynamic social and technological forces, along with the prospect of massive change in public policy, clearly showed the need for such an independent body. By this point, some areas of existing law had become obsolete or inadequate.

During the same period, honourable senators, the study of law and its practice underwent a fundamental transformation. One might describe it as an opening of law's parameters to embrace the richness of interdisciplinary approaches. For example, by the end of the 1980s, professors in the Faculty of Law at the University of Toronto were also teaching and doing research in fields such as social work, criminology, history, political science, management, sociology, medicine, economics, industrial relations and even the classics. This is a reflection of society's increased interconnectedness and a realization that the law is a living part of the community which must respond to human need to make its contribution to the vitality of society.

In response to changing needs, we have also witnessed in recent years a remarkable transformation in the field of family law. Our courts have come to recognize that family life in Canada is now characterized by a complex variety of cultural experiences and backgrounds. They have also come to recognize — and this is of great interest to me — that children have a voice and deserve to be heard in affairs that directly concern them.

This widened perspective has been reflected in the preparation of recent legislation concerning child support. In this case, views were sought not only from parental interest groups but also from child psychologists, sociologists, physicians, economists, family lawyers, tax experts, social workers and, indeed, Revenue Canada.

All those concerned with the legislative process are now increasingly aware that the law is an interconnected and living part of society, and that its strength is not in rigidity but in suppleness.

The Liberal Party was not happy when the Law Reform Commission was disbanded. It pledged in the Red Book to restore it. After the Liberal government assumed office, the Department of Justice undertook an extensive process of consultation for this purpose. It distributed a paper entitled, "Creating a New Law Reform Commission for Canada" to approximately 900 groups and individuals, seeking the views of both the legal and non-legal communities. All members of Parliament were also provided with the consultation paper and

asked for comment. A summary of the responses received from across the country was disseminated and a parallel consultation of the judiciary was undertaken. Finally, in 1994, the minister invited members of the legal and academic communities from various parts of the country to contribute further to these deliberations. The result, honourable senators, is Bill C-9.

I will now point out some of the ways in which Bill C-9 shows a deliberate effort to create an institution that will be more responsive to the needs of the people.

The preamble to the bill sets out the following principles which constitute the mission statement of the new law commission:

> the commission's work should be open to and inclusive of all Canadians and the results of that work should be accessible and understandable.
>
> the commission should adopt a multidisciplinary approach to its work that views the law and the legal system in a broad social and economic context.
>
> the commission should be responsive and accountable by cooperating and forging partnerships with a wide range of interested groups and individuals...
>
> the commission should employ modern technology...and be innovative in its research methods, its consultation processes, its management practices and its communications in order to achieve efficiency in its operations and effectiveness in its results, and
>
> the commission should take account of cost-effectiveness and the impact of the law on different groups and individuals in formulating its recommendations.

Those are the principles upon which the commission is charged to operate and on which its performance will be judged.

The executive of the commission will have only one full-time officer, the president, with four part-time commissioners who are to reflect the bi-juridical nature of Canada's law and may be drawn from different backgrounds.

Indeed, the bill specifies that the executive

> ...should be broadly representative of the cultural diversity of Canada, represent various disciplines and reflect knowledge of the common law and civil law systems.

The appointment of most of the commissioners on a part-time basis is meant to ensure that these individuals will be able to retain their connections with their home communities and workplaces, connections that will be facilitated further by the specific charge to the new commission to employ new technology in its consultation processes.

The new commission will have an advisory council of 24 members, who will bring to its deliberations an interdisciplinary mix of viewpoints and backgrounds. Membership will include individuals outside the legal community. Indeed, the bill specifies that membership will reflect the diversity of the country, the variety of disciplines touching on reform issues as well as knowledge of the common and civil law systems and will respect the bi-juridical nature of Canada's law. Members will serve on the advisory council as unpaid volunteers and will be appointed by the commission, not by the government.

Further, the commission will create study panels of individuals with specialized knowledge from relevant disciplines and interested groups to explore issues as they arise. In other words, the new commission will not depend solely upon its own full-time researchers but will make use of existing expertise across the country. Utilizing new technology, the study panels can be linked together electronically without the need for costly travel. This will make it easier to recruit the calibre of individual, often very busy in his or her own career, who is needed for the specific issue being examined.

Members of the study panels will serve without being paid. Once they have completed their work, the panels will be disbanded without an ongoing cost.

• (1600)

Honourable senators, the injunction to employ modern technology in the commission's operations is more than a matter of efficiency; it is also a matter of accessibility. For by means of the new technology, Canadians hitherto excluded from law reform will now have an open window on the making and remaking of the law. This will serve to demystify and democratize what was previously a professional preserve, and it will enhance the commission's accountability.

To be sure, the new Law Commission of Canada will ultimately be responsible to Parliament. The minister must table before Parliament any report generated by the commission as well as the minister's response to that report. The commission must report annually on its activities and financial affairs and will be subject to review by the Auditor General of Canada whenever deemed appropriate.

Finally, honourable senators, the bill designates the commission as a departmental corporation. This is highly significant for it will allow the new commission to subsidize its work financially by recovering costs through the sale of its studies and publications and by other means of revenue generation, so it will not be totally government-funded. This will add a degree of independence that may not have been present for its predecessor.

One of the things that I find promising about this legislation is that the commission is committed to advancing similar efficiencies and interdisciplinary innovations more broadly throughout the legal system itself.

Honourable senators, above all, the new Law Commission of Canada is concerned with the development of new approaches to law. Previously, law reform frequently resulted in more and more laws and multiple amendments to these laws. There was sometimes insufficient concern for the burden of cost to the taxpayer or the burden of bureaucracy also to be borne.

However, it is the purpose of the new Law Commission of Canada not only to avoid increasing the load but to lighten the load. As the bill states, among the commission's defining purposes is:

> the development of new approaches to, and new concepts of, law;
>
> the development of measures to make the legal system more efficient, economical and accessible;

Honourable senators, in creating a body to respond to pressing needs, this legislation has shown the government to have been unusually imaginative in its efforts to be open and accessible to the Canadian population. The commission's required use of new technology, its commitment to partnership and interdisciplinary approaches, its reliance on volunteer expertise from advisors and panel members from relevant sectors of society, and its cost-effectiveness, make it an outstanding example of the change occurring in government towards responsive and efficient solutions to society's needs as they arise.

It is a pleasure for me to endorse Bill C-9 because of these attributes and because it is a model for more responsive and innovative government in this country.

Hon. William M. Kelly: Honourable senators, I am pleased to have the opportunity to speak to Bill C-9. In 1992, I spoke at second reading on the omnibus legislation that closed down a number of organizations, including the Law Reform Commission, as it was called at that time.

The decision to include the Law Reform Commission in the list of agencies to be wound up in 1992 was a response to the fiscal pressures we faced at that time, and which I believe we continue to face. However, in particular, the Law Reform Commission had not fared at all well in a value-for-money audit conducted by the Auditor General of Canada as reported in 1985 and in a follow-up report two years later.

The Auditor General at that time raised serious concerns about the internal financial management and control in the Law Reform Commission. The Auditor General noted that the legislation then in force required the commission to submit its research programs to the Minister of Justice for review, but no such programs had been submitted in over 10 years. The Auditor General also noted that the Law Reform Commission had not revised its original research program since it was established in 1972.

I note that in Bill C-9, a number of changes have been made in the legal structure and accountability relationships of the Law Commission of Canada. These have been designed, we are told, to avoid a recurrence of the problems. Some of those changes have come about through the committee hearings and committee reports in the other place. I can only hope that we have learned from, and will not repeat, past mistakes.

This brings me to a more general concern, and that is concern about the whole issue of ministerial responsibility, whether individual or collective. Ministerial responsibility is a linchpin in the effective operation of our system of parliamentary cabinet government. The fundamental purpose of ministerial responsibility is to define a clear chain of accountability to Parliament for the expenditure of public funds and for the conduct of the operations of government.

If ministerial responsibility breaks down, responsible government breaks down.

As students of public administration know, the apotheosis of the exercise of ministerial responsibility was the *Critchel Down* case in the United Kingdom, where the Minister of Agriculture felt compelled to resign his portfolio over an administrative error by one of the departmental officials. Honourable senators, it has been downhill since then.

I have been very concerned with the recent contortions by several ministers to evade responsibility for actions taken within their departments or within Crown corporations or agencies for which they are ultimately responsible to Parliament. I want you to bear with me; this has a relationship. I refer, for example, to the current Minister of Defence and the Somalia inquiry. I refer to the Solicitor General of Canada who consistently ducks responsibility for the conduct or activities of Canadian Security Intelligence Service, CSIS, notwithstanding section 6 of the CSIS Act which reads:

> The Director, under the direction of the Minister, has the control and management of the Service and all matters connected therewith.

I refer to the Minister of Justice and Attorney General who takes no responsibility for certain written requests to Swiss authorities relating to a previous Prime Minister. If the *Critchel Down* test were applied to any of these situations, I do not see how the ministers concerned could possibly survive. However, let me be clear. The erosion of ministerial responsibility did not begin with this government. It has been a progressive and pernicious process spanning several governments and several decades.

Many of you here will recall the very serious problems the government of the day experienced with Crown corporations in the late 1970s and early 1980s. After studying the situation for the new government in 1984, I and my colleagues concluded that one major defect was that the Crown corporations existed in a no-man's land of accountability and ministerial responsibility. The senior management of many Crown corporations did not consider themselves responsible to the boards of directors; the boards of directors were unclear as to exactly to whom they were accountable in their roles and responsibilities; and ministers consistently ducked responsibility for the operations or performance of Crown corporations, this in spite of the statutory provision in the Financial Administration Act, which persists today, that Crown corporations are ultimately accountable to Parliament through a designated minister. In effect, Crown corporations were responsible to no one, even though they consumed vast quantities of public funds and were major instruments of public policy.

What does all this have to do with Bill C-9? In the first place, I believe it is incumbent on us, when reviewing legislation such as this that would set up a new organization, to ensure that the new organization is necessary, and, secondly, that the structure of that organization does not unreasonably or unnecessarily erode ministerial responsibility to Parliament.

With those criteria, let us evaluate Bill C-9.

The Law Commission of Canada to be set up by Bill C-9 is to be, of course, an advisory body taking the legal form of a Crown corporation. That, to me, is already problematic because, by definition, and as represented by the government, this advisory body is independent. Advisory bodies are used in public administration as public policy lightning rods, organizations that can float ideas or proposals that the minister and government can disown, or dissociate themselves from if necessary, and so already we have a dichotomy. Can an organization be independent if, at the same time, it is dependent on public funds and is subject to the conventions of ministerial responsibility and reasonable governmental financial controls and accountability?

On one hand, the government extols the virtue of an independent Law Commission of Canada. On the other hand, it claims the new Law Commission of Canada will be subject to a number of financial and policy controls. I have to ask myself: Is such a paradox workable?

Where do independent advisory bodies like this one fit into the scheme of ministerial responsibility? How can an organization be independent and, at the same time, be ultimately accountable to Parliament through the minister? To me, these problems raise an incidental but fundamental question. Do we really need an independent advisory body to perform this function?

Since the original Law Reform Commission was wound up, the function has been performed by the Law Reform Division of the Department of Justice. The division, as I understand it, did much of its work by contracting with outside, independent authorities. It would seem to me that we need compelling evidence that this departmental form of operation demonstrated itself to be unworkable or vastly inferior to the independent advisory body form contemplated in Bill C-9. To the best of my knowledge, no evidence or justification has yet been provided.

• (1610)

Overarching all this, of course, is our continuing difficult fiscal situation. Before committing the expenditures of new dollars — and we are talking about $3 million here — we must ensure that those dollars need to be spent, and will be spent with economy, efficiency and effectiveness.

According to the government, the proposed Law Commission of Canada will consist of part-time commissioners and a small secretariat. The work of the commission will be done through "outside researchers optimizing joint arrangements, collaboration and partnerships, notably with the academic community." It will use "innovative approaches, including new information technologies." To me, this begs the serious question: Why could all of this not be done within the existing departmental structure? Is a new, independent advisory body really needed? Is this the most economical and effective way to perform this function?

I turn now to a related but analogous question. Bill C-9 will establish the Law Commission of Canada as a Schedule II or departmental Crown corporation under the Financial Administration Act. The government says that this status will enforce reasonable financial controls and accountability that were lacking from the previous Law Reform Commission. Again, there is the dichotomy of effective financial control over an ostensibly independent advisory body.

The government, however, has another justification for Schedule II Crown corporation status: that is, to encourage "the donation of funds from outside sources, from private and voluntary sectors and to generate revenues from the sale of annual reports and other publications." We all know that government publications can be sold through the Canada Communications Group. Therefore, this rationale for independent status appears to me to be a little thin. Furthermore, what evidence is there that any donations will be forthcoming from outside sources? I suspect not much.

Of course, if private funding is forthcoming, regardless of how minuscule that funding is, it could be used by the commission to avoid government financial controls and accountability. We have seen that before from Crown corporations.

Honourable senators, let me close the loop on this matter. My concern with Bill C-9 is that it simply turns back the clock. I have no objection to the government wishing to have advice on law reform that, to use this government's words, reflects openness, inclusiveness, responsiveness, a multidisciplinary approach and innovation. What I object to is the apparent assumption that this advice can only come from a new, independent organization, even though that organization's real work will be done by contracting out with non-government experts.

Not too long ago, we got ourselves into enormous difficulties by creating Crown corporations and other independent agencies willy-nilly. At one time, we did not even know how many such organizations were in existence. It turned out that there were over 400. Given this history, our difficult situation, and that such organizations live in a no-man's land of ministerial responsibility, I think we need to be very careful. We must be careful to ensure that the benefits outweigh the costs, and careful that the function could not be performed as efficiently and effectively within the department. In the case of the proposed Law Commission of Canada proposed by Bill C-9, no evidence has been provided on either score. I suggest that the analysis, perhaps, has not been made.

Honourable senators, the Minister of Finance, Mr. Martin, has embarked on a process of tough fiscal management, reducing or abolishing programs, cutting back on transfer payments, reducing funding for research across the board, abolishing, merging or privatizing existing federal Crown corporations and agencies, moving activities from Crown corporations and agencies into departments, and so on. I think the Minister of Finance is on the right track and deserves our support and assistance. If that

proposition is accepted, I am at a loss to understand why, in the face of the Minister of Finance's program of fiscal restraint, it makes sense to recreate the Law Commission of Canada. From what I have seen, there is no reason for turning back the clock and setting up another independent body. Unless the government supplies convincing evidence to the contrary, I honestly cannot see how this chamber can, in good faith, approve this bill.

Hon. Finlay MacDonald: Honourable senators, I find myself in the rather strange position of having served on that same committee to which Senator Kelly referred, and having voted against the abolition of the Law Reform Commission at the time in the committee and in this chamber. It did not take a particularly erudite prophet to indicate that it was only a matter of time before it would be reinstituted.

The term "law commission" and that which was abolished, the "Law Reform Commission", is to me, Senator Pearson, worthy of a little bit more by way of a definition. Is there something significant between "Law Reform Commission" and "law commission"?

I was trying to make notes as the honourable senator spoke. She made references to the development of new concepts in law. That sounds like law reform. She also said "...the making and remaking of laws." That does not sound like reform. That sounds like the Justice Department.

There are some things that are very curious. To suggest, as Senator Kelly has, that the work of the Law Reform Commission could be, and has been in the last two years, carried out by a small department in the Ministry of Justice is, to me, ludicrous. It just cannot be done. You cannot put law reform in the middle of the Department of Justice and expect it to work.

Could the honourable senator tell me a little bit about this proposal? This wide participation sounds great. Will you be making laws? When you refer to accountability, who will be accountable other than the minister? It cannot be this body. Can the honourable senator help us in that regard?

Senator Pearson: Honourable senators —

The Hon. the Speaker *pro tempore***:** If the Honourable Senator Pearson speaks now, her speech will have the effect of closing the debate on this motion.

Senator Pearson: In answer to the honourable senator's question, I should like to tell him that I posed the very same question to those who were briefing me as to what was the difference between "law reform" and "law commission."

Both of the questions raised by Senator MacDonald and Senator Kelly are useful. I hope we will pose them to witnesses as they appear before us.

My understanding of what this name change is intended to do is that the removal of the term "reform" was simply to reflect the slightly broader mandate of the commission. It would therefore examine the very concepts of law. That may be saying a great deal, although I am not sure. Nevertheless, that is my understanding of why it was decided to remove the term "reform."

Like the Honourable Senator MacDonald, I hope to learn in the course of our committee deliberations exactly what all of this means.

Motion agreed to and bill read the second time.

REFERRED TO COMMITTEE

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

On motion of Senator Pearson, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

> Resuming the debate on the motion of the Honourable Senator Bacon, seconded by the Honourable Senator Rompkey, P.C., for an address to His Excellency the Governor General in reply to his speech at the Opening of the Second Session of the Thirty-fifth Parliament.—(*4th day of resuming debate*)

Hon. Richard J. Stanbury: Honourable senators, it is a great pleasure to rise to join in the debate on the Speech from the Throne. First, my congratulations must go to Senators Bacon and Rompkey on the excellent speeches they made in moving and seconding the motion for an address in reply to the Speech from the Throne. I welcome this opportunity halfway through the government's mandate to look at the things which they have accomplished and at what they plan for the future.

• (1620)

This government came into office with a clear plan. It had two central mandates: to restore public faith in the honesty and integrity of government and to get this country working again.

Ethics and integrity in government are of great concern to all of us. During the last Parliament, I had the honour of being the Senate co-chairman of the Special Joint Committee on Conflict of Interest. When our committee was appointed in 1992, Canadians had been bruised by the parade of cabinet ministers in the Conservative government resigning over conflicts of interest. Since then, revelations in books like *On the Take* by Stevie Cameron have shaken public confidence in the integrity of the political system, and these events have cast their shadows over all of us.

With this government, those days came to an end. This Prime Minister introduced the most demanding screening process in Canadian history for his cabinet ministers. He has held himself and all the members of his government to the highest standards of honesty, integrity, and ethical behaviour. As the Prime Minister stated in the other place, in reply to the Speech from the Throne:

> You can disagree with our policies. But no one — after more than two years in office — can question the honesty and integrity of this government and its ministers. No one.

Jeffrey Simpson quoted this statement in his column in *The Globe and Mail* on February 29. He applauded the Prime Minister for restoring ethics and integrity to our government. I join with Mr. Simpson. People who have devoted their lives to public service can again hold their heads high before the Canadian people.

However, while faith in integrity of government is fundamental, it is the economy which is the greatest personal concern of Canadians. Improving the economic climate has been the primary focus of the government throughout its mandate. When this government came into office, it inherited a country in a state of economic turmoil. The deficit was soaring out of control. Unemployment had been stuck in the double digits for several years. Companies were going bankrupt. Plants were closing in record numbers. The country's economy was simply not working, and Canadians knew it.

Everyone agreed the first order of business had to be to get the deficit under control. This government was elected to office because of its plan for economic recovery, outlined in the Red Book. That book stated:

> Given the current state of the economy, a realistic interim target for a Liberal government is to seek to reduce the federal deficit to 3 percent of gross domestic product by the end of its third year in office.

This was the plan that was promised to the Canadian people, and this is what this government has delivered. By the end of the new fiscal year, it will have reduced the deficit from the 5.2-per-cent figure it found when it entered office to 3 per cent of the gross domestic product. This government has reiterated its undertaking to reduce the deficit further to 2 per cent of gross domestic product by the end of 1997-98.

Is the deficit gone? Of course not. There is no magic wand to make it disappear. However, the government is on track. I might add that this is the first government in 10 years that has been able to stay on track with its deficit reduction plan. Unlike the Conservatives, whose only merit lay in the consistency with which they missed their deficit targets, this government has stuck to its plan and kept its promises.

Reducing the deficit is a necessary condition for Canada's economic recovery, but it is not enough. When I spoke in reply to the last Speech from the Throne two years ago, I said that the government should not seek to reduce the deficit without investing in economic growth at the same time. I emphasized the importance of investing in the infrastructure of this country to lay a strong foundation for the future of the country, for our grandchildren, and for their grandchildren after that.

Since coming into office, this government has announced or approved over 11,485 infrastructure projects throughout Canada worth $6.3 billion, to which the federal government is contributing $1.9 billion. Pierre Franche, the president of the Association of Consulting Engineers, has called this program "a shot in the arm to the whole industry."

There has also been another benefit from the infrastructure program, separate and apart from the immediate goal of job creation. This program successfully brought together all three levels of government — provincial and municipal governments working hand in hand with the federal government — to create jobs for Canadians. Statistics show that the plan is working. Since July of last year, 176,000 new jobs have been created, in spite of the drastic downsizing by government and business and the constant increase in the number of people joining the workforce.

Like all Canadians, I have followed Team Canada's foreign trade missions with tremendous pride. What an amazing change. When I was trying to persuade the Canadian government and industry years ago that trade missions led by senior politicians was the only way to go, it was in a world where the President of the United States, the King of Spain and many other heads of state were leading their senior business people on trade missions around the world, but Canadian missions were still led by civil servants. As Jean-Luc Pepin said to me once:

> Oh, Dick, don't you realize that Canadians don't export. We permit others to import from us.

Fortunately, leaders of Canadian industry have learned their lesson, and this Prime Minister is providing the leadership in trade that we have needed for 20 years. The Prime Minister invited all the provincial and territorial leaders, along with members of the business community, to join together in Team Canada to expand the market for Canadian goods and services abroad. This is a government-led mission, led by the government's most eminent and serious salesmen. Simple as it seems, this is the first Canadian government to do that.

Our exports are now growing at an unprecedented rate. The 1994 mission to China, the 1995 one to Latin America, and the recent 1996 mission to Asia brought home more than $20 billion in new deals and tens of thousands of new jobs. Economists tell us that, on average, every $1 billion in exports sustains 11,000 jobs, and jobs are this government's number one priority.

The impact of improved trade on our future will be enormous. I was delighted to hear in February's Throne Speech that the Prime Minister will be leading further Team Canada trade missions. I was particularly delighted to hear the government's challenge to provincial governments and the private sector to enter into a domestic Team Canada partnership to create opportunity and jobs at home, particularly for our young people.

Our interprovincial trade restrictions are a sin. We must give our provinces a chance to show to each other the trading generosity that we show as a nation. This government has stated its commitment to work with the provinces and the private sector to improve the Internal Trade Agreement and achieve, finally, a much more open agreement. This is absolutely crucial.

I am convinced that we are in the throes of a revolution of a magnitude equal to that of the Industrial Revolution. No one can say with certainty what the world will look like at the end of the "Silicon Revolution," but we can see around us the impact it is having, most particularly on our young people. Our youth are better educated and better trained than any generation this country has produced. Canadian colleges and universities are recognized throughout the world for the quality and creative abilities of our students. Education and training are the key. For young people with community college or other post-secondary education, the unemployment rate is as low as 7 per cent, whereas for those with high school or less it is over 30 per cent.

I applaud the emphasis this government is placing on developing job opportunities for young Canadians. They are our future.

• (1630)

I welcome the initiatives being launched to ensure Canada's place in the new economic order in the 21st century. Investing today in knowledge and in technology to support technological development and innovation for tomorrow: now, that is spending smart money.

Statistics show that we are second only to the United States in per capita ownership of personal computers. This government is working to ensure that our young people are well positioned to move within the new technology-driven economy. Industry Canada is investing $13 million every year for the next four years to expand the SchoolNet network, connecting every school — all 16,500 — and every public library, approximately 3,400, in Canada to the information highway by 1998. This is the most ambitious government program of its kind in the world. Educators, communities, business, provincial and territorial governments and the federal government are working together in a joint venture to channel surplus computer equipment into Canadian schools.

Finally, I want to say a few words about the national unity issue. Someone said that we are not truly a nation; that we are not truly a people, but they define these terms much too narrowly. Are we all alike? No, but I celebrate our diversity. Do we all trace our ancestry back to the same roots, to the same origins? No, but this multiplicity of cultures, histories and heritages is what combines to make the richly textured tapestry that is Canada. And you do not understand a tapestry by any single thread, however bright or golden.

What a shame it is when a rich, brilliant, cultural heritage becomes a wall constructed against the world, instead of a door leading into it. Remembered injustices cannot compete with future aspirations as worthy building stones for a promising future. Ethnic and linguistic heritage should be a bridge so that, strengthened by the company of our compatriots, we can all sally forth to meet the challenges of the world together. That is the only way in which we can attain our full potential as citizens of the world.

We are not given to simplistic answers. We see the ambiguities, the subtleties and the complexities of life in the late 20th century. We have never given in to the temptation to blunt ideas to fit a clear black and white or right and wrong mode. Perhaps that is one of the reasons why constitutional amendments have eluded us. It is so difficult to get something down as being true forevermore in short, simple sentences.

However, there are certain truths that we do recognize. One of them is that, against all odds, we have forged a nation out of this great, wildly diverse land and this great, wildly diverse people. We have done it together over the 200 years since our European forebears stopped trading our lands like pawns on a chess board. Together we have grown and thrived as a nation — economically, yes, but also more fundamentally, more personally than that. Can anyone here define it? Can anyone find the words to express what it means to be a Canadian? I do not pretend to be so articulate, but I know how I feel my pride and my identity, and I know what I hear from my family, my friends, my neighbours and other Canadians throughout this land. We know we are a people, a nation and that we are, all together, Canada. Whether our forefathers were Chinese, Polish, Italian, French or British, we boast about being Canadian when we are in foreign lands and breathe a sigh of pride and relief when we again set foot on our beloved land of Canada.

Is it only les Anglais who feel that way? Of course not. I will never forget those days before the October referendum. Canadians from all walks of life, from all diverse backgrounds, from all parts of this nation, joined together in a very rare public demonstration of their emotions to tell Quebec and to tell this government that we know Quebec is a distinct society, but still an essential part of Canada and of us as Canadians. That outburst of emotion was an important factor, if not the crucial factor, in persuading the people of Quebec to reject separation. Each Canadian feels himself or herself a part of the whole country and feels that each other Canadian is a brother or sister with the same wonderful heritage, whether gained through birth or adoption. Continuing to demonstrate that emotion in the future will be equally crucial to our future as a nation.

The referendum result was a clear message. Quebecers want change in the federation. They are not alone. All parts of the country share a desire for change. In the Speech from the Throne, this government has shown that it is ready to lead that change.

This is not the first time our country has had to adapt to changing needs and circumstances, and we should not think that this will be the last time. We are a young, growing, dynamic country only 129 years old. That means that we must change to grow. The strength of our federalism is its flexibility, its ability to respond to change.

A steel rod will snap, but a bow will bend. It is no mistake that our national emblem is the maple, whose branches will bend with the winds of change but whose roots, like our roots as one nation of diverse parts, are firm and strongly embedded in the Canadian soil.

On motion of Senator Berntson, debate adjourned.

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Anne C. Cools moved the second reading of Bill S-6, to amend the Criminal Code (period of ineligibility for parole).

She said: Honourable senators, I rise to speak to my motion for second reading of Bill S-6.

This bill would repeal the current provision for judicial review in the Criminal Code of the number of years of imprisonment without eligibility for parole in the case of certain life sentences. This provision, section 745(1) of the Criminal Code, reads, in part:

> (1) Where a person has served at least fifteen years of his sentence
>
> (*a*) in the case of a person who has been convicted of high treason or first degree murder, or
>
> (*b*) in the case of a person convicted of second degree murder who has been sentenced to imprisonment for life without eligibility for parole until he has served more than fifteen years of his sentence,
>
> he may apply to the appropriate Chief Justice in the province in which the conviction took place for a reduction in his number of years of imprisonment without eligibility for parole.

Honourable senators, capital punishment was abolished in Canada in 1976 by the passage of Bill C-84, an act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences.

Honourable senators, I will give you a little history about capital punishment in Canada and its abolition. Frank Anderson, in a book entitled, *Hanging in Canada: Concise History of a Controversial Topic*, reports that one of the first recorded hangings in Canada was in 1749, that of a sailor, Peter Carteel, convicted of murder. He was hanged from the yardarm of his ship in Halifax harbour. However, the first person executed on the Canadian mainland is alleged to have been a 16-year-old girl whose name I have never been able to locate, nor have I been able to verify the truth of this report. Her crime was supposedly petty theft.

• (1640)

The first execution in Ontario was that of Josiah Cutten, a Negro, who had been convicted of burglary. He was executed in 1792. The last hanging in Canada was in 1962 in Toronto. That hanging was, in fact, a double hanging. On December 11, 1962, Ronald Turpin and Arthur Lucas were hanged at Toronto's Don Jail. Both men were convicted in 1961, Turpin for the murder of police constable Frederick Nash, and Lucas, an American drug dealer from Detroit, for the very brutal murder of two persons.

Honourable senators, few people now know that the last man hanged in Canada, Arthur Lucas, was a black man. It is interesting that in the cases of Turpin and Lucas, the jury declined to recommend the exercise of royal mercy with its commuting of the death sentence to life imprisonment. If mercy had been recommended, the Diefenbaker government would have commuted.

Honourable senators, the last woman to hang in Canada was Marguerite Pitre. She was hanged at the Bordeaux Jail in Montreal on January 8, 1953, having been convicted in the deaths of 23 persons in the 1949 bombing of a DC-3 airplane.

Honourable senators, prior to 1867, the records were sketchy. However, in 1867, the Dominion of Canada began keeping meticulous records of all names, dates and places of execution. These records reveal that from 1867 to 1962, there were 450 executions in Canada. From 1957 to 1963, the Conservative government under Diefenbaker commuted 52 of 66 death sentences. In all of those 52 cases, the juries had recommended mercy; that is, commuting death to life imprisonment. From 1963 to 1972, the Liberal governments under Mr. Pearson and Mr. Trudeau commuted all death sentences to life imprisonment. The five-year moratorium followed, and then abolition itself in 1976.

Honourable senators, in moving second reading of Bill C-84 on May 3, 1976, then Solicitor General Warren Allmand introduced the political compromise which made the abolition of capital punishment possible. This political compromise was the prescription of a life sentence with a parole eligibility date of 25 years for high treason and first degree murder. We must understand that there was a real trade-off. Bill C-84 also contained a clause which seems to have gone unnoticed by many. Section 672(1) permitted a judicial review of this parole eligibility date after the inmate had served 15 years of his sentence. This clause, section 672(1) of the 1976 bill, is currently section 745 of our Criminal Code. That is very interesting. Few seem to understand that section 745 applies in the instance where life imprisonment is the minimum sentence.

Honourable senators, section 745 enables a jury to amend the parole eligibility date, that is, to amend the court's imposed sentence. This jury considers the character of the applicant, the applicant's conduct while serving the sentence, the nature of the offence and other matters that the judge deems to be relevant. In short, section 745 allows the same court level to amend its first decision. I repeat, the same level of court reviews itself. All other appeals of sentence must be made before a higher court. In addition, section 745 allows the court to amend the law.

Honourable senators, the fact that section 745 has remained unchallenged by politicians until now is a mystery. Section 745 granted the courts powers of clemency, which rightfully belong with the clemency granting agencies, and legislative amending powers, which rightfully belong with Parliament. The powers to grant clemency to the already sentenced belong with the Parole Board of Canada, the Crown and Sovereign, and Her Majesty's representative, the Governor General. This power does not belong to the courts or in the Criminal Code of Canada. The Criminal Code merely codifies crime and prescribes penalties and procedure. Her Majesty's clemency and mercy are not the proper business of the courts, and are matters that the Parliament of Canada should be considering.

Honourable senators, let us briefly consider the inmates who are eligible for application for a section 745 judicial review. The National Parole Board of Canada, the paroling tribunal, in a statistical summary dated July 9, 1995, tells us that as of that date, 173 inmates were eligible to apply for a section 745 judicial review. Of these 173 inmates, 74 applied for section 745 judicial review. Of these 74, 61 applications have been completed. Of the completed 61, 47 were successful and 14 were unsuccessful. Of the 47 successful cases — that is, inmates whose parole eligibility date was reduced by the courts and the jury — 17 were granted full parole, 21 were denied parole, and 9 were granted day parole.

In *Vaillancourt v. Solicitor General of Canada*, a case where an inmate, Vaillancourt, questioned the constitutional validity of section 672 — now section 745 — the reasoning behind the Criminal Code section was laid bare by the judge. Mr. Justice Callaghan of the Ontario Supreme Court stated that the section 745 review process:

> ... strikes a balance between considerations of leniency for the well-behaved convict in the service of his sentence, which may serve to assist in his rehabilitation, and the community interest in repudiation and deterrence of the conduct that led to his incarceration.

Those views had been widely held at the time of abolition of the death penalty in 1976.

Senator Daniel Lang, an eminent member of the Senate, stated in this chamber at second reading of Bill C-84 on July 14, 1976, that:

> Our personal positions are determined by a multitude of factors, both conscious and subconscious, both objective and subjective, and particularly by our respective places now in time, in history and in geography.

Honourable senators, the 1976 solution is no longer acceptable in 1996. Mr. Warren Allmand, when he spoke to second reading of Bill C-84 in the other place on May 3, 1976, was prophetic. He said:

> ... I am not arguing that the bill is perfect, ... To those who have doubts about this bill because they think that abolition is right but the proposed alternative is not, I would sound a note of caution. The Canadian public are concerned about crime and have a right to expect protection. Murder is a horrible and heinous crime and must be sanctioned severely if we are adequately to express society's denunciation of the murderer.

As a politician and as a senator, I support the abolition of capital punishment of 1976. I believe that capital punishment is as socially undesirable now as it was then. I remain committed to, and hold enormous esteem for, those who worked for a century or more to terminate the use of death as a penal tool.

Until 1976, capital punishment had been seen as Canadian society's most profound way of censuring murderers. However, even in 1976, Warren Allmand, then Solicitor General, in debate of Bill C-84 in 1976, said that the debate brought forward two questions, these being:

> ... the question of whether capital punishment is an effective means to the end of protecting the public, and the question of whether the use of capital punishment is in keeping with the end or values which we as a society embrace.

The issue is the values our society embrace and the expression of these values in the Criminal Code.

Honourable senators, the Criminal Code is the embodiment of what Canadians feel are heinous and offensive behaviours. As such, it is a statute which must be in a constant state of evolution. What is offensive at one point in time may change as society's morals and values naturally evolve.

• (1650)

Section 745 is now outdated and must be repealed. I believe that if this bill is not passed, the demand for the re-establishment of capital punishment in this country will be great. I believe that we, as politicians, as parliamentarians, will not be able to withstand the tide of public opinion wishing a return to capital punishment for those who kill innocent victims. A new political compromise must be achieved. Michael Harris, in an article in *The Toronto Sun* of April 14, 1996, entitled, "Making the Time Fit the Crime," supports the repeal of section 745. In upholding the current 25-year parole eligibility period, he said:

> The wisdom of that automatic sentence is twofold. It protects society from someone who has already demonstrated capital disregard for his fellow man, and it serves as a reasonable alternative to those who want to see the perpetrator executed by the state for his crime. In its own way, a life sentence that means 25 years provides a catharsis for what is probably life's most dreadful event — the loss of a loved one through violent crime. And it does that without turning society into an executioner.

Honourable senators, this question of the sentence for first-degree murder and the 25 years of imprisonment has been somewhat confounded. There is great confusion as to the meaning of life imprisonment. A sentence of life imprisonment means precisely that — life. That is, the length of the inmate's warrant is that of his natural life. In the instance of life sentences, the inmate's warrant expires on the day the inmate dies. The proper terminology is a warrant expiry date commonly abbreviated within the system as WED.

Let me restate that. People serving life imprisonment are under a warrant which expires on the day they die. There is so much confusion in the public mind about this. Many people in this country believe that the sentence of life imprisonment is 25 years and not life. The 25 years means time served before parole eligibility date. There is a difference.

Honourable senators, as many of you know, I used to be a member of the National Parole Board of Canada. I personally granted and revoked many paroles. I personally granted many pardons. In addition, I bring to these issues a long history and a close association with the Toronto Metropolitan Police. I have worked closely with the police in Toronto, through successive chiefs of police, from chief Harold Adamson in the 1970s to the present day.

My reasons for this initiative in advancing Bill S-6 include my profound understanding of psychopathy and sociopathy. The social and psychological forces in today's community that cause the proliferation of psychopaths are little understood by lawmakers. Many lawmakers do not understand the narcissistic type of psychopath who derives enormous satisfaction, not only from the pain they have inflicted on their victims and their families but also from the inconvenience that they cause to the justice system and to Parliament. This is an enormous problem in the institutions.

Moreover, the abolition law of 1976 did not contemplate many new and modern social forces. It did not contemplate the development of the Charter of Rights and Freedoms, the development of prisoners' rights, the humane conditions of today's prisons or the proliferation of Charter tests by criminals and inmates with the financial assistance of legal aid. The 1976 abolition law never anticipated that the Charter would become an instrument of offenders. Neither did it anticipate that the practice of law would develop the way in which it has, and that we would have to be vigilant of the conduct of lawyers.

One thing is clear today in 1996: Parliament's intervention in the criminal justice system is needed.

The reality of psychopathy, homicidal or otherwise, and the reality of psychopaths and sociopaths is that they are devious, cunning and more ingenious and resourceful than the authorities. They are more resourceful than the prosecutors, the judges, the prison authorities, the National Parole Board of Canada, and even more so than many members of Parliament.

Clifford Olson makes it abundantly clear that we are quite the fools, and Karla Homolka is laughing at us.

Section 745 is dated. It does not speak to today's realities, nor does it reflect society's current morals, standards and values. Like most outdated concepts, it should be placed into obsolescence until a reconsideration of those composite and related matters can be undertaken. A thorough reconsideration of the conduct of investigations, of the laying of charges, of the use of prosecutorial discretion, of plea bargaining and of criminal justice as a whole is sorely needed in this country.

The repeal of Section 745 represents the first step in the reaffirmation and injection of current public values into the current Canadian criminal justice system. I ask honourable senators to support this initiative and attempt to probe deeply into the troublesome issues which I have discussed. As I said earlier, I take this initiative because I sincerely believe that we, as politicians and members of Parliament, must take leadership in these areas. Otherwise, I fear we will be unable to persuade the public that the death penalty is not a suitable response to such vicious murderers.

On motion of Senator St. Germain, debate adjourned.

PRIVILEGE

Hon. Anne C. Cools: Honourable senators, I am aware of the time, and I would proceed at your discretion.

Some Hon. Senators: Proceed.

Senator Cools: Honourable senators, I rise today on a question of privilege pursuant to rule 43(1) of the *Rules of the Senate of Canada*. I raise this question of privilege and would ask His Honour the Speaker of the Senate to rule whether there is a case of *prima facie* breach of privilege. My question is regarding certain correspondence, certain letters from Mr. Clifford Olson, a federal inmate serving multiple life sentences at the Saskatchewan penitentiary. Statements in these letters impeach the proceedings in this chamber. In particular, they impeach Bill S-6, to amend the Criminal Code relating to the period of ineligibility for parole which is at second reading here in the Senate.

This inmate wrote to the Honourable Mr. Justice William Esson, Chief Justice of the British Columbia Supreme Court, regarding his application for a judicial review under section 745 of the Criminal Code of Canada, for which he becomes eligible on August 12, 1996. It may be said that he wrote in advance.

• (1700)

He added certain repugnant comments on a copy of this letter and forwarded it to Mr. John Nunziata of the other place, who forwarded it to me. This inmate wrote:

> JOHN YOUR A LITTLE LATE IN REINTRODUCING YOUR PRIVATE MEMBERS BILL THE FAINT HOPE CLAUSE. SOORY SUCKER: SMILE NOW
>
> Clifford Robert Olson
>
> THE BEAST OF BRITISH COLUMBIA
> IM COMING BACK HOME AUGUST 12, 1996
> and Not a fucking thing you can do:

This man's spelling is unbelievably poor. This inmate states very clearly that members' consideration of a bill repealing section 745 of the Criminal Code is a consideration of suckers. He sent similar copies to members Val Meredith and Art Hanger, also of the other place. These letters were reported by Sean Durkan in *The Toronto Sun* article of April 12, 1996, entitled, "Keep Me Caged If You Can: Olson."

Honourable senators, the inmate's language is horrific. In addition, his comments cast reflections on the Parliament of Canada, on the members of the Senate, on the members of the House of Commons. This behaviour is a breach of parliamentary privilege which must be addressed by Parliament.

Such nasty letters and words are an habitual practice of this inmate. This inmate repeatedly impeaches parliamentary proceedings and attempts to intimidate Parliament.

This inmate wrote a letter to my office, addressed to myself, dated October 27, 1995. I want to put this letter on the record:

By: Clifford Robert Olson
Special Handling Unit
Saskatchewan penitentiary
P.O. Box 160,
Prince Albert, Saskatchewan
S6V 5R6 CANADA

The Honourable:
Senator: Anne Cools:
The Senate of Canada
Ottawa, Ontario
K1A 0A4

Dear Senator Cools:

I write you in regards to seeing you on the T.V. DINI, show. You were talking about the Karla Homolka case and also mentioned my name. I was wondering why a Senator such as yourself that has never been elected by the Canadian public and receiving pay for a job that your going does NOT pass laws, nor has any use to the public in any way should try to bring a bill calling for karla Homolka to spend the rest of her life in prison. you introduced the Bill in the senate on Tuesday. I see that the Bill passed first reading and went on to second reading.

As your aware the bill should it pass three readings, it goes to the house of Commons. What your not aware of is Because parliament as well as yourself isn't above the courts there is no chance and ever of your bill ever having legal effect.

I read your bill S-11 calling for Karla homolka's sentence to be extended to imprisioment for the remainder of her natural life without eligibility for parole until she has served 25 years. As your aware or should be aware of is you should be kissing Karla Homolka's ass as a lot of other should for her to testify against her ex-husband Paul Bernardo, who was tried and convicted for the sex slayings of Schoolgirls Kristen French and Leslie Mahaffy. In fact Karla Homolka should have never been charged in these murders, She was a victim os abuse by Paul Bernardo her lawyers should be in the Penitentiary for not recieving a complete IMMUNITY for her; Keep in mind Senator Cools, It was her that gave the police Paul Bernardo.

The point of my letter is at you brining a Bill S-11 to the Senate when you know its impossible to have made law. Why should Canadian's speend millions a year to pay your wages when you as well as the rest of the Senate of Canada as we all say our as worthless as tit's on a bull, your all sucking the Canadian public dry. Pass a Bill to hang me and keep me in for the rest of my life. Your a laugh as the rest of the Senate is:

Yours truly,
Clifford Robert Olson
SERIAL KILLER of 11 children

Honourable senators, these words, these letters are enormous indignities. The inmate's self-description in this correspondence as "serial killer of 11 children" is an unspeakable offence and is an obscenity upon us all.

Honourable senators, after I read that letter my hands shook for 15 minutes.

The right of inmates in a federal correctional institution to write to any member of Parliament is upheld by all members of Parliament. All of us want justice to be done. This principle is also upheld by the federal correctional system and is a practice of Correctional Service Canada. It is contained in the directives of the Commissioner of Correctional Service Canada. Annex A of the Commissioner's directive number 85 lists privileged correspondents. This list includes the Solicitor General of Canada, the chairperson of the National Parole Board, senators and members of the House of Commons and others, including the Governor General.

Honourable senators, we must note that this privilege cannot be barred or censured by Correctional Services Canada. The existence of this directive only came to my attention a few days ago on Friday, April 19, 1996. The ability of this inmate to write to members is a privilege. The right of a member of Parliament to receive correspondence from an inmate is also a privilege. This privilege as it attaches to proceedings in Parliament and to parliamentary privilege is a serious matter. Its violation is of some severity.

This privilege is valuable and important for inmates. However, the use of this privilege to offend Parliament, to offer indecencies to members, to offend dead victims and their families, to offer indignities to the dead and to impeach Bill S-6 is a contempt of Parliament and a breach.

Honourable senators, the comments in this inmate's letters demonstrate his contempt for the Senate, the House of Commons and the parliamentary process. These letters constitute a direct affront to the powers and privileges of Parliament. As the great parliamentary authority Erskine May states in his treatise, *Parliamentary Practice, 21st Edition*:

> Indignities offered to the House by words spoken or writings published reflecting on its character or proceedings have been constantly punished by both the Lords and the Commons upon the principle that such acts tend to obstruct the houses in the performance of their functions by diminishing the respect due to them.
>
> Reflections upon Members, ... are equivalent to reflections on the House.

Parliament should promptly deal with this matter to express its just displeasure at this offensive activity.

Honourable senators, this inmate was sentenced on January 14, 1982, for the sexual assault, torture and murder of eight girls and three boys in Vancouver, British Columbia. A Canadian Press article entitled, "Stop Being a Nuisance, Judge Tells Olson," published in *The Globe and Mail*, April 5, 1996, informs us that, during his incarceration, this inmate has been involved in over 30 court actions.

In a *Toronto Sun* article about this inmate dated January 18, 1996, entitled, "Killer Demands His 'Rights'", Peter Worthington reported that this inmate has been banned from having direct contact with the media and vice versa. A Canadian Press article entitled, "Olson Fights Bid to Ban Him from Spotlight," published in *The Globe and Mail* of January 12, 1996, informs us that in October of 1994, a Federal Court judge barred him from filing any more lawsuits regarding his prison treatment without the express permission of the court.

This judge referred to the inmate as a vexatious litigant. The same newspaper article informs that, during one of the inmate's numerous court appearances, he argued during his testimony that his constitutional rights were being violated by a gag order and, in his own words, that the ban was "a political issue."

Honourable senators, I am of the opinion that this inmate, by his own conduct, by his own indignities and obscenities in correspondence to parliamentarians, has become a political issue, one which Parliament must now consider. He abuses process, he abuses parliamentary privileges and he abuses us. That abuse is a breach of parliamentary privilege and a high contempt of Parliament.

It is evident that the bans imposed upon him by the judiciary and Correctional Service Canada are not effective. It is time that Parliament intervenes by invoking its punitive powers to deal with his offensiveness, once and for all.

Honourable senators, I cannot accept this continued impeachment and breach of Parliament and its privileges, or this inmate's psychopathy, or such mail and correspondence to me in my office on Parliament Hill. Parliament should comprehend this narcissistic personality disorder, particularly as it engages Parliament in a contempt of Parliament.

• (1710)

Honourable senators, I ask His Honour the Speaker to rule as to whether there is a *prima facie* case of breach of privilege. If he finds that there has been a *prima facie* breach, I am prepared to move the necessary motion referring this matter to the appropriate committee.

My experience has been somewhat different from the experiences of many senators here. I have met many of these inmates face to face. I have read the autopsies. I have read the reports. I have looked into this "heart of darkness" very closely. Perhaps some senators have stronger skins than do I, and perhaps they are not offended by this sort of correspondence being brought into our offices, and our secretaries having to open it. However, I would like the record to show that I have received some pretty awful correspondence in my years. In politics, we accept that as a way of life. For example, if I see packages that are too mysterious, I do not open them. I have received some pretty nasty, racist things in the mail as well. You just put those aside because you do not want anyone who might be at your side, or anyone who might be part of your life to be hurt by any of these things. However, of all the indignities that I have ever received in the mail, this correspondence, for me, is by far the worst.

I thank honourable senators for their attention in this matter.

Hon. Gerry St. Germain: Honourable senators, I represented the riding of Mission-Port Moody where these horrific crimes took place. Whether this is a breach of privilege or not, I think it is important that it be on the record that I, too, received correspondence as the sitting member of Parliament for Mission-Port Moody from one Clifford Robert Olson. I do not know whether I still have that correspondence, but it was similar to that which Senator Cools has described here today. If I recall correctly, I believe that that correspondence arrived around the time that the free vote was taken on capital punishment in the House of Commons.

I do not have the wisdom to judge whether this is a breach of privilege, and Senator Cools has asked the Speaker of the Senate to rule on this matter. However, I can say to her, and to other honourable senators, that the behaviour of this particular individual can be substantiated. The horror and the violence of this individual cannot be underestimated in what he will put into a piece of correspondence.

I thank honourable senators for allowing me to rise on this question of privilege.

The Hon. the Speaker *pro tempore*: As honourable senators are aware, the substantive question is not decided by the Speaker but by the Senate itself, sometimes as a result of a motion from the Standing Committee on Privileges, Standing Rules and Orders to the entire house.

The matter now for the Chair is to make a determination on whether there is a *prima facie* case; whether the substance of privilege is sufficiently involved, for lack of a better term, in the submission to have it further referred. Obviously, this is a matter which will be taken under advisement, and a decision given to the Senate at a later date.

SOLICITOR GENERAL

INCIDENT INVOLVING ATTACK ON PRIME MINISTER—INQUIRY

Hon. William M. Kelly rose pursuant to notice of March 19, 1996:

> That he will call the attention of the Senate to the altercation between the Prime Minister and a demonstrator at Jacques-Cartier Park on January 15, 1996.

He said: Honourable senators, I realize that the incident I wish to discuss occurred over two months ago. I do not attempt to stimulate here any debate on the issue, but I am anxious to briefly place certain views on the record, and I will do so now.

The incident to which I refer is the brief altercation between the Prime Minister and a demonstrator at Jacques-Cartier Park on February 15. What has disturbed me is not so much the incident itself but the public and political reaction to it.

It seems to me that many of us wish to walk both sides of the street — to have it both ways with respect to the security accorded to our public officials. On one hand, we want access to our public officials. We want to be able to shake their hands, look them in the eye and, if circumstances permit, say a few words. We do not want our public officials surrounded by burly security guards who establish a cordon sanitaire between public officials and the public. We do not want American-style security apparatus in sight: snipers, guns, flack jackets, young muscular men and women wearing sunglasses and talking to their wrists, and so on.

I remember the brouhaha when a substantial amount of money was spent on the purchase of an armoured car for a previous prime minister. I also remember an incident during a general election campaign in 1957, a long time ago, at a major Liberal Party convention in Toronto where overzealous police escorting the prime minister knocked someone to the floor. In Peter Newman's memorable phrase, the era of uninterrupted Liberal government came to an end that night with the sound of a person's head hitting the floor because the incident was portrayed by the media and by John Diefenbaker as symptomatic of how isolated, elitist and out of touch the Liberals had become in office.

We reject elaborate security for our leaders because Canadians hold fast to the belief that Canada is truly the peaceable kingdom. We also hold fast to strong egalitarianism. We do not place our leaders on a pedestal. We do not want access to our leaders reserved for the well-heeled and the well-connected. We believe that access to our leaders is a right, not a privilege, for all Canadians.

We need only look at the situation in Ontario, where additional security precautions at Queen's Park have elicited derision from the media, outrage from the opposition, and have, in my view, prompted a more aggressive response from demonstrators. It is almost as if the demonstrators see the heightened security as a glorious challenge to surmount; their own, home-grown bastille. On the other hand, however, we react strongly when an incident such as the one in Jacques-Cartier Park occurs. We are offended when such an incident happens, and we blame those responsible for security for a dereliction of their duty.

We cannot have it both ways. I do not know exactly what happened at Jacques-Cartier Park. I do know that we have a Prime Minister who enjoys meeting people and wading into crowds to do so. Should he be stopped from doing so?

I also know that the crowd that day at Jacques-Cartier Park was made up predominantly of school children who had assembled to honour the national flag. What would the media have said if the Prime Minister had not spoken to some of those children, but instead had been surrounded by a wall of RCMP security personnel?

In fact, the RCMP did have on hand that day the Prime Minister's personal bodyguard team, crowd infiltration officers, a team specifically trained to handle demonstrations, a tactical troop on standby, and an emergency response team. Is that not enough, for heaven's sake? There are those who will say evidently not, because the Prime Minister was accosted.

We all recognize that the world has changed, and continues to change. We are surrounded by the threat of violence from many quarters, but the fact remains that as long as we wish our Prime Minister to be accessible, and as long as we have prime ministers who want to be accessible, this kind of incident will occur.

I believe the RCMP had it about right in terms of the Prime Minister's security. I believe that the Canadian tradition of relatively free and open access to our leaders demands a low-profile approach to security. I believe it would be wrong for the RCMP to interfere with that tradition in the absence of a clear, present, and significant threat.

Elaborate security is too often perceived by the twisted mind as a gauntlet thrown down by such authorities which only raises the stakes. At the time of the assassination of Mr. Rabin, we saw that even the most elaborate security apparatus in the world can be breached by the single-minded opportunist who is willing to risk all to do so.

Rather than looking for villains in the Jacques-Cartier piece, we should all glory in the Canadian tradition that allows and encourages access to our leaders, even at the price that sometimes unfortunate incidents will occur.

Furthermore, we must recognize the very difficult public relations conundrum that police and security forces face. I have said many times in this chamber that, by definition, the many things that such organizations do right are rarely publicized; the few things that they do wrong are trumpeted to the hills from every quarter.

The fact is that the number of actual security incidents involving our political leaders has been remarkably small over some very turbulent years in domestic and international politics. For this, the RCMP and Canadian security intelligence apparatus deserve a great deal of credit.

We also must be careful in our criticism not to tarnish unnecessarily any important national symbols and institutions. I am not saying that national symbols and institutions should be above criticism when criticism is due, but I am saying that we must be careful in making such criticism.

Canadians as a whole are in a grumpy mood. Nothing seems to work any more. Everything seems to be changing and going — where? We do not know. In these times of uncertainty and trial for Canada as a nation, we need to have a few things to hold on to, in order to give us a sense of permanence and continuity.

Since its days as the Northwest Mounted Police, the RCMP have done yeoman's service for this country. It is the "Mounties" by which we are often recognized abroad. Rather than leaping gleefully on each peccadillo and pratfall of the RCMP, I think we must take the long view. We must recognize and reinforce the importance of organizations such as the RCMP in our heritage and as a national symbol.

We must also recognize that, in the scheme of things, the security provided to our leadership reflects the Canadian tradition of openness and access to our leaders and, over the years, has been remarkably effective.

The Hon. the Speaker *pro tempore*: If no other senator wishes to speak on this matter, this inquiry is considered debated.

The Senate adjourned until Wednesday, April 24, 1996 at 1:30 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

THE HONOURABLE GILDAS L. MOLGAT

THE LEADER OF THE GOVERNMENT

THE HONOURABLE JOYCE FAIRBAIRN, P.C.

THE LEADER OF THE OPPOSITION

THE HONOURABLE JOHN LYNCH-STAUNTON

OFFICERS OF THE SENATE

CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

PAUL C. BÉLISLE ESQ.

CLERK ASSISTANT OF THE SENATE

RICHARD G. GREENE

LAW CLERK AND PARLIAMENTARY COUNSEL

R.L. DU PLESSIS, Q.C., B.A., LL.L.

GENTLEMAN USHER OF THE BLACK ROD

COL. JEAN DORÉ, C.D.

THE MINISTRY

According to Precedence

(April 23, 1996)

The Right Hon. Jean Chrétien	Prime Minister
The Hon. Herbert Eser Gray	Solicitor General of Canada and Leader of the Government in the House of Commons
The Hon. Lloyd Axworthy	Minister of Foreign Affairs
The Hon. David Michael Collenette	Minister of National Defence and Minister of Veterans Affairs
The Hon. David Anderson	Minister of Transport
The Hon. Ralph E. Goodale	Minister of Agriculture and Agri-Food
The Hon. David Charles Dingwall	Minister of Health
The Hon. Ron Irwin	Minister of Indian Affairs and Northern Development
The Hon. Joyce Fairbairn	Leader of the Government in the Senate and Minister with special responsibility for Literacy
The Hon. Sheila Copps	Deputy Prime Minister and Minister of Canadian Heritage
The Hon. Sergio Marchi	Minister of Environment
The Hon. John Manley	Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development-Quebec
The Hon. Diane Marleau	Minister of Public Works and Government Services
The Hon. Paul Martin	Minister of Finance
The Hon. Douglas Young	Minister of Human Resources Development
The Hon. Arthur C. Eggleton	Minister of International Trade
The Hon. Marcel Massé	President of the Treasury Board and Minister responsible for Infrastructure
The Hon. Anne McLellan	Minister of Natural Resources
The Hon. Allan Rock	Minister of Justice and Attorney General of Canada
The Hon. Alfonso Gagliano	Minister of Labour and Deputy Leader of the Government in the House of Commons
The Hon. Lucienne Robillard	Minister of Citizenship and Immigration
The Hon. Fred J. Mifflin	Minister of Fisheries and Oceans
The Hon. Jane Stewart	Minister of National Revenue
The Hon. Stéphane Dion	President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal
The Hon. Pierre Pettigrew	Minister for International Cooperation and Minister responsible for Francophonie
The Hon. Fernand Robichaud	Secretary of State (Agriculture and Agri-food, Fisheries and Oceans)
The Hon. Ethel Blondin-Andrew	Secretary of State (Training and Youth)
The Hon. Lawrence MacAulay	Secretary of State (Veterans)
The Hon. Christine Stewart	Secretary of State (Latin America and Africa)
The Hon. Raymond Chan	Secretary of State (Asia-Pacific)
The Hon. Jon Gerrard	Secretary of State (Science, Research and Development) (Western Economic Diversification)
The Hon. Douglas Peters	Secretary of State (International Financial Institutions)
The Hon. Martin Cauchon	Secretary of State (Federal Office of Regional Development-Quebec)
The Hon. Hedy Fry	Secretary of State (Multiculturalism) (Status of Women)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(April 23, 1996)

Senator	Designation	Post Office Address
THE HONOURABLE		
John Michael Macdonald	Cape Breton	North Sydney, N.S.
Orville Howard Phillips	Prince	Alberton, P.E.I.
Earl Adam Hastings	Palliser-Foothills	Calgary, Alta.
Douglas Keith Davey	York	Toronto, Ont.
Andrew Ernest Thompson	Dovercourt	Kendal, Ont.
Herbert O. Sparrow	Saskatchewan	North Battleford, Sask.
Richard James Stanbury	York Centre	Toronto, Ont.
William John Petten	Bonavista	St. John's, Nfld.
Gildas L. Molgat, Speaker	Ste-Rose	Winnipeg, Man.
Edward M. Lawson	Vancouver	Vancouver, B.C.
Mark Lorne Bonnell	Murray River	Murray River, P.E.I.
Bernard Alasdair Graham	The Highlands	Sydney, N.S.
Raymond J. Perrault, P.C.	North Shore-Burnaby	North Vancouver, B.C.
Maurice Riel, P.C.	Chaouinigane	Montréal, Qué.
Louis-J. Robichaud, P.C.	L'Acadie-Acadia	Saint-Antoine, N.B.
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Paul Lucier	Yukon	Whitehorse, Yukon
Pietro Rizzuto	Repentigny	Laval-sur-le-Lac, Qué.
Willie Adams	Northwest Territories	Rankin Inlet, N.W.T.
Peter Bosa	York-Caboto	Etobicoke, Ont.
Stanley Haidasz, P.C.	Toronto-Parkdale	Toronto, Ont.
Philip Derek Lewis	St. John's	St. John's, Nfld.
Dalia Wood	Montarville	Montréal, Qué.
Reginald James Balfour	Regina	Regina, Sask.
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Guy Charbonneau	Kennebec	Montréal, Qué.
C. William Doody	Harbour Main-Bell Island	St. John's, Nfld.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
William McDonough Kelly	Port Severn	Mississauga, Ont.
Jacques Hébert	Wellington	Montréal, Qué.
Leo E. Kolber	Victoria	Westmount, Qué.
Philippe Deane Gigantès	De Lorimier	Montréal, Qué.
John B. Stewart	Antigonish-Guysborough	Bayfield, N.S.
Michael Kirby	South Shore	Halifax, N.S.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre	Toronto, Ont.
Charlie Watt	Inkerman	Kuujjuaq, Qué.
Leonard Stephen Marchand, P.C.	Kamloops-Cariboo	Kamloops, B.C.
Daniel Phillip Hays	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montréal, Qué.
Allan Joseph MacEachen, P.C.	Highlands-Canso	Whycocomagh, N.S.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Finlay MacDonald	Halifax	Halifax, N.S.
Brenda Mary Robertson	Riverview	Shediac, N.B.
Richard J. Doyle	North York	Toronto, Ont.
Jean-Maurice Simard	Edmundston	Edmundston, N.B.
Michel Cogger	Lauzon	Knowlton, Qué.
Norman K. Atkins	Markham	Toronto, Ont.

ACCORDING TO SENIORITY

Senator	Designation	Post Office Address
THE HONOURABLE		
Ethel Cochrane	Newfoundland	Port-au-Port, Nfld.
Eileen Rossiter	Prince Edward Island	Charlottetown, P.E.I.
Mira Spivak	Manitoba	Winnipeg, Man.
Gerald R. Ottenheimer	Waterford-Trinity	St. John's, Nfld.
Roch Bolduc	Golfe	Ste-Foy, Qué.
Gérald-A. Beaudoin	Rigaud	Hull, Qué.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gérald J. Comeau	Nova Scotia	Church Point, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella	New Brunswick	Fredericton, N.B.
John Buchanan, P.C.	Nova Scotia	Halifax, N.S.
Mabel Margaret DeWare	New Brunswick	Moncton, N.B.
John Lynch-Staunton	Grandville	Georgeville, Qué.
James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie, Ont.
J. Trevor Eyton	Ontario	Caledon, Ont.
Walter Patrick Twinn	Alberta	Slave Lake, Alta.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Normand Grimard	Québec	Noranda, Qué.
Thérèse Lavoie-Roux	Québec	Montréal, Qué.
J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth, N.S.
Janis Johnson	Winnipeg-Interlake	Winnipeg, Man.
Eric Arthur Berntson	Saskatchewan	Saskatoon, Sask.
A. Raynell Andreychuk	Regina	Regina, Sask.
Jean-Claude Rivest	Stadacona	Québec, Qué.
Ronald D. Ghitter	Alberta	Calgary, Alta.
Terrance R. Stratton	Manitoba	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montréal, Qué.
Fernand Roberge	Saurel	Ville St-Laurent, Qué.
Duncan James Jessiman	Manitoba	Winnipeg, Man.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
Erminie Joy Cohen	New Brunswick	Saint John, N.B.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montréal, Qué.
Pierre Claude Nolin	De Salaberry	Québec, Qué.
Marjory LeBreton	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Jean-Louis Roux	Mille Isles	Montréal, Qué.
Lise Bacon	De la Durantaye	Laval, Qué.
Sharon Carstairs	Manitoba	Victoria Beach, Man.
Landon Pearson	Ontario	Ottawa, Ont.
Jean-Robert Gauthier	Ontario	Ottawa, Ontario
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	New Brunswick	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montréal, Qué.
William H. Rompkey, P.C.	Newfoundland	North West River, Labrador
Doris M. Anderson	Prince Edward Island	St. Peter's, Kings County, P.E.I.
Lorna Milne	Ontario	Brampton, Ont.
Marie–P. Poulin	Northern Ontario	Ottawa, Ont.
Shirley Maheu	Rougement	Ville de Saint-Laurent, Qué
Joseph Gérard Lauri P. Landry		Cap-Pelé, N.B.
Nicholas William Taylor	Alberta	Bon Accord, Alta.

SENATORS OF CANADA

ALPHABETICAL LIST

(April 23, 1996)

Senator	Designation	Post Office Address
THE HONOURABLE		
Adams, Willie	Northwest Territories	Rankin Inlet, N.W.T.
Anderson, Doris M.	Prince Edward Island	St. Peter's, Kings County, Nfld.
Andreychuk, A. Raynell.	Regina	Regina, Sask.
Angus, W. David	Alma	Montréal, Qué.
Atkins, Norman K.	Markham	Toronto, Ont.
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.
Bacon, Lise	De la Durantaye	Laval, Qué.
Balfour, Reginald James	Regina	Regina, Sask.
Beaudoin, Gérald-A.	Rigaud	Hull, Qué.
Berntson, Eric Arthur	Saskatchewan	Saskatoon, Sask.
Bolduc, Roch	Golfe	Ste-Foy, Qué.
Bonnell, M. Lorne	Murray River	Murray River, P.E.I.
Bosa, Peter	York-Caboto	Etobicoke, Ont.
Bryden, John G.	New Brunswick	Bayfield, N.B.
Buchanan, John, P.C.	Nova Scotia	Halifax, N.S.
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.
Carstairs, Sharon	Manitoba	Victoria Beach, Man.
Charbonneau, Guy	Kennebec	Montréal, Qué.
Cochrane, Ethel	Newfoundland	Port-au-Port, Nfld.
Cogger, Michel	Lauzon	Knowlton, Qué.
Cohen, Erminie Joy	New Brunswick	Saint John, N.B.
Comeau, Gérald J.	Nova Scotia	Church Point, N.S.
Cools, Anne C.	Toronto Centre	Toronto, Ont.
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.
Davey, Keith	York	Toronto, Ont.
De Bané, Pierre, P.C.	De la Vallière	Montréal, Qué.
DeWare, Mabel Margaret	New Brunswick	Moncton, N.B.
Di Nino, Consiglio	Ontario	Downsview, Ont.
Doody, C. William	Harbour Main-Bell Island	St. John's, Nfld.
Doyle, Richard J.	North York	Toronto, Ont.
Eyton, J. Trevor	Ontario	Caledon, Ont.
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.
Forrestall, J. Michael	Dartmouth and Eastern Shore	Dartmouth, N.S.
Gauthier, Jean-Robert	Ontario	Ottawa, Ont.
Ghitter, Ronald D.	Alberta	Calgary, Alta.
Gigantès, Philippe Deane	De Lorimier	Montréal, Qué.
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.
Graham, Bernard Alasdair	The Highlands	Sydney, N.S.
Grimard, Normand	Québec	Noranda, Qué.
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.
Haidasz, Stanley, P.C.	Toronto-Parkdale	Toronto, Ont.
Hastings, Earl A.	Palliser-Foothills	Calgary, Alta.
Hays, Daniel Phillip	Calgary	Calgary, Alta.
Hébert, Jacques	Wellington	Montréal, Qué.
Hervieux-Payette, Céline, P.C.	Bedford	Montréal, Qué.
Jessiman, Duncan James	Manitoba	Winnipeg, Man.
Johnson, Janis	Winnipeg-Interlake	Winnipeg, Man.
Kelleher, James Francis, P.C.	Ontario	Sault Ste. Marie, Ont.
Kelly, William McDonough	Port Severn	Mississauga, Ont.
Kenny, Colin	Rideau	Ottawa, Ont.
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.
Kinsella, Noël A.	New Brunswick	Fredericton, N.B.

Senator	Designation	Post Office Address
THE HONOURABLE		
Kirby, Michael	South Shore	Halifax, N.S.
Kolber, Leo E.	Victoria	Westmount, Qué.
Landry, Joseph Gérard Lauri P.		Cap Pelé, N.B.
Lavoie-Roux, Thérèse	Québec	Montréal, Qué.
Lawson, Edward M.	Vancouver	Vancouver, B.C.
LeBreton, Marjory	Ontario	Manotick, Ont.
Lewis, Philip Derek	St. John's	St. John's, Nfld.
Losier-Cool, Rose-Marie	New Brunswick	Bathurst, N.B.
Lucier, Paul	Yukon	Whitehorse, Yukon
Lynch-Staunton, John	Grandville	Georgeville, Qué.
MacDonald, Finlay	Halifax	Halifax, N.S.
Macdonald, John M.	Cape Breton	North Sydney, N.S.
MacEachen, Allan Joseph, P.C.	Highlands-Canso	Whycocomagh, N.S.
Maheu, Shirley.	Rougemont	Ville de Saint-Laurent, Qué
Marchand, Leonard Stephen, P.C.	Kamloops-Cariboo	Kamloops, B.C.
Meighen, Michael Arthur	St. Marys	Toronto, Ont.
Milne, Lorna	Ontario	Brampton, Ont.
Molgat, Gildas L. Speaker	Ste-Rose	Winnipeg, Man.
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.
Nolin, Pierre Claude	De Salaberry	Québec, Qué.
Oliver, Donald H.	Nova Scotia	Halifax, N.S.
Ottenheimer, Gerald R.	Waterford-Trinity	St. John's, Nfld.
Pearson, Landon	Ontario	Ottawa, Ontario
Perrault, Raymond J., P.C.	North Shore-Burnaby	North Vancouver, B.C.
Petten, William J.	Bonavista	St. John's, Nfld.
Phillips, Orville H.	Prince	Alberton, P.E.I.
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.
Poulin, Marie-P.	Northern Ontario	Ottawa, Ont.
Prud'homme, Marcel, P.C.	La Salle	Montréal, Qué.
Riel, Maurice, P.C.	Chaouinigane	Montréal, Qué.
Rivest, Jean-Claude.	Stadacona	Québec, Qué.
Rizzuto, Pietro	Repentigny	Laval-sur-le-Lac, Qué.
Roberge, Fernand	Saurel	Ville St-Laurent, Qué.
Robertson, Brenda Mary	Riverview	Shediac, N.B.
Robichaud, Louis-J., P.C.	L'Acadie-Acadia	Saint-Antoine, N.B.
Rompkey, William H., P.C..	Newfoundland	North West River, Labrador
Rossiter, Eileen	Prince Edward Island	Charlottetown, P.E.I.
Roux, Jean-Louis	Mille Isles	Montréal, Qué.
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Simard, Jean-Maurice	Edmundston	Edmundston, N.B.
Sparrow, Herbert O.	Saskatchewan	North Battleford, Sask.
Spivak, Mira	Manitoba	Winnipeg, Man.
Stanbury, Richard J.	York Centre	Toronto, Ont.
Stewart, John B.	Antigonish-Guysborough	Bayfield, N.S.
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.
Stratton, Terrance R.	Manitoba	St. Norbert, Man.
Taylor, Nicholas William	Alberta	Bon Accord, Alta.
Thompson, Andrew	Dovercourt	Kendal, Ont.
Tkachuk, David	Saskatchewan	Saskatoon, Sask.
Twinn, Walter Patrick	Alberta	Slave Lake, Alta.
Watt, Charlie	Inkerman	Kuujjuaq, Qué.
Wood, Dalia	Montarville	Montréal, Qué.

SENATORS OF CANADA

BY PROVINCE AND TERRITORY

(April 23, 1996)

ONTARIO—24

	Senator	Designation	Post Office Address
	THE HONOURABLE		
1	Douglas Keith Davey	York	Toronto
2	Andrew Ernest Thompson	Dovercourt	Kendal
3	Richard James Stanbury	York Centre	Toronto
4	Peter Bosa	York-Caboto	Etobicoke
5	Stanley Haidasz, P.C.	Toronto-Parkdale	Toronto
6	Lowell Murray, P.C.	Pakenham	Ottawa
7	Peter Alan Stollery	Bloor and Yonge	Toronto
8	Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
9	William McDonough Kelly	Port Severn	Missassauga
10	Jerahmiel S. Grafstein	Metro Toronto	Toronto
11	Anne C. Cools	Toronto Centre	Toronto
12	Colin Kenny	Rideau	Ottawa
13	Richard J. Doyle	North York	Toronto
14	Norman K. Atkins	Markham	Toronto
15	Consiglio Di Nino	Ontario	Downsview
16	James Francis Kelleher P.C.	Ontario	Sault Ste. Marie
17	John Trevor Eyton	Ontario	Caledon
18	Wilbert Joseph Keon	Ottawa	Ottawa
19	Michael Arthur Meighen	St. Marys	Toronto
20	Marjory LeBreton	Ontario	Manotick
21	Landon Pearson	Ontario	Ottawa
22	Jean-Robert Gauthier	Ontario	Ottawa
23	Lorna Milne	Ontario	Brampton
24	Marie-P. Poulin	Northern Ontario	Ottawa

SENATORS BY PROVINCE AND TERRITORY

QUÉBEC—24

	Senator	Designation	Post Office Address
	THE HONOURABLE		
1	Maurice Riel, P.C.	Chaouinigane	Montréal
2	Pietro Rizzuto	Repentigny	Laval-sur-le-Lac
3	Dalia Wood	Montarville	Montréal
4	Guy Charbonneau	Kennebec	Montréal
5	Jacques Hébert	Wellington	Montréal
6	Leo E. Kolber	Victoria	Westmount
7	Philippe Deane Gigantès	De Lorimier	Montréal
8	Charlie Watt	Inkerman	Kuujjuaq
9	Pierre De Bané, P.C.	De la Vallière	Montréal
10	Michel Cogger	Lauzon	Knowlton
11	Roch Bolduc	Golfe	Ste-Foy
12	Gérald-A. Beaudoin	Rigaud	Hull
13	John Lynch-Staunton	Grandville	Georgeville
14	Jean-Claude Rivest	Stadacona	Québec
15	Marcel Prud'homme, P.C	La Salle	Montréal
16	Fernand Roberge	Saurel.	Ville de Saint-Laurent
17	W. David Angus	Alma	Montréal
18	Pierre Claude Nolin	De Salaberry.	Québec
19	Jean-Louis Roux	Mille Isles	Montréal
20	Lise Bacon	De la Durantaye	Laval
21	Céline Hervieux-Payette, P.C.	Bedford	Montréal
22	Shirley Maheu	Rougemont	Ville de Saint-Laurent
23			
24			

SENATORS BY PROVINCE—MARITIME DIVISION

NOVA SCOTIA—10

	Senator	Designation	Post Office Address
	THE HONOURABLE		
1	John Michael Macdonald	Cape Breton	North Sydney
2	Bernard Alasdair Graham	The Highlands	Sydney
3	John B. Stewart	Antigonish-Guysborough	Bayfield
4	Michael Kirby	South Shore	Halifax
5	Allan Joseph MacEachen, P.C.	Highlands-Canso	Whycocomagh
6	Finlay MacDonald	Halifax	Halifax
7	Gérald J. Comeau	Nova Scotia	Church Point
8	Donald H. Oliver	Nova Scotia	Halifax
9	John Buchanan, P.C.	Nova Scotia	Halifax
10	J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth

NEW BRUNSWICK—10

	THE HONOURABLE		
1	Louis-J. Robichaud	L'Acadie-Acadia	Saint-Antoine
2	Eymard Georges Corbin	Grand-Sault	Grand-Sault
3	Brenda Mary Robertson	Riverview	Shediac
4	Jean-Maurice Simard	Edmundston	Edmundston
5	Noël A. Kinsella	New Brunswick	Fredericton
6	Mabel Margaret DeWare	New Brunswick	Moncton
7	Erminie Joy Cohen	New Brunswick	Saint John
8	John G. Bryden	New Brunswick	Bayfield
9	Rose-Marie Losier-Cool	New Brunswick	Bathurst
10	Joseph Gérard Lauri P. Landry		Cap-Pelé

PRINCE EDWARD ISLAND—4

	THE HONOURABLE		
1	Orville Howard Phillips	Prince	Alberton
2	Mark Lorne Bonnell	Murray River	Murray River
3	Eileen Rossiter	Prince Edward Island	Charlottetown
4	Doris M. Anderson	Prince Edward Island	St. Peter's, Kings County

SENATORS BY PROVINCE—WESTERN DIVISION

MANITOBA—6

	Senator	Designation	Post Office Address
	THE HONOURABLE		
1	Gildas L. Molgat, Speaker	Ste-Rose	Winnipeg
2	Mira Spivak	Manitoba	Winnipeg
3	Janis Johnson	Winnipeg-Interlake	Winnipeg
4	Terrance R. Stratton	Manitoba	St. Norbert
5	Duncan James Jessiman	Manitoba	Winnipeg
6	Sharon Carstairs	Manitoba	Victoria Beach

BRITISH COLUMBIA—6

	THE HONOURABLE		
1	Edward M. Lawson	Vancouver	Vancouver
2	Raymond J. Perrault, P.C.	North Shore-Burnaby	North Vancouver
3	Jack Austin, P.C.	Vancouver South	Vancouver
4	Leonard Stephen Marchand, P.C.	Kamloops-Cariboo	Kamloops
5	Pat Carney, P.C.	British Columbia	Vancouver
6	Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge

SASKATCHEWAN—6

	THE HONOURABLE		
1	Herbert O. Sparrow	Saskatchewan	North Battleford
2	Reginald James Balfour	Regina	Regina
3	Eric Arthur Berntson	Saskatchewan	Saskatoon
4	A. Raynell Andreychuk	Regina	Regina
5	Leonard J. Gustafson	Saskatchewan	Macoun
6	David Tkachuk	Saskatchewan	Saskatoon

ALBERTA—6

	THE HONOURABLE		
1	Earl Adam Hastings	Palliser-Foothills	Calgary
2	Daniel Phillip Hays	Calgary	Calgary
3	Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
4	Walter Patrick Twinn	Alberta	Slave Lake
5	Ronald D. Ghitter	Alberta	Calgary
6	Nicholas William Taylor.	Alberta	Bon Accord

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND—6

	Senator	Designation	Post Office Address
	THE HONOURABLE		
1	William John Petten	Bonavista	St. John's
2	Philip Derek Lewis	St. John's	St. John's
3	C. William Doody	Harbour Main-Bell Island	St. John's
4	Ethel Cochrane	Newfoundland	Port-au-Port
5	Gerald R. Ottenheimer	Waterford-Trinity	St. John's
6	William H. Rompkey, P.C.	Newfoundland	North West River, Labrador

NORTHWEST TERRITORIES—1

	THE HONOURABLE		
1	Willie Adams	Northwest Territories	Rankin Inlet

YUKON TERRITORY—1

	THE HONOURABLE		
1	Paul Lucier	Yukon	Whitehorse

DIVISIONAL SENATORS

	Senator	Designation	Post Office Address
	THE HONOURABLE		
1	Normand Grimard	Québec	Noranda, Qué.
2	Thérèse Lavoie-Roux	Québec	Montréal, Qué.

SENATORS' STATEMENTS

ROUTINE PROCEEDINGS

CONTENTS

Tuesday, April 23, 1996