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Tuesday, October 28, 1997

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THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Tuesday, October 28, 1997

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

Prayers.

SENATORS' STATEMENTS

MISS PORTIA WHITE

COMMEMORATION AS FIRST AFRICAN-CANADIAN WOMAN
TO WIN INTERNATIONAL ACCLAIM IN MUSIC

Hon. Donald H. Oliver: Honourable senators, this past Sunday I had the privilege of representing the Minister of Canadian Heritage at a plaque-unveiling ceremony honouring a remarkable woman, my aunt, Portia White. The ceremony was held at the Black Cultural Centre in Dartmouth, Nova Scotia. I had the honour of reading the letter sent by Sheila Copps, which read in part as follows:

When the Board recommended that Portia White be officially commemorated as the first African-Canadian woman to win international acclaim in music, I agreed wholeheartedly. Ms White's rich, warm, contralto voice won her recognition from concert goers on both sides of the Atlantic. I am sure that Canadians everywhere share my delight in seeing her life and legend formally honoured.

Ms White's life and accomplishments are inspirational. Born in Truro, Ms White nurtured a childhood dream of performing on the concert stage. Ms White's dream became true because of her tremendous determination, talent and energy, because of the strong support and encouragement she received from her family, her community and her fans.

Portia White viewed her talents as a gift from God, and she honoured that gift by sharing it with the world. Her great singing voice may be silent now, but her generous spirit and example will live on. She is a woman in whom all Canadians can take pride and inspiration.

More than 100 people packed into the Black Cultural Centre to pay tribute to Portia who, in the 1940s and 1950s, was hailed throughout Europe and North America as a stunning talent.

It is important to note that Portia was able to succeed at a time when her race was held against her. Blacks were routinely denied employment and housing, and school segregation was still legal. Despite her success, she would be denied something as simple as

admittance to the Lord Nelson Hotel in Halifax. Her success struck a blow for equality.

Portia had a remarkable career. She first performed in 1919, and won several prizes in Halifax music festivals.

Initially, she taught school in Halifax County, in schools that were still racially segregated. From 1934 to 1941, she taught in Africville, and sang on radio broadcasts and at concerts.

She continued with her singing career and between 1944 and 1945 had her international debut at the New York Town Hall. In addition, she gave concerts in major cities across the northern United States. She signed a contract with Columbia Concerts Inc., performed in several Canadian cities, on radio, in short films and before members of the Canadian Armed Forces.

In 1946, Portia toured Central America, South America and the Caribbean region. She received a gold medal in Panama for "distinguished cultural services and the promotion of human relations." In April of that year, she also performed at Massey Hall in Toronto. In 1948, she toured 36 maritime towns and gave performances in Switzerland and France, including Alsace-Lorraine.

Portia retired in 1950 to teach music in Toronto, but she came out of retirement in 1964 to give a performance before Her Majesty the Queen for the opening of the Confederation Centre in Charlottetown. Her last public performance was at the First Baptist Church in Ottawa in commemoration of the Triennial Assembly of the Baptist Federation of Canada.

After a long fight with cancer, Portia White passed away on February 13, 1968. Her long and illustrious life had come to an end, but she will not be forgotten. The plaque unveiled yesterday will hang permanently at the Cornwallis Street Baptist Church in Halifax, Nova Scotia, where she began her singing career.

In addition, the Portia White Memorial Award has been established by the Nova Scotia Talent Trust, and a compilation album called, "Think On Me" was produced as a further tribute. Halifax filmmaker Sylvia Hamilton is also producing a one-hour documentary film on her life.

Portia's accomplishments in both her life and musical career were outstanding for a person of African descent in the Canada of her day. She achieved international success and acclaim, and overcame the negative perceptions accorded her race. According to historian, Hilary Russell:

She became the most famous Black Nova Scotian woman of her time, if not the most celebrated African Canadian woman ever.

[Translation]

MR. JACQUES VILLENEUVE

CONGRATULATIONS ON WINNING
FORMULA ONE WORLD CHAMPIONSHIP

Hon. Jean-Claude Rivest: Honourable senators, I would like to draw the attention of the Senate to an excellent piece of news, once more attesting to the quality of Canada's and Quebec's athletes. Everyone here will agree with me that the performance by Jacques Villeneuve is cause for rejoicing.

Since automobile racing is a very important sector of activity for the cities of Montreal, Toronto and Vancouver, we were also very pleased to hear that the federal Minister of Justice acknowledges the imperfections in the legislation on car racing sponsorships, and is committed to making amendments to it. Let us recall that a number of our colleagues in this chamber pointed out those shortcomings when the tobacco legislation was passed.

We must pay tribute to the quality performance turned in by Jacques Villeneuve, a brilliant victory of which all Canadians and all Quebecers can be proud.

[English]

NATIONAL MENOPAUSE AWARENESS MONTH

Hon. Erminie J. Cohen: Honourable senators, as a result of the month of October being designated National Menopause Awareness Month, the Society of Obstetricians and Gynaecologists of Canada and the Osteoporosis Society of Canada have spearheaded a national information campaign called "Let's Talk About It." This campaign puts the emphasis squarely on health promotion and disease prevention, and is a national initiative aimed at building awareness and fostering greater understanding of major public health issues such as menopause and osteoporosis by providing access to current, accurate and balanced information via a series of public forums and a year-round toll-free telephone service.

The needs of an ageing population for health care services and information are expected to rise dramatically in Canadian society over the next decade, particularly those of menopausal and post-menopausal women. By the year 2000, approximately 4 million Canadian women will be entering, or have already experienced, menopause. For millions of middle-aged Canadian women, as well as the health care community and society as a whole, osteoporosis and menopause are issues of great concern that have important socio-economic implications. Health promotion and disease prevention strategies are needed to lessen the burden on our health care system, to facilitate informed decision-making in health and, consequently, to improve quality of life through better health outcomes.

Public education initiatives in women's health, jointly undertaken by the Osteoporosis Society and the Society of

Obstetricians and Gynaecologists, are of great benefit to the population's health and well-being, and are a response to women's increasing need for information.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I call attention to the presence in our gallery of a delegation from the Questure of the Senate of Belgium, who have come to observe our real-time system and our computer-assisted transcription system, commonly known as CAT.

The delegation is headed by the clerk of the Belgian Senate, Mr. Herman Nys. Welcome to the Senate of Canada.

[English]

ROUTINE PROCEEDINGS

THE ESTIMATES, 1997-98

SUPPLEMENTARY ESTIMATES (A) TABLED

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the Supplementary Estimates (A) for the fiscal year ending March 31, 1998.

STATE OF FINANCIAL SYSTEM

REPORT OF BANKING, TRADE AND
COMMERCE COMMITTEE TABLED

Hon. Michael Kirby: Honourable Senators, I have the honour to table the second report of the Standing Senate Committee on Banking, Trade and Commerce, entitled "Joint and Several Liability and Professional Defendants: Options Discussion Paper."

ADJOURNMENT

Hon. Sharon Carstairs (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 to tomorrow, Wednesday, October 29, 1997 at 1:30 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

THE ESTIMATES, 1997-98

NOTICE OF MOTION TO REFER SUPPLEMENTARY ESTIMATES (A) TO NATIONAL FINANCE COMMITTEE

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I give notice that tomorrow, Wednesday, October 29, 1997, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) for the fiscal year ending March 31, 1998, with the exception of Parliament Vote 10a and Privy Council Vote 25a.

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

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I give notice that tomorrow, October 29, 1997, I will move:

That the Standing Joint Committee on Official Languages be authorized to examine the expenditures set out in Privy Council Vote 25a of the Supplementary Estimates (A) for the fiscal year ending March 31, 1998; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

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

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I give notice that tomorrow, October 29, 1997, I will move:

That the Standing Joint Committee on the Library of Parliament be authorized to examine the expenditures set out in Parliament Vote 10a of the Supplementary Estimates (A) for the fiscal year ending March 31, 1998; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

QUESTION PERIOD

NATIONAL DEFENCE

FINDINGS OF LÉTOURNEAU COMMISSION— GOVERNMENT POSITION

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I have a question for the Leader of the Government in the Senate. It is based on a quotation which I will

read from the report of the commission of inquiry on the Somalia disaster. I referred to that document last week, and the matter deserves to be raised again. I shall quote from the executive summary of that report. The commissioners noticed that much of the testimony of witnesses:

...was characterized by inconsistency, improbability, implausibility, evasiveness, selective recollection, half-truths and plain lies...

Further, the commission comments that:

When several witnesses behave in this manner, the wall of silence is evidently a strategy of calculated deception.

These are harsh words indeed.

My question to the minister is: What measures has the government taken to look into these serious charges? Following upon that, if the government finds that the charges are well founded, how does it intend to discipline those whom the Létourneau commission accused of participating in a strategy of calculated deception?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators will know that there have been four separate reviews of the issues surrounding the terrible events that took place in Somalia in March of 1993. Each of these reviews produced recommendations for changes, to try to ensure that such events never take place again. Extensive reforms have already taken place and more are currently underway in response to those recommendations. The Létourneau commission was one of those reviews.

With respect to specific disciplinary measures, I will make further inquiries for my honourable friend.

Senator Lynch-Staunton: In other words, nothing has been done to date. The reason I emphasize how important it is that something be done is that the Létourneau commission identified some of these individuals as officers, non-commissioned officers and senior civil servants. I am sure that if the government had any interest in cleaning out or disciplining those who lied and erected this wall of silence, they could find out the names from the Létourneau commission, or what is left of it.

Let me encourage the minister to pay close attention to this question, not only because it comes from this side of the chamber but because it affects the Canadian Armed Forces, the Department of Defence, and Canada as a whole.

For these individuals, undue loyalty to a regiment or to the institution of the military, or even worse, naked self-interest took precedence over honesty and integrity.

By conducting themselves in this manner, these witnesses reneged on their duty to assist this inquiry in its endeavours. In the case of officers, this represents a breach of the undertaking set out in their commissioning scroll.

This report came out on July 2, 1997, and none of these terrible statements have yet to be contradicted.

My question to the minister is: What is the government doing about identifying these people and applying disciplinary action against them, including relieving them of their responsibilities?

Senator Graham: As the honourable senator knows, two weeks ago the Minister of National Defence announced that the government had accepted 132 of the 160 recommendations of the Létourneau commission. The Minister of National Defence and the Prime Minister have appointed a new Chief of the Defence Staff for the armed forces. They have attempted to put a new face on the military. New appointments have been made. We do have a new Minister of National Defence, a new Chief of Defence Staff, a new senior military leadership team, all dedicated to rebuilding and renewing the Canadian Forces.

• (1420)

I understand my honourable friend's concerns. They are shared by all honourable senators in this chamber, and indeed by all Canadians. I apologize that I am unable to answer specifically with respect to his references to any disciplinary actions that have been taken in relation to particular individuals. I would presume that that information may be internal to the armed forces. If that is the case, then that is probably the procedure that would normally be followed.

I am not aware personally, but I will attempt to determine the appropriate answer for my honourable friend.

THE ENVIRONMENT

REDUCTIONS IN GREENHOUSE GASES—REMARKS OF MINISTER ON TIMING—GOVERNMENT POSITION

Hon. Ron Gitter: Honourable senators, I do not mean to harp on a particular subject, but as each day goes by, the situation becomes, to borrow a phrase from *Alice's Adventures in Wonderland*, "curiouser and curiouser."

The issue of greenhouse gas emissions now has more players from the government side expressing their point of view. The Minister of the Environment said in Rio that she wanted very stringent measures, then she said in the House, "We will try to work this out but we need to do something." Then we have the Minister of Energy speaking in terms of a voluntary approach to the problem and even mooted the potential of a tax, which I might note was referred to by the Reform Party as possibly an appropriate measure. Talk about "curiouser and curiouser"! Then the Minister of Environment said in the House on Monday, "...the Government of Canada will make its announcement on targets and time lines when it feels it is appropriate."

Could the Leader of the Government kindly tell us when it will be appropriate?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the government is working towards a

balanced approach which best suits Canada's circumstances, which is for meaningful, realistic and equitable targets to be agreed to globally. We will continue to advocate that approach. As I indicated to the Honourable Senator Gitter on previous occasions, there are ongoing consultations with the provinces, with the relevant provincial ministers concerned. Before our delegation, which will include provincial representation, goes to Kyoto, we will have the answers sought by my honourable friend.

Senator Gitter: Honourable senators, it seems that other players are now getting into the mix. We have the Minister of Foreign Affairs making comments on the matter, and I understand that a telephone call came to the Government of Canada — probably from the sixth hole of the Royal and Ancient Golf Club at St. Andrews — saying that the objective of the Canadian government regarding greenhouse gas emissions is to beat the Americans. Is that now the policy of the Canadian government in these matters, merely to beat the Americans?

Senator Graham: It would not be the first time we beat the Americans.

Senator Lynch-Staunton: Not in hot air; that is for sure.

Senator Graham: It is true in a number of areas, be it on the slippery slopes or on the ice or whatever. Seriously, though, I believe I did indicate, in an earlier exchange with Senator Gitter, that other ministers were involved besides the Minister of Natural Resources and the Minister of the Environment. I believe if you check Hansard, you will find I made reference to the Minister of Foreign Affairs and the Minister for International Trade.

The honourable senator made reference to the United States. A number of countries have made their positions known. The U.S. position is obviously one we will want to study very closely and take into consideration, along with the positions that have been taken by other players, such as the European Union and Japan, in developing Canada's final position.

REDUCTION IN GREENHOUSE GASES—COMPARISON OF GOALS WITH UNITED STATES—GOVERNMENT POSITION

Hon. Ron Gitter: Honourable senators, I know that we in Canada beat the Americans by having much higher taxation, but I had not realized that in matters of this nature government policy would be dictated under the premise of "beat the Americans." Does that mean we beat the Americans by one dollar more? Does it mean we will make a fund for \$5 billion plus \$1? Does it mean that every approach we take will now be based on beating the Americans?

When I asked the honourable leader the other day in this chamber if our policy would be dictated by the Americans, he advised me that that is not the approach of the Canadian government, that we will have a made-in-Canada policy on dealing with natural gas emissions, but now I am being told that the Prime Minister of our country says the policy on the matter is: "Let us beat the Americans."

I again ask: Are we following the Americans, or will we have a made-in-Canada policy that takes into consideration the economic and environmental consequences for Canada rather than the United States?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, let us put the issue in perspective. Canada is a distant third to the United States and Japan when it comes to contributing to the growth of greenhouse gas emissions from the industrialized world.

Senator Lynch-Staunton: Not per capita.

Senator Graham: We must also remember that Canada contributes only 2 per cent of total global greenhouse gas emissions, whereas the United States contributes about 23 per cent. I was mentioning beating the United States in a rather facetious way, as the honourable senator surely knows. I want to assure him and all honourable senators that we will have a made-in-Canada policy.

HUMAN RESOURCES

CHANGES TO CANADA PENSION PLAN— TAX RELIEF FOR SELF-EMPLOYED—GOVERNMENT POSITION

Hon. Donald H. Oliver: Honourable senators, I have a question for the Leader of the Government in the Senate, and it deals with the Canada Pension Plan, the CPP. The self-employed are among those who will be hardest hit by the proposed hike in the CPP premiums. Many self-employed Canadians do not make large sums of money, because they work in areas such as farming or fishing, and often run businesses out of their own homes. Yet for any self-employed Canadian earning less than \$35,000, this premium hike will equal two weeks of earnings, a decline of as much as 4 per cent in their standard of living.

For what reason is the Government of Canada not prepared to recognize the special circumstances faced by self-employed Canadians, and to offer some offsetting tax relief?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I was not aware that the Government of Canada was not prepared to assist in that respect. I believe that tax assistance is provided for private pension plans to ensure that Canadians and their employers are encouraged to provide adequate retirement benefits. Normally, those who are self-employed provide for their own plans, be it through RRSP deductions or whatever. The RRSP deductions provide parity with private plans, and significantly, it is the mechanism used by the self-employed most often.

Senator Oliver: Honourable senators, this is not an issue of registered retirement savings plans. It is an issue of a contribution to the CPP. Would the Honourable Leader of the Government please address the CPP, not RRSPs?

Senator Graham: Honourable senators, I am not specifically aware of how this applies to self-employed Canadians. I will take

the honourable senator's question as notice and attempt to provide an answer as quickly as possible.

CHANGES TO CANADA PENSION PLAN—OFFSETTING OF PREMIUMS WITH TAX CUTS—GOVERNMENT POSITION

Hon. David Tkachuk: Honourable senators, my question concerns the higher payroll taxes that Canadians will face as a result of the coming 70-per-cent hike in Canada Pension Plan premiums. In his financial statement of a few weeks ago, the Minister of Finance told Canadians they will have to wait for any offsetting tax relief. On February 20, three days after the premium hikes were announced, he told Canadians through *The Globe and Mail*:

I think we are going into an era of lower taxes, very clearly, and the issue is when.

The issue is indeed when. Given that the Prime Minister admits that the budget may be balanced as early as this year, can the minister tell us why the government continues to refuse to offset the increase in CPP premiums with tax cuts?

• (1430)

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, CPP contributions are savings toward pensions. They are not a tax. They do not go into the government's revenues to be spent. From now on, they will be invested by an independent body to earn a better rate of return for contributions.

I wish to remind honourable senators that if no changes were made to the CPP, our children, indeed our grandchildren, would have to pay for the same pension contributions over 14 per cent of their earnings, for which we are paying less than 6 per cent today. I believe that would be grossly unfair. We are attempting to look after a problem which should have been looked after a long time ago.

Senator Tkachuk: Honourable senators, if it truly were a pension plan, all the money accumulated for each person's benefit would be given back to those people when they reach the age of 65, or 60, depending upon how they want to access their CPP.

I believe that the Minister of Finance is imposing a tax on the young people the honourable senator mentioned in order to save a pension plan that is in disarray, and at the same time he does not want to give any offsetting income tax relief to help them pay for it.

Senator Graham: Honourable senators, again I say that if the CPP is to be there for younger generations, we have no choice but to start paying our way rather than passing on an insupportable burden to our children. If we did nothing, CPP contributions would have to increase to 14.2 per cent by the year 2030, and we will hold them at 9.9 per cent. The increase to the contribution rate is being phased in over six years to minimize the impact on labour markets.

Senator Tkachuk: Honourable senators, no one on this side is arguing with the fact that the Canada Pension Plan must be fixed. Our argument is with the fact that the government is putting the onus on the young people, whom you say you are trying to help, to pay for a pension plan based on mistaken actuarial tables. We are having them pay for it, without any offsetting income tax cuts, in order that we may have a better pension plan.

We on this side do not agree with that approach. We believe that if the government wants to institute a measure to save the pension plan so that we can enjoy this money, it should offer tax relief to help people make up for the mistakes made in the past.

NATIONAL DEFENCE

RUMOURED SALE OF S-300 ANTI-AIRCRAFT MISSILES TO CYPRUS—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Honourable senators, it appears that the political climate in Cyprus is heating up over the proposed sale of S-300 anti-aircraft missiles to the Cypriot government.

Is the government aware of the climate of threats and the potential for violence on this small island? Has it taken any action with regard to this issue in an attempt to get both the Cypriot government and the Turkish government to show some reasoned restraint in their international relations?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, Canada and its armed forces have a long and very admirable tradition of serving in that area of the world in an attempt to keep the peace. I am not aware of the revelations that my honourable friend has brought forward. As usual, he is ahead of me. I will attempt to bring forth a complete answer as soon as possible.

GENTLEMAN USHER OF THE BLACK ROD

CHANGES TO TRADITIONAL TITLE—ROLE OF PRIVY COUNCIL— GOVERNMENT POSITION

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, my question, directed to the Leader of the Government in the Senate, relates to the announcement made a few days ago about the appointment to the position of Gentleman Usher of the Black Rod.

I read in Erskine May at page 177:

The Gentleman Usher of the Black Rod is appointed by the Crown by letters patent.

In the news release that I saw, reference was made to a title which I believe was “Usher of the Senate.” By what authority has an attempt been made to change the title? What advice was given to the Privy Council with regard to the drafting of the commission and upon what authority would the Privy Council be acting to change the title from Gentleman Usher of the Black Rod to Usher of the Senate?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, that is an interesting question which raises many questions relating to tradition. I shall have to seek an answer from someone who has better knowledge of this subject.

Senator Kinsella: Honourable senators, many colleagues are anxious to see the application of language — French and English — that is appropriate in terms of our times, but the title that has been reported — Usher of the Senate — seems to me to run contrary to the position which has been established for many centuries; that is, that the Usher is not the Usher of a house of Parliament but rather the Usher who brings the message from the Sovereign.

Senator Graham: Honourable senators, I believe that Honourable Senator Kinsella is absolutely right. While I am attempting to get an appropriate answer to his earlier question, I will rejoice with all senators that we will have someone here, in whatever title, of the quality of Mary McLaren when she makes her first appearance in the Senate after the Remembrance Day break.

JUSTICE

REFUSAL OF MINISTER TO PAY LEGAL FEES OF FORMER MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT—REQUEST FOR ANSWER

Hon. Eric Arthur Berntson: Honourable senators, my question is directed to the Leader of the Government in the Senate and has to do with what I call the Munro affair. During my absence last week did the leader become aware of anything which might further enlighten us on this matter?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I did not, but I shall seek an answer to Senator Berntson’s question. I congratulate him for his persistence on this point.

REFUSAL OF MINISTER TO PAY LEGAL FEES OF FORMER MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT—REVIEW OF CIRCUMSTANCES OF CHARGE—GOVERNMENT POSITION

Hon. Eric Arthur Berntson: Honourable senators, I should have thought, in light of the millions of dollars that have been spent recently by the government in support of people who have been wrongly accused, or people who have been charged as a result of their conduct in the course of carrying out their duties, that the government would have found it necessary to review the Munro file.

Is the Leader of the Government aware of any such review taking place?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I am not aware of any review. However, as was indicated earlier in response to a question from the Honourable Senator Berntson, this matter was before the courts, but, outside of a court decision, I will attempt to get whatever further information I can on the subject.

Senator Berntson: Honourable senators, that is not entirely accurate. The matter that is before the court is a question of malicious prosecution. It has nothing to do, except peripherally, with the 34 charges laid against this man — every one of them thrown out of the court by the judge, without calling one defence witness. As it relates to this matter being before the courts, that is not true.

• (1440)

How can Mr. Munro get out of the Liberal doghouse? Exactly why is he in the Liberal doghouse? He served the party well for over 20 years. He served the constituency of Hamilton—Wentworth very well for over 20 years — at least, I assume that was the case, or they would not have kept electing him. Would it help, for instance, if it could be demonstrated that he is held with some esteem and some respect among the people that he used to represent? To give honourable senators an indication that, in fact, that is the case, the regional chairperson, Terry Cook, of the council in Hamilton—Wentworth, has announced that the international airport in Hamilton will now be known as the Hamilton—Wentworth John Munro International Airport. Does the leader think that will help Mr. Munro's cause at all?

Senator Graham: Honourable senators, this is an unfortunate situation. I could not agree more with the Honourable Senator Berntson's remarks in support of the Honourable John Munro, who was a highly respected member of the House of Commons and a distinguished minister of the Crown and who was held in high esteem by those he represented. This is an important question and I will attempt to bring my honourable friend a more complete answer.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I have responses to questions raised in the Senate on October 7, 1997 by the Honourable Senator Ron Ghitter and by the Honourable Senator Mira Spivak regarding greenhouse gas emissions.

THE ENVIRONMENT

INCREASE IN GREENHOUSE GAS EMISSIONS—POSSIBILITY OF SEEKING EXEMPTIONS AT UPCOMING MEETING IN JAPAN—GOVERNMENT POSITION

(Response to question raised by Hon. Ron Ghitter on October 7, 1997)

No, Canada is not seeking a special exemption from greenhouse gas emissions targets in Kyoto. We are committed to the idea of realistic, legally-binding targets and we want an agreement that makes progress on climate change globally. Canada is committed to doing its share and along with other countries, is seeking maximum flexibility in terms of how we reach the target.

REDUCTION IN GREENHOUSE GAS EMISSIONS—POSSIBILITY OF ESTABLISHING TARGETS—GOVERNMENT POSITION

(Response to question raised by Hon. Mira Spivak on October 7, 1997)

Yes. As the Prime Minister indicated in June at the UN General Assembly Special Session, the federal government supports the establishment of legally-binding, medium-term targets for post-2000 greenhouse gas reductions. Negotiations on this issue will be continuing over the coming weeks, and Canada is in the process of discussing options and the consequences of climate change with the provinces and key stakeholders.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before I call Orders of the Day, I should like to draw to your attention distinguished visitors in our gallery. They are members of the Committee on Foreign Affairs, Defence and Security from the Senate of the Czech Republic. They are accompanied by His Excellency, their distinguished ambassador. I wish you welcome on behalf of all the senators in the Senate of Canada.

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

COMMITTEE OF SELECTION

THIRD REPORT OF COMMITTEE PRESENTED

Leave having been given to revert to Presentation of Committee Reports:

Hon. Jacques Hébert, Chairman of the Selection Committee, presented the following report:

Tuesday, October 28, 1997

THIRD REPORT

Pursuant to Rule 85(1)(b) of the *Rules of the Senate*, your Committee submits herewith the list of Senators nominated by it to serve on the Special Committee of the Senate on the Cape Breton Development Corporation:

The Honourable Senators Bryden, Buchanan, Butts, Forrestall, *Graham (or Carstairs), Losier-Cool, *Lynch-Staunton (or Kinsella (acting)), MacDonald, Moore, Murray and Stanbury.

*Ex-officio members

Respectfully submitted,

JACQUES HÉBERT
Chairman

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

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

[*English*]

FOREIGN AFFAIRS

SECOND REPORT OF COMMITTEE TABLED

Hon. John B. Stewart: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the second report on the Standing Senate Committee on Foreign Affairs, which deals with the expenses incurred by the committee during the Second Session of the Thirty-fifth Parliament.

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

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Leave having been given to revert to Notices of Motion:

Hon. Lowell Murray: Honourable senators, I give notice that on Wednesday next, October 29, 1997, 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.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Lowell Murray: Honourable senators, I also give notice that on Wednesday next, October 29, 1997, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology and its Subcommittee on Veterans Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

ORDERS OF THE DAY

[*Translation*]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Forest, seconded by the Honourable Senator Mercier, for an Address to His Excellency the Governor General in reply to his speech at the opening of the first session of the Thirty-sixth Parliament.—(*6th day of resuming debate*)

Hon. Rose-Marie Losier-Cool: Honourable senators, I would like to express my pleasure at taking part in the debate on the motion by the Honourable Senator Forest, seconded by the Honourable Senator Mercier. I would congratulate my colleagues on their excellent speeches, which so nicely opened the debate for an Address to His Excellency the Governor General.

Honourable senators, over the more than two years I have been in the Senate, you have no doubt noted my passionate interest in education in Canada and for the francophone community. Why not limit my comments to the education of francophones?

Having sat on the postsecondary education subcommittee of the Standing Senate Committee on Social Affairs, Science and Technology throughout the last session, I am delighted that the Speech from the Throne opening the 36th Parliament acknowledges that ensuring the greatest possible success of post-secondary education is an important role of government.

In its 1997 budget, the Government of Canada took significant steps to come to terms with the problem of the increased cost of higher education, which causes students to get into debt. It announced other changes to the Canada Student Loans Program by increasing aid to students with dependents and by creating scholarships to encourage excellence and to help low income Canadians attend college or university.

While post-secondary education may be very important to the country as a whole, it is undoubtedly crucial to an official language minority community like francophones outside Quebec. That is why I feel it necessary to draw your attention to the unusual situation they face regarding post-secondary education.

To give you an overview of the situation, allow me to quote from the remarks Harley D'Entremont, the rector of Université de Sainte-Anne, in Nova Scotia, made on behalf of the Regroupement des universités de la francophonie hors Québec before the Subcommittee on Postsecondary Education. Harley D'Entremont said, and I quote:

Francophone post-secondary institutions outside Quebec are in desperate need of further development. Clearly, the federal and provincial governments spend less money overall on these institutions than the demographic weight of these minority communities would suggest they spend. It is worrisome to note that this sector is underfunded and that some catching up is in order if we are to ensure that these communities have the opportunity to participate on an equal basis in the future of this country. This state of underdevelopment is due to several factors, including the low rate of participation in university studies, possibly because of the rural nature of these communities and the shortage of university institutions. Regardless of the reason, we are not here to judge the past or assign blame; we must acknowledge this inequity in the delivery of public services and the need to make up lost ground.

Honourable senators, fortunately, a number of French-language or bilingual post-secondary education institutions have recognized the need to make use of the available technology to establish communications networks such as distance education networks. These networks bridge the gaps between French-language minority communities and make up for the lack of financial resources. I want to mention an interesting initiative, namely the establishment, in 1988, of the Réseau d'enseignement francophone à distance (REFAD), which currently has members in just about every Canadian province. Thanks to the exchanges made possible between members of this network, a larger number of courses and instructional approaches are available.

In Ontario, courses are broadcast from the University of Ottawa, all the way to Saskatoon and Prince Albert, through the Franco-Ontarian distance education network. New Brunswick, Nova Scotia and Prince Edward Island are also leaders in distance education. The teleconference distance education network could extend beyond the provincial boundaries in the Atlantic region.

The few examples I just gave show that the new technologies used to transmit information allow for increased access to university education throughout the French-speaking community outside Quebec, while also promoting it.

This, of course, can only happen if governments make the necessary investments to establish a state-of-the-art electronic network of French-language universities outside Quebec using modern information delivery technologies such as telephone networks, telematics, audio technology, videoconferencing and so on.

I support the establishment of a national partnership and exchange network between institutions, as proposed by the Regroupement des universités francophones hors Québec. The contribution the federal government can make to this project must be looked at in the context of Part VII of the Official Languages Act.

Under section 41 of the act, the federal government is committed to, and I quote:

...enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and fostering the full recognition and use of both English and French in Canadian society.

Section 42 gives the Minister of Canadian Heritage responsibility for encouraging and promoting a coordinated approach to the implementation of this commitment by federal institutions.

On August 2, 1994, cabinet approved a responsibility framework for implementation of sections 41 and 42 of the Official Languages Act. This framework includes a certain number of measures aimed at the 37 key institutions in areas of action which are of vital importance to official-language minority communities and which have a determining influence on their economic and cultural development.

The introduction of a national network for cooperation and exchange between member institutions of the coalition of francophone universities outside Quebec will be achieved with the support of the Department of Canadian Heritage and the contribution of other departments to the realization of particular projects related to this undertaking. This is not just a project necessary to ensure the vitality of francophone communities outside Quebec, but an initiative that is likely to benefit the country by helping to develop an exportable expertise in multimedia distance teaching.

And this brings me to another matter dear to my heart that I will touch on briefly, that of the original contribution francophones outside Quebec could make to the international development sector.

The Canadian International Development Agency is one of 27 federal institutions designated in August 1994 to support the development of French-language minority communities.

CIDA must continue to support international development training in minority francophone community institutions and to encourage the transfer of knowledge and technology peculiar to these communities to developing countries.

In conclusion, honourable senators, I hope that the second phase of the subcommittee's work will make it possible to draw the attention of the governments concerned to the need for equitable treatment of the francophone minority outside Quebec with respect to post-secondary education, since the future of linguistic duality throughout the country depends on it.

[English]

Hon. A. Raynell Andreychuk: Honourable senators, I also rise and enter the debate on the Speech from the Throne for the Thirty-sixth Parliament of Canada.

I had originally indicated that I wished to speak in reply to the foreign policy issue, but I will put that aside and speak in that regard in the context of the APEC report produced by the Standing Senate Committee on Foreign Affairs.

I also thought that I would enter into the debate on the post-secondary education elements of the Throne Speech. I must state that a number of speeches on post-secondary education made during the Address in reply have been excellent and contribute to a necessary change in the thinking at the federal level. One wonders why it has taken a committee in the Senate, the university community, the parents, and the students to generate the need for a change in the thinking of the government. Surely, if the government wants to invest in the future and in children, it would have drawn the conclusion that the system must have a federal presence, and that there must be immediate change if future generations of Canadians are to have the same benefits that past generations have had.

Today, however, I will take a slightly different angle in debating the Address in reply to the Speech from the Throne. Originally, as I sat through the Speech from the Throne, it entered my mind that there was nothing new in the speech. While it was laced with many laudable platitudes, it had nothing new and nothing innovative. I wondered if that was really the case. I have read and reread the Speech from the Throne, not because it was exciting or innovative, but because the absence of certain things troubled me. Yes, it was a pious invocation with regard to investing in children, it was looking to the future, and it was praising Canada's position and our accomplishments to date. However, that is all it was — pious invocation. That is good, but what was new? Every politician since this country was created has made similar statements, particularly about children. It always amazes me that there are times in our history — the Speech from the Throne, election time, and other such occasions — when the issue of children and how we do things for them is at the top of our agenda. However, when it comes to the spending of real resources and the creation of new programs, children's programs have to fight for their own place, along with all the others, but they do particularly badly when adults are in charge of their own programming as well as the programming for children. I felt that the speech, while pious in its tone, left a lot to be said about social justice in Canada.

• (1500)

Before I get to that point, I would give the government good marks on its deficit cutting. In particular, I want to look at how this was done. In the 1960s and 1970s, I, among many others, was involved in the creation of new programs responding to the new needs of Canadians in Canada. Little attention was paid to the financing of these programs: all laudable programs that ran out of control, and were dated by today's standards, yet the costs continued to escalate. Despite repeated government attempts to rein in those resources, Canadians — and more particularly opposition members — did not want these programs curtailed or

changed. Minor tinkering, such as cut-backs of 10 per cent, and reducing programs or delaying programs did not help address the deficit issue. Massive changes were necessary. The government had to take risks, and, above all, it needed to make deficit cutting a priority.

In this Speech from the Throne, I do not see any indication that this thinking will continue with respect to deficit cutting, because the real issue yet to be tackled is the debt issue. I urge all senators to again read Senator Bolduc's speech on the economics, since I do not intend to repeat his comments in that area.

I do want to say that, just at the point when we are moving into a surplus position on our annual budgets, we are being asked by the government to choose amongst social programs, and the line-up is starting. How do we deal with this so-called dividend? Do we put it toward debt reduction? Do we put it toward needed programs, or do we do something new for Canadian citizens in areas as yet untouched?

On referring to the Speech from the Throne, I see that we are tinkering with existing systems instead of making real, strategic social changes. The process for social justice and social change in Canada must come from innovation; it simply cannot come from moving money into existing programs. The fragmentation of the process itself is harmful.

Honourable senators, there has been no real discussion in Canada, and in particular none led by the Government of Canada, of the problem of intergenerational needs and resources. How is a fair share and balance to be achieved in our programs? Words are not enough in the Speech from the Throne, and the policy changes are not sufficient or adequate.

I wish to call to the attention of honourable senators some comments that have been made in this Throne Speech. I am paraphrasing somewhat here, but it has been said that:

A country that has decided to invest in its children is a country that is confident in its future. A country that invests in its children successfully will have a better future. One of our objectives as a country should be to ensure that all Canadian children have the best possible opportunity to develop their full potential. We must equip our children with the capacities they need to be ready to learn and to participate fully in our society.

I do not think I could find — nor, I am sure, could the Canadian government — one Canadian who would disagree with that paragraph, but surely this is simply pious invocation. When we come to the real action that should underlie these principles, the government proposes to establish centres of excellence to deepen our understanding of the development of children. It will expand the aboriginal Head Start Program, and it will measure and report regularly on the readiness of Canadian children to learn. Surely, we will not succeed in the next millennium if those

are the key ways in which children will prosper in Canadian society. Where are the programs and the changes that we need to make in our society to effectively reflect the kinds of lives that children live? Surely, these three programs cannot be the hallmark of change for children in our society.

If we are to effect change for children, we must look at all of our programs in an integrated way. We cannot have little segments that we point to and say that we have done something for children. How will our children be integrated into the next century? What about their personal lives? How will the children in poverty be helped and handled in this situation? How will we deal with the escalating problems of children with drugs, with crime, with school systems that do not suit them, and with changing parental situations? How do children know which changes to deal with? How will they deal with them if all we do is study them? Surely, the government must do more than it has identified in the Speech from the Throne.

The government continues to look at the question of safer communities as a justice issue. The government does not look at it as a social issue or a health issue, nor does it look at the situation in any way other than as something requiring a legal remedy. We will have more community-based crime prevention initiatives, we will develop alternatives to incarceration, and we will integrate information systems.

Honourable senators, all three objectives and program changes were in the government's mandate in the 1960s and 1970s when I started practising law. There is nothing new about community-based crime prevention, and there is nothing new in alternatives for incarceration. However, let us look at the record of previous governments.

Community-based crime prevention programs became programs administered by police — not administered in our schools or in our communities, and not administered by parents. Today, we are still talking about community-based programs, but we are talking about them as an alternative to crime only. It should be an alternative to other ills that eventually can lead to crime. Crime is the end point, not the starting point.

Honourable senators, we looked at developing alternatives to incarceration. The Young Offenders Act, as only one example in the justice system, was a system based on alternatives to incarceration for young people. We wanted to nip crime in the bud, but what have we done? We continue to build jails and institutions, and we continually cry for more incarceration for young people, because we say young people know what they are doing, and they need to be made accountable. However, if we look back to the 1970s, the Young Offenders Act was intended to make young people accountable before the crimes were committed, but no real dollars were put in at the front end of the justice system. All the dollars went into incarceration.

I am sorry to say that in the last Parliament — and in this Parliament to this point — the government has responded to those who really do not understand the dynamics of the crime problem and how to make communities safer. They have

responded to those critics who say, "Jail them; pass a law." The minute the law does not do its work, they say, "Pass a tougher law; pass a different law."

• (1510)

We have done a disservice to the communities by telling them that there is a law that will guarantee their safety and security. There is, honourable senators, no such law. If we are looking at incarceration as the way to change behaviour, then I am afraid we have failed.

Most young people laugh, not because they think the Young Offenders Act is weak but because those who administer the justice system are weak. They know that we will not follow through with the accountability model, the alternative to incarceration. Many times when young people are being destructive, going to jail makes them feel tough and important, for the first time, perhaps, in their lives. To be accountable in an alternative program demands community input, that the young person be accountable on a regular and timely basis to someone in the community.

Surely, in the adult system, even more is required. We have fallen into the trap of offender and victim as the basis for our justice system. There is more to the Canadian justice system than victims and offenders. The system must bring some balance and security to all citizens. Yet the Canadian government seems to pit those who wish to work with the offenders against those who wish to protect the victims. I do not believe that we will have success in our society if we continue to follow this model. Rather, we should follow a model that tries to prevent the incidence of people becoming victims. Young people should not be victimized by their own families and by their communities simply because of poverty or racial discrimination.

As these young people become older and involve themselves in crime, we should not excuse them for those crimes because of their background. We should not forget those who are harmed by their criminal acts. Rather, I think it is time that we stop tinkering with the existing system and look at other alternatives to the justice model.

There are those in Canada who are asking that we review, not the terms of the Criminal Code, but that we stand back and take a look at new forms of justice. It does not help to incarcerate people and then reintroduce them into the same communities, having changed nothing in their lives. It does not help to put offenders back in the communities where the victims, be it of rape, murder or theft, continue to live, if we have not done something for everyone in the community, and if we have not gone to what is now being called a restorative justice model.

I learned a lot from my years in Africa, where the courts are the last resort for crime, where the issue of the offender is non-existent. Rather, the consequences of crime are reviewed. How does someone pay for a crime? How does the community continue to live with that offender? How does the community support and live with the victims who were directly wronged?

There are other systems of justice, and they work. One of them is the aboriginal system where sentencing circles, in my opinion, have produced more good than the incarcerations of the past.

My plea is this. If the government wishes to build safer communities, it should simply not add a few more dollars or change a law here and there. Rather, we should stand and create for the next millennium a new form of social justice in the criminal law field that ties into mental health, the issues of the homeless and social inequities, one which will make each and every one of us accountable for the actions in our communities, rather than institutionalizing our problems.

With respect to the aboriginal community, the Throne Speech talks laudably about partnership, about building strong aboriginal communities and about strengthening the capacity of good government in the aboriginal communities. Again, I do not believe anyone inside or outside the aboriginal community in Canada can disagree. We want to be in partnership. Every aboriginal leader to whom I have spoken has said so and that their forefathers said exactly the same thing. There is nothing new in the Throne Speech for the aboriginal community.

What we have is some pious invocation and some good directional programs. However, where is the real response to real change in the aboriginal community? Honourable senators, I think it lies in the report of the Royal Commission on Aboriginal Peoples. It would bring all of us together if we looked in a more logical way at the issue of aboriginal peoples and their fair share of Canadian society. That is not to say that we should accept the findings of the report of the commission, but that we should deal with them in their totality and not in a segmented, artificial way, with good, pious intentions.

The Hon. the Speaker: Honourable senators, I hesitate to interrupt the honourable senator, but her 15-minute time period has elapsed.

Is leave granted for Senator Andreychuk to continue?

Hon. Senators: Agreed.

Senator Andreychuk: The point I want to make is that the 21st century is important for Canadians. It is not simply a time of celebration. It certainly should not be a time of self-congratulation.

There is no mention of Canada moving out into the world community, and I refer specifically to aid and development. We talk about trade and those things in the international community from which we can benefit. However, we have missed the point if we do not deal with globalization and realize that national issues have an international reverberation and vice versa.

There is no real discussion of the world community and how we can make this a better, safer world for all citizens. If we think that the answers to the questions we face as we enter the 21st century lie within our borders, then we are sadly mistaken. If that is our belief, we will find ourselves with more problems and fewer answers than we have had in the past.

Each generation has the opportunity to shape the society it wants to leave for its children. That is a statement I have made many times, as does the Speech from the Throne. If we are to be leaders for the next generations, then we must do three things. We must look at social programs in a new, strategic way, much as we looked at economic modernization. Social justice must be worked into our programs. We must not make the mistake made by the government as set out in the Speech from the Throne, that is, we must not pit one group of citizens against another. We must have policies which bring generations together and which do not separate us by age and distance. Finally, we must ensure that there is a balance in the sharing of the resources we utilize. There is no greater example than in the area of the environment. What is our fair share in terms of utilization of the environment? What will we leave to future generations?

The Prime Minister has an opportunity to give a signal to the world by setting achievable and fair targets for global warming, not targets which simply protect this generation. After all, there will not be another generation if that is the route we follow.

• (1520)

In conclusion, honourable senators, I was told many years ago by an individual in the YMCA movement that public service is the rent we pay for the space we occupy. We have an opportunity and a responsibility to leave a better world than we came into. Canadian leaders must ensure that we take only our fair share of resources and that they attack the issues of social justice. Real and fundamental changes are necessary at this time if we are to pay the rent, and not the price of the house.

On motion of Senator Carstairs, debate adjourned.

HEALTH

PROTECTION OF CONSCIENCE IN MEDICAL PROCEDURES— PRESENTATION OF PETITIONS

Leave having been given to revert to Presentation of Petitions:

Hon. Stanley Haidasz: Honourable senators, I have the honour to present petitions from Ottawa and from Northern Ontario which read as follows:

TO THE HONOURABLE THE SENATE OF CANADA IN PARLIAMENT ASSEMBLED

On the Subject of the protection of conscience in medical procedures:

We, respectful subjects of the Parliament of Canada, the undersigned, being practitioners and students of Health and Health-care in Canada, and concerned citizens of Canada, all being of the age of majority —

draw to the attention of the Government of Canada the following:

That developments of practice and interpretations of what lies in the ambit of Health predicated in the Canada Health Act have rapidly embraced experiments and procedures that place upon human lives avoidable threats which are open to moral objection by health-care students and practitioners who are expected to assist in or perform such procedures, and

That there is historically no effective recourse, for subjects of dismissal or coercive implications such as dismissal for failure to comply in such procedures, to the provincial Human Rights Tribunals, as the matter of avoidable harm is deemed to belong under the head of criminal law, and

That entrenched at section 2 of the Canadian Charter of Rights and Freedoms is the right to hold and to express the conviction or religious belief that every human life is inviolable.

THEREFORE, your petitioners plead that the Parliament of Canada undertake to enact as federal statutory law or amendment thereto the needful defence of conscience from coercion, reprisal or inequity, in the pursuit of and practice of our chosen vocations as health caregivers.

There are 274 names from the area of Ottawa and Nepean, and, in a second petition, 70 names from North Bay and neighbouring towns.

CHILD CUSTODY AND ACCESS REFORM

SPECIAL JOINT COMMITTEE ESTABLISHED

On the Order:

Resuming debate on the motion of the Honourable Senator Pearson, seconded by the Honourable Senator Carstairs:

That a Special Joint Committee of the Senate and the House of Commons be appointed to examine and analyze issues relating to parenting arrangements after separation and divorce, and in particular, to assess the need for a more child-centred approach to family law policies and practices that would emphasize parental responsibilities rather than parental rights and child-focused parenting arrangements based on children's needs and best interests;

That seven Members of the Senate and sixteen Members of the House of Commons be members of the Committee with two Joint Chairpersons;

That changes in the membership, on the part of the House of Commons of the Committee be effective immediately after a notification signed by the member acting as the chief Whip of any recognized party has been filed with the clerk of the Committee;

That the Committee be directed to consult broadly, examine relevant research studies and literature and review models being used or developed in other jurisdictions;

That the Committee have the power to sit during sittings and adjournments of the Senate;

That the Committee have the power to report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the Committee;

That the Committee have the power to retain the services of expert, professional, technical and clerical staff, including legal counsel;

That a quorum of the Committee be twelve members whenever a vote, resolution or other decision is taken so long as both Houses are represented and the Joint Chairpersons will be authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six members are present, so long as both Houses are represented;

That the Committee be empowered to appoint, from among its members, such subcommittees as may be deemed advisable, and to delegate to such subcommittees, all or any of its power except the power to report to the Senate and House of Commons;

That the Committee be empowered to authorize television and radio broadcasting of any or all of its proceedings; and

That the Committee make its final report no later than November 30, 1998; and

That a message be sent to the House of Commons to acquaint that House accordingly.

Hon. Anne C. Cools: Honourable senators, I rise to speak to Senator Pearson's motion for a Joint Committee of the Senate and the House of Commons. Last February, a historical and public discussion ensued across this country on Bill C-41, an Act to Amend the Divorce Act, which was then before the Senate and in particular before the Standing Senate Committee on Social Affairs, Science and Technology. This public discussion took place on television and radio talk shows, in print media and

editorials, and in extensive communications to senators by letter, telephone and fax. The ground swell was enormous and powerful. The public support for the Senate's action on Bill C-41 was profound and unprecedented. The public's concern for fairness in the divorce law was strongly expressed to senators.

From January 30 to February 12, 1997, a mere ten working days, certain senators' efforts to improve Bill C-41 captured the imagination and support of the public from coast to coast. During those ten days, I personally received between 120 and 150 calls and letters of support daily. I received few negative responses. Indeed, the senators on and off the committee, and the Senate's leaders, received many public representations. Lagging in public support and flailing in the public debate, the Department of Justice and the then minister of Justice, Allan Rock, attempted to shore up their ranks. They turned to their feminist journalist allies, in particular Michele Landsberg. On Sunday, February 9, 1997, she wrote an article in *The Toronto Star* headlined, "Children will suffer if senators scuttle divorce bill." She heaped scorn upon me, a Liberal senator. She heaped scorn upon Senator Jessiman, Senator Phillips and other Tory senators. She ended her article by strenuously urging all to condemn us, saying:

Only Tory leader Jean Charest can rein in the destructive excesses of his Tory caucus. If you care about fairer child support, phone or fax him urgently. There's no time to lose. Phone (613)943-1106; fax (613)995-0364.

So they did. They faxed and telephoned. Mr. Charest's office was swamped with calls and faxes for the next two days. Mr. Charest's office analyzed the calls and wrote to me of the results. In a letter dated February 19, 1997, Mr. Charest's assistant Chad Schella wrote:

Dear Senator:

...Mr. Charest's office received more than 600 telephone calls on this matter and over 200 faxes and e-mail letters...

Of these, slightly more than 200 calls were in support of the passing of C-41 and there were over 400 calls against the passing of C-41 in the government's proposed form. The e-mail and faxes are being processed as I write this letter to you, but it is fair to say that the majority of them were in agreement with your personal stand on this matter and applauded your joint effort with our Senators on this issue.

Honourable senators, this response was typical of these public outpourings. In some instances, the support was even higher, up to 90 per cent.

In examining Bill C-41, the Standing Senate Committee on Social Affairs, Science and Technology held ten meetings and heard 43 witnesses. I found the number of witnesses and meetings too few. The government had been rushing the bill's

passage and had rushed the Senate committee's work. In fact, the public support for the Senate surprised the government and the then minister of Justice, Allan Rock. The dominant public wish, the one most frequently and repeatedly articulated, was the wish that the Senate return balance, fairness and equilibrium to the Divorce Act, to the practice of family law, to the courts and to the administration of justice.

I shall quote one letter written by Toronto lawyer Bruce Haines, Queen's Counsel, son of the late Mr. Justice Edson Haines. On February 3, 1997, he wrote:

Dear Senators:

For over thirty years I have practised family law in Ontario and during that time have watched the development of the law and the dramatically changed social conditions which have not only seen a very high percentage of married women move into the work force in most every area but have also seen a significant narrowing of the income differentials between men and women. During that same period I have watched spousal social expectations change in that husbands have embraced a full participation in all aspects of family functions, particularly in the nurturing and raising of their children.

Changes to the divorce law have rarely kept pace with changing attitudes and, despite the gender neutral language of the *Divorce Act*, its actual implementation in the areas of child custody and child support has continued to be marked by an entrenched systemic gender bias that '*mother knows best and father pays best*.' The administration of justice does not treat spouses equally when it comes to assigning child custody. By and large, custody is almost always assigned to mothers and the most fathers can hope for is a generous access order. Where fathers interfere with custody orders they will ordinarily bear the full weight of the law while mothers who flaunt access orders will, by and large, receive judicial admonitions with usually little other consequence.

• (1430)

Section 16(10) of the *Divorce Act* requires courts to take into consideration the willingness of the person for whom custody is sought to facilitate contact of the child with each spouse. Practising family law lawyers know that this Section is almost never invoked.

Mr. Haines continued:

As Senators you have an opportunity to correct at least some of the mischief inherent in this deeply flawed legislation.

He also said:

I urge the Senate of Canada to reject Bill C-41 in its present form and to approach all of the issues on a remedial basis. In considering custody and child support, there is a need to restore greater balance between the rights of mothers and fathers. I have not ventured into other areas of family law where the similarly entrenched systemic gender biases seem to exist.

He ended with a plea:

The issues before the Senate are extremely important and now is the best opportunity for that second sober thought which is your unique legislative function.

Honourable senators, this was one of thousands of such letters to senators, most of which were written personally. Mr. Haines' view that divorce legislation must be balanced and fair was widely held across the country by most Canadians, men and women. Senators amended Bill C-41 and passed the amended bill on February 13, 1997. The House of Commons concurred with our amendments the next day. As part of Bill C-41's passage, the government, in response to the concerns of senators and non-custodial parents, committed itself to studying the issues of custody and access. The then minister of Justice, Allan Rock, wrote a letter to Senator Mabel DeWare, then chairman of the Standing Senate Committee on Social Affairs, Science and Technology, which reads:

Dear Honourable Senator DeWare:

I am writing further to discussions that have taken place over the past days with respect to Bill C-41, the government's child support initiative.

Please accept this letter as confirmation that, assuming passage of Bill C-41, this government will take the steps necessary to introduce a motion in this session to establish a Joint Senate-House of Commons Committee to study issues related to custody and access under the *Divorce Act*. The government is offering this commitment in response to concerns raised by some Senators, on behalf of non-custodial parents, who believe that this issue should be re-examined.

I would be grateful if you could convey this information to all members of your Committee. Thank you for your assistance with this matter.

Yours very truly,

Allan Rock

I note here that Minister Rock's promise was premised on the passage of the bill. Further, the thirteenth report of the Standing

Senate Committee on Social Affairs, dated February 12, 1997 and carried in the Senate on February 13, 1997, recited Minister Rock's commitment, stating:

The Committee received three letters which were read into the record and are appended to this report. The Minister of Justice and Attorney General of Canada, the Honourable Allan Rock, in his letter of February 12 1997 to the Chair of the Committee confirmed that the "government will take the steps necessary to introduce a motion in this session to establish a Joint Senate-House of Commons Committee to study issues related to custody and access under the *Divorce Act*. The government is offering this commitment in response to concerns raised by some Senators, on behalf of non-custodial parents, who believe that this issue should be re-examined."

All honourable senators, including myself, believed the commitment of Minister Rock and the government. However, Senator Pearson's motion now before us says something slightly different and does not clearly articulate the minister's promise. Senator Pearson's motion is insufficient in its delivery of the minister's commitment, and consequently needs amendment to more wholly express the undertakings made by the minister to the senators. The motion needs a more exact statement of the subject-matter that the government and the Senate agreed to study. Such fuller statement would clarify the terms of reference for the committee and articulate the will and intention of the Senate as the senators voted for the committee report and for the amended Bill C-41. The motion must clearly articulate that the subject-matter for examination by the joint committee are the issues of custody and access following separation and divorce.

Honourable senators, for too long these issues of custody and access have been begging parliamentary committee study. During the Senate committee hearings on Bill C-41, witnesses related the numerous and extensive problems in the areas of custody and access and the numerous problems facing non-custodial parents. They also described many problems, including the Parental Alienation Syndrome, called PAS, and false sexual abuse allegations in divorce and custody disputes.

I shall speak briefly to these two issues. First, Parental Alienation Syndrome is the effort by one parent — the custodial parent — to eliminate access between the children of divorce and their non-custodial parent. The elimination of access is often a significant indicator of an effort to alienate the non-custodial parent and eliminate access on a permanent basis. Dr. Richard Gardner, an American psychiatrist coined the term "Parental Alienation Syndrome (PAS)" to describe the process whereby one parent initiates the systemic vilification of the other parent by manipulation of the child with the intent of alienating the child from the other parent. Dr. Gardner has written several books on this subject including the 1992 book *The Parental Alienation Syndrome, A Guide for Mental Health and Legal Professionals*. Dr. Glenn Cartwright, a psychology professor at

McGill University has studied the matter and has noted that an alienating parent requires time to enlist the child's compliance without interference. In his 1993 paper entitled "Expanding the Parameters of Parental Alienation Syndrome" published in the *American Journal of Family Therapy*, he wrote:

The manipulation of time becomes the prime weapon in the hands of the alienator...

Parent Alienation Syndrome occurs when one parent is engaged in an attempt, not merely to destroy the other parent and the other parent's relationship with the child, but also to cause the child to join in the process. The child enters the dynamic, becoming a weapon, a spokesperson, and a co-combatant in the process.

Honourable senators, the other problem is the use of false sexual abuse allegations in divorce and custody proceedings. I spoke on this matter in this chamber on July 13, 1995 and on March 26 and October 28, 1996. The use of false allegations in divorce and custody proceedings has become an epidemic in this country. It has been described as the weapon of choice in custodial disputes. Of particular note is that these peculiar false allegations only arise in the context of divorce or custody disputes. Such a case of false allegations is *Plesh v. Plesh*. The trial judge, Mr. Justice Carr, of the Manitoba Court of Queen's Bench, in his 1992 judgement stated:

It is patently obvious from the evidence and the manner in which it was given that the mother thereafter set out to punish the husband... Her motivation was revenge, pure and simple. She began a course of conduct that has been, to her way of thinking at least, totally successful...she cried child abuse and continues to make the allegation to this date. In so doing she has nearly destroyed her husband and his relationship with their child. I conclude that she never believed that their son had been abused, not when she reported the abuse and not now.

On September 3, 1995, in a *Winnipeg Free Press* article entitled "Abuse: Too many cry wolf," Allison Bray reported that:

Dr. Charles Ferguson, Director of the Child Protection Centre, also fears too many parents cry "wolf."

Ferguson said the number of children in custody disputes who are actually being abused is probably less than ten per cent of those where abuse is claimed. But the psychological damage to children used as pawns is abuse in itself.

Our experience is these children are at enormous emotional risk and are ill-used.

Honourable senators, these are only two of the many problems in the operation and application of the law in respect of custody and access.

On the issue of access, the 1995 Supreme Court of Canada decision in *Gordon v. Goertz* was extremely significant. The issues for adjudication were custody, access and contact between the child and a non-custodial parent. In her reasons for judgement, Madam Justice Claire L'Heureux-Dubé wrote:

Important as contact with non-custodial parent may be, it should be noted that not all experts agree on the weight to be given to such contact in assessing the best interests of children.

• (1540)

Honourable senators, that statement and judgment caused much anxiety and anguish to non-custodial parents across this land and has caused many to ask Parliament to study the issues of custody and access.

As Mr. Haines pointed out earlier in his letter, marriage and society in general have moved toward joint parenting and joint responsibility for children. So too in many jurisdictions has divorce law moved toward joint or shared parenting. Some jurisdictions have even abandoned the antiquated term "custody," in favour of the modern term "parenting."

On November 22, 1993, in a *Western Report* article about Anne McLellan entitled, "Canada's Feminist Energy Minister," Michael Jenkinson wrote about:

...her belief that women should be granted sole custody of children after most divorces...

In 1991, Anne McLellan, then professor of law at the University of Alberta, now Minister of Justice, wrote a discussion paper for the Alberta Advisory Council on Women's Issues entitled, "Women and the Process of Constitutional Reform."

The Hon. the Speaker: Honourable senators, the time allotted for the honourable senator has expired. Is leave granted for her to continue?

Hon. Senators: Agreed.

Senator Cools: In this paper, she argued that constitutional devolution of federal government powers to the provinces would give provincial governments control over the family, such that certain proceedings in separation and divorce would fall under provincial jurisdiction by virtue of the province's power over property and civil rights. Such devolution she believes would result in joint custody after divorce — a calamity. She wrote:

If, through constitutional reform, divorce became a matter of exclusive provincial jurisdiction, provinces could then legislate comprehensively in the area of "the family." Some provincial legislatures may choose to impose a presumption of joint custody and require mandatory mediation in the resolution of family disputes.

Honourable senators, Anne McLellan continued:

...an increasing number of commentators now suggest that joint custody may simply perpetuate the influence and domination of men over the lives of women.

MOTION IN AMENDMENT ADOPTED

Hon. Anne C. Cools: Honourable senators, the public's rejection of ideology in family law drove the public support for senators on Bill C-41. Therefore, to harmonize Senator Pearson's motion with Minister Rock's articulated intention, and with the will of the Senate vote, and, in addition, for the purposes of allowing the committee to travel across Canada, I move, seconded by Senator Watt:

That the motion be amended by

(a) deleting paragraph 1 thereof and substituting the following:

That a Special Joint Committee of the Senate and the House of Commons be appointed to examine and analyse issues relating to custody and access arrangements after separation and divorce, and in particular, to assess the need for a more child-centred approach to family law policies and practices that would emphasize joint parental responsibilities and child-focused parenting arrangements based on children's needs and best interests; and

(b) adding the following after paragraph 9:

That the committee be empowered to adjourn from place to place within and outside Canada.

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

Hon. Duncan J. Jessiman: Honourable senators, I have read this amendment to the motion. I note that Senator Cools in her speech has referred to two of the many problems in the operation and application of the law in respect to custody and access.

As you know, the other day, I had set out nine such problems and added another, hoping that any other matters that came before us might be considered. I am satisfied that this amendment allows the committee to act in a manner in which we thought we would be getting authority to do so.

I was a little concerned, I must say, when I read about the size of the committee. There are 23 members. There is a quorum of only 12 in dealing with resolutions and then a reduced quorum to 6, so that is a little better. They have gone even further. They have allowed this committee to appoint subcommittees, and it does not say how many subcommittees.

It is my hope that with Senator Cools on the other side working with us, we will submit a good report. I support the amendment as it is put forth.

The Hon. the Speaker: If no other honourable senator wishes to speak, I will put the motion in amendment. Is it your pleasure honourable senator to adopt the motion in amendment?

Hon. Senators: Agreed.

The Hon. the Speaker: Carried.

The Hon. the Speaker: If no honourable senator wishes to speak on the main motion as amended, I will proceed to the main motion as amended. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to, as amended.

INTER-PARLIAMENTARY UNION

NINETY-SEVENTH CONFERENCE, SEOUL, KOREA—INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau calling the attention of the Senate to the 97th Inter-Parliamentary Conference, held at Seoul, Republic of Korea, from April 9 to 15, 1997.—(*Honourable Senator Bosa*).

Hon. Peter Bosa: Honourable senators, it is with pleasure that I take part in this debate. Honourable Senator Comeau spoke to you last week about some of the activities of the Canadian IPU Group at the 97th Inter-Parliamentary Conference held in Seoul last April. He also underlined the value of parliamentary associations in promoting Canadian interests in the international arena.

In reporting to the Senate today on the same conference, I would like to focus on the work of two IPU committees, the first Committee on Political Questions, International Security and Disarmament as well as the Committee on Human Rights of Parliamentarians, because I believe that much of the important work of the union takes place at these committees.

During the Seoul Conference, the Political Committee, as it is called, was charged with the responsibility of examining the issue "Cooperation for world and regional security and stability, as well as respect for all forms of the sovereignty and independence of States." As one of two Canadian representatives on that committee, I was in a good position to observe exactly how it carries out its work.

Prior to the Seoul conference, our delegation examined the various topics that might be addressed under this issue. We decided that in looking at world and regional security, it was important to examine how peace-keeping operations are being used in dealing with situations of conflict. This is no surprise as successive Canadian governments have regarded peace-keeping and peace-building as some of the most important mechanisms to deal with world crisis.

Honourable senators may recall that Canada presented a special study to the fiftieth session of the United Nations entitled: "Towards a Rapid Reaction Capability for the United Nations," which outlined practical improvements to the United Nations' peace-keeping operations. For example, this study emphasized the need for a careful analysis of a proposed peace-keeping mission to ensure that there is a clear, achievable mandate from a competent political authority like the Security Council, and that the number of troops and the international composition of the operations are suited to the mandate.

During the deliberations in Seoul, Mrs. Gaffney, MP, spoke about the need not only to analyse peace-keeping operations but also to strengthen peacebuilding operations by creating a sustainable infrastructure of human security, including human rights, fundamental freedoms, the rule of law, good governance, sustainable development and social equity.

Peacekeeping and peacebuilding are cornerstones of Canadian foreign policy and, as such, we would like to see other nations make strong commitments to support the principles underlying these activities. The debate in Seoul, as well as the draft resolution prepared by the Canadian group, provided us with the opportunity to explain in a comprehensive way to our international colleagues how peace-keeping and peace-building might be undertaken. As there was considerable interest in the Canadian position, we provided follow-up material to our friends from several delegations.

As previously mentioned, the debate also included a reference to "respect...of the sovereignty and independence of States." Therefore, I could outline our strong concern about the Helms-Burton Act, which we feel sets a dangerous precedent that could damage the international investment system. The Helms-Burton Act is designed to discourage third country investment in Cuba by exposing foreign nationals who "traffic" in expropriated Cuban property to claims in U.S. courts against that country. It also provides for the denial of entry to the United States of foreign individuals or companies who "traffic" in that property.

It is a basic principle of international law that a nation is sovereign within its own territory. The Helms-Burton Act denies entry to some individuals and subjects persons outside of the United States to lawsuits in U.S. courts for actions that are legitimate and legal where they take place. This represents an unacceptable assertion of extraterritorial jurisdiction.

The Helms-Burton law violates international agreements and has severe implications for international trade and investment. Canada has pursued its opposition to the Helms-Burton Act at every opportunity in international fora, including the World Trade Organization, the Organization of American States, and the OECD General Council. It is extremely appropriate that we should raise this matter at an inter-parliamentary conference in order to inform our parliamentary colleagues about our grave concerns, as many were aware of the implications of the law. Furthermore, the final resolution adopted without a vote urged

states to refrain from "enacting national laws that have extra-territorial effects on other states."

I have described the deliberations of the study committee in some detail in order to illustrate the relevance of IPU debates to issues at the top of our foreign policy agenda. The IPU has always strived to select topics that are timely, relevant and opportune. In many cases, the topics selected for study are newly emerging issues on which legislators will be asked to take a position in the near future. Over the years of my association with the IPU, it has been amazing how many times the union has initiated debate in a critical new aspect of public policy.

Before concluding my remarks, I wish to speak about the work of another worthwhile IPU committee, namely, the Committee on the Human Rights of Parliamentarians. Established in 1977, this committee examines the cases of parliamentarians subjected to arbitrary actions during the exercise of their mandate. As parliamentarians in a free and democratic country, we have no fear of arbitrary arrest because of our political actions or statements. Unfortunately, however, in a number of countries around the world the rights of duly elected parliamentarians have been violated. During the Seoul conference, the cases of 188 parliamentarians in 33 countries were examined.

This committee plays a valuable role in preserving democratic principles and the rule of law by examining the circumstances surrounding each case and trying to achieve a settlement. Its five members, all of whom are jurists with extensive experience, work tirelessly throughout the conference to examine the detailed documentation filed for each case, and to meet during *in camera* sessions with the accused, if possible, witnesses and authorities of the IPU groups concerned. In some instances, the committee has even conducted hearings within the walls of a prison.

If an acceptable settlement is not reached within a reasonable time, the union makes a public appeal to its membership to bring pressure on the countries concerned. In Seoul, for example, the cases of 121 parliamentarians in 12 countries were raised publicly. Supporting action by Parliaments affiliated to the union plays a key role in securing positive developments. Therefore, following each conference, the Canadian IPU group includes an outline of these cases in its report to Parliament, and sends a copy of the human rights report to the Minister of Foreign Affairs, as well as to the chairs of relevant committees. In some instances, members of the executive committee of the Canadian IPU group have met with the ambassadors of countries whose cases have been raised, in order to express our concerns and to press for a settlement.

Since almost all of the work of the Committee on the Human Rights of Parliamentarians is conducted behind closed doors, many parliamentarians are unaware of its critically important work and of its valuable role in preserving democracy. However, if you talk to some of the parliamentarians whose cases have been handled by this committee and who are now active members of the union, you can have no doubt about the significant work the Committee on the Human Rights of Parliamentarians performs.

Honourable senators, throughout my remarks today I have tried to outline how the IPU is important to our work in the Senate. First, it is an international forum where we can raise and promote domestic policy initiatives such as our strong support of peace-keeping and peace-building activities.

Second, its work, particularly through activities such as the Committee on the Human Rights of Parliamentarians, sustains and promotes fundamental rights and freedoms which we would hold as essential components of democracy.

As the focal point for worldwide parliamentary dialogue since 1889, the Inter-Parliamentary Union works for peace and cooperation among peoples, and the firm establishment of representative institutions. Let us continue to support its valuable work.

• (1600)

Hon. Eymard G. Corbin: Would Senator Bosa accept a question?

Senator Bosa: Certainly.

Senator Corbin: I have listened to both your speech, Senator Bosa, and that of Senator Comeau, and I commend both of you for the contents of the report and the work that you have achieved overseas.

However, you were next door to a country by the name of North Korea, and we have been hearing for months from a number of highly credible and reliable resources, including Canadian journalists, that there is a serious famine situation in North Korea. So far, the world seems to have not responded humanely to redress or to help alleviate the situation. Did the honourable senator, Senator Comeau and other delegates get an opportunity to be informed of the situation by your South Korean colleagues who participated in the work of the meeting?

It seems that, when compared to some countries, Canada is ready, willing, and certainly able to help. However, in this instance, I am not aware of any initiative by any important nation to address the famine situation in North Korea, which I understand is the result of serious droughts and other factors as well.

Can the honourable senator tell us anything about that?

Senator Bosa: Honourable senators, the matter of famine in North Korea was discussed but not in a formal way.

I know from personally reading some newspaper accounts that Canada did, through the Red Cross, send some assistance to the North Koreans. I know that other countries have done so as well. However, I am not aware as to what extent that assistance has helped to alleviate the situation in North Korea.

The matter of famine was not formally on the agenda; consequently, the debate did not take place on that issue, and I am not in a position to give more detailed information to the honourable senator.

The Hon. the Speaker: Honourable senators, if no other senator wishes to speak, this inquiry is considered debated.

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON ASIA PACIFIC REGION

Hon. John B. Stewart, pursuant to notice of October 22, 1997, moved:

That the Standing Committee on Foreign Affairs be authorized to examine and report on the growing importance of the Asia Pacific region for Canada;

That the Committee have 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 the said order of reference;

That the papers and evidence received and taken on the subject and the work accomplished by the Standing Senate Committee on Foreign Affairs during the Second Session of the Thirty-fifth Parliament be referred to the Committee;

That the Committee have power to adjourn from place to place inside and outside Canada; and

That the Committee submit its final report no later than October 30, 1998 and that the Committee retain all powers necessary to publicize the findings of the Committee contained in the final report until December 15, 1998.

He said: Honourable senators, those persons who are members of the committee will be familiar with the content of the motion. It authorizes the Standing Senate Committee on Foreign Affairs to resume its work relative to the Asia Pacific region.

Honourable senators who were here last Thursday will remember that I spoke to the Senate on the content of an interim report which the committee made as a result of the work that it had done prior to the dissolution. There are certain topics which still need the attention of the committee. We are seeking the authorization of this place to do that work.

Motion agreed to.

[*Translation*]

TRANSPORT AND COMMUNICATIONS

AUTHORIZATION OF COMMITTEE TO ENGAGE PERSONNEL

Honourable Senator Bacon, pursuant to the notice given October 23, 1997, moved:

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

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

Some hon. members: Agreed

Motion agreed to.

[*English*]

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Lorna Milne, pursuant to notice of October 23, 1997, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs 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.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Lorna Milne, pursuant to notice of October 23, 1997, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

The Senate adjourned until Wednesday, October 29, 1997, at 1:30 p.m.

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