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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Monday, November 6, 2006

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

COMPUTERS FOR SCHOOLS PROGRAM

Hon. Jane Cordy: Honourable senators, I rise today to speak on the Computers for Schools Program. This program was initiated in Nova Scotia as a Nova Knowledge program in 1993 and was soon adopted by Prime Minister Kim Campbell. It is a unique private-public partnership, which ensures a steady supply of refurbished computers to Canadian schools.

On average, the Computers for Schools Program in Nova Scotia provides 4,000 recycled computers for use in schools, regional libraries and needy not-for-profit organizations each year. Since the program began in 1993, 32,000 computers have been distributed in Nova Scotia and over 800,000 computers have been distributed throughout Canada. This program helps puts innovative tools into the hands of young people, including those who might not otherwise have access to technology.

In addition to distributing computers, the program also provides training opportunities for new graduates of IT programs. This hands-on training provides them with valuable experience and most participants go on to successful careers in the information technology field.

This Canadian program is unique in the world, with other countries looking at our model. In fact, several countries now have pilot programs based on Computers for Schools.

While the program is called Computers for Schools, it accomplishes so much more. Computers for Schools is a strong supporter of social integration for disadvantaged youth. There are eight workshops dedicated to Aboriginal youth in the field of computer refurbishing. There are two workshop programs for children at risk and there are two workshops located within federal penitentiaries as part of rehabilitation programs for inmates. In addition, Computers for Schools has diverted more than 52 million pounds of electronic waste from landfills since it began.

• (1405)

Honourable senators, this is a good news story. It represents an accomplishment that Canada can be proud of. It is an example of what government, business and individual Canadians can accomplish when they work together.

Unfortunately, honourable senators, this Conservative government has determined that as of March 31, 2007, they will no longer fund this program; a program that has won national and international acclaim, helped countless people and managed to reduce electronic waste destined for landfills. People familiar

with the good work that has been done by Computers for Schools — and I am part of that group — are somewhat puzzled that the present government would contemplate cancelling such a successful program when they have a \$13 billion surplus.

DIVERSITY IN THE WORKPLACE

Hon. Donald H. Oliver: Honourable senators, I rise today to call your attention to the importance of diversity in our workplace. The Public Service Commission's 2005-06 annual report, which was just released, examines in detail the efforts made to recruit visible minorities at all organizational levels here in the Canadian public service.

Honourable senators, there are more than 200,000 members of the Public Service of Canada but there are too few visible minorities. As you are aware, more than 20 years ago the Government of Canada determined that there were four groups of Canadians who needed special measures in order that they could be treated equally in Canadian society, and in the public service in particular. The four employment categories are: women, persons with disabilities, Aboriginal peoples and, fourth, visible minorities.

You should know that the 2005-06 annual report of the Public Service Commission of Canada found that, overall, the composition of the public service reflects the workplace availability for three of the four employment equity groups, namely, women, persons with disabilities and Aboriginal people, but there has been the usual consistent and distressing failure in the promotion and representation of visible minorities in the Public Service of Canada.

Yes, there has been an increase in the number of visible minorities in the public service. However, as of March 31, 2005, they represent only 8.1 per cent despite their workforce availability of 10.4 per cent. The Public Service Commission states in their report that they have been monitoring the appointment of visible minorities in the EX group and remain concerned about the consistent gap in the representation of visible minorities in the executive cadre.

The report says, and I quote:

PSC is studying the barriers to better understand and address the gap between application and appointment rates for visible minorities.

Honourable senators, do you not think that we have spent enough time studying the problem of systemic barriers to visible minorities in the public service, and that now is the time for action?

A good note is the work done by Madame Barrados, the President of the Public Service Commission of Canada. She instituted recently an EX-01 competition for members of visible minority groups, in particular the qualifications of the 41 successful individuals who applied and were accepted. Specifically, a pool of 41 pre-qualified visible

minority executives at the EX-01 level was established on February 28, 2006. Twelve of the candidates have the CBC language requirements for executives. As of today, all but 11 of those visible minorities have found a place in government departments at the executive level. This is some movement of a positive nature, but we need still more.

Honourable senators, I have to ask, when was the last time that you had appear before you in your various committees a deputy minister or an ADM, for that matter, who was a visible minority? It is time that the Public Service of Canada mirrored the mosaic of our country. The day that our senior or executive branch of the Public Service of Canada resembles the face of today's downtown Toronto is the day that we will know that we have true diversity.

I have been speaking out strongly against racism and systemic barriers for some 17 years. My lone voice in the wilderness is really not getting anywhere. I call upon all honourable senators to join me in this fight to bring about equality in the workplace for all Canadians, irrespective of their colour.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

FUNDING FOR LITERACY PROGRAMS

Hon. Joyce Fairbairn: Honourable senators, literally I have just blown in from the fog of Southern Alberta and Calgary.

• (1410)

I was there to speak at the annual meeting of literacy groups in Alberta. In the last few weeks, I have mentioned that those involved were concerned they might not be able to have this event because they had not yet received the funding they requested from the government.

They were pleased that we are talking about this in both Houses of Parliament. They were pleased to learn from a phone call last week that the Department of Human Resources would look at their proposals. When the cuts were made, it looked as though the funding would be stopped. It has been made clear to them that their proposals are being studied. I hope that they will be approved so that they can carry on with their work.

There were many learners at the meeting; some very young and some middle aged. Some of them have been at it for a long time and are now helping others. They have all been very worried.

When I arrived at my office today, I received a message from a man who has been learning to read. He asked if he could send a message to me saying that he was encouraged to know that I am working on this issue here in Ottawa. His message was, "Please tell her I will try harder to read, and I am curious to learn about a lot of other things, too."

I mention this only to emphasize the importance for the Government of Canada, the provinces and all other levels to help the adults who have not had the opportunity to learn to read, for whatever reason, during their lifetime. They should not be put aside as waste or something unnecessary, with the money being used for other things.

Honourable senators, there is a spirit of hope out there and it is up to us to keep that spirit strong in every province and territory in this country. People must have the opportunity to learn.

[Translation]

AID TO COMMUNITY GROUPS TO COMBAT VIOLENCE AMONG URBAN YOUTH

Hon. Jean-Claude Rivest: Honourable senators, I would like to draw your attention to the problem of violence among youth, particularly in urban areas. Like many Canadians, the fact that the new government is talking only about repressive solutions such as strengthening laws worries me.

I have always been opposed to reforming the Young Offenders Act to put people as young as 12 or 14 in prison, as the government has done. I think that demonstrates a very bad attitude.

This morning, I was very pleased to learn that the Minister of Public Safety Minister, Stockwell Day, and his Quebec counterpart were in Montreal today to announce \$10 million in funding for community groups. This funding is part of the \$50 million envelope available for the whole country.

Honourable senators, it is our responsibility to state clearly that the real and permanent solution to urban public safety problems, especially with respect to young criminals and street gangs, goes much more along the lines of the action taken by the Minister of Public Safety this morning, that is, funding community groups, especially in poorer city neighbourhoods. I think this is a very promising approach.

I would ask the government to provide more funding to help community groups in order to reduce urban youth crime, thereby making all Canadians safer.

• (1415)

Providing assistance to community groups offers much more promise and is much more important than simply making criminal laws more severe or taking an approach that advocates repression. Instead, what is needed is assistance and understanding of this extremely serious social phenomenon that is occurring in our country.

[English]

REVENGE OF GAINER THE GOPHER

Hon. John G. Bryden: Honourable senators, I want to follow up on something that occurred last week in the chamber during Senators' Statements, and take a moment to recognize when credit is due. I am speaking about the revenge of the green gopher that occurred yesterday in Calgary. Being sort of an underdog and coming from an underdog province myself, I kind of hope that the green gopher does the same thing to the B.C. Lions!

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, as an Albertan, on behalf of those here, and in particular to Senator Tkachuk and Senator Merchant — and I saw Senator Andreychuk earlier — congratulations on a lucky win against the Stampeders, even in the absence of Gainer the Gopher. I wish you all the best in the finals.

Senator Comeau: Do not mess with gophers!

Senator Stratton: It was the gopher that did it.

[Translation]

ROUTINE PROCEEDINGS

THE SENATE

NOTICE OF MOTION TO EXTEND WEDNESDAY SITTING AND AUTHORIZE COMMITTEES TO MEET DURING THE SITTING

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the Order of the Senate of April 6, 2006, when the Senate sits on Wednesday, November 8, 2006, it continue its proceedings beyond 4 p.m. and follow the normal adjournment procedure according to rule 6(1); and

That committees of the Senate scheduled to meet on Wednesday, November 8, 2006, be authorized to sit even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-9, to amend the Criminal Code (conditional sentence of imprisonment).

Bill read first time.

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

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

• (1420)

[English]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

SECOND PART, 2006 ORDINARY SESSION OF PARLIAMENTARY ASSEMBLY OF COUNCIL OF EUROPE APRIL 10-13, 2006—REPORT TABLED

Hon. Lorna Milne: Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report of the Canadian delegation to the

Canada-Europe Parliamentary Association on the second part of the 2006 Ordinary Session of the Parliamentary Assembly of the Council of Europe, held in Strasbourg, France, from April 10 to 13, 2006.

QUESTION PERIOD

THE SENATE

OFFICE OF LEADER OF THE GOVERNMENT— MEDIA LEAK ON NATIONAL SECURITY AND DEFENCE COMMITTEE TRIP TO DUBAI

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. Returning to matters that we had on our minds last week in Question Period, upon reflection and an opportunity to review the electronic correspondence between her office and the hotel in Dubai, has she reconsidered her position, had a discussion with her staff member and determined whether or not he was the source of information that became public, either indirectly or directly, that was reported on October 18?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question.

The honourable senator has caused me to lose a bet. I bet with staff members in my office that the honourable senator would not ask these questions again today. Now I will have to pay up.

I have had an opportunity to look at the documents that Senator Banks tabled in this place last Thursday. In no way was personal information such as phone numbers or any other like information sought, nor was it given, and I do not believe any member of my staff was the source of the leaks.

Senator Hays: As a supplementary, can the Leader of the Government confirm that she is still of the view that that is an appropriate thing for senators' staff to do, namely make these inquiries which may or may not turn up personal information?

In the exchange of correspondence that I have had, and from what I have seen posted on the Canadian Taxpayers Association website, there is personal information included, but as the honourable leader said a moment ago, she does not believe her staff was the source of that information.

However, is it still her view that that is an appropriate task for a member of her staff?

Senator LeBreton: In answer to the honourable senator's question about personal information, I have not gone on to the website to which he referred. They may have a source of information that has not been the subject of the discussions here, because clearly the documents that Senator Banks tabled last Thursday confirmed what I have said all along, that I do not believe that a member of my staff sought or received personal information.

With regard to the second part of the honourable senator's question, I do not have people on my staff working on particular activities of senators. In this case, as I pointed out last week, some members of my staff work on various committees, and this was the subject of some debate in the public domain, but I do not believe that any member of my staff acted inappropriately.

Hon. Joan Fraser (Deputy Leader of the Opposition): I have a question for the Leader of the Government in the Senate. The minister just now repeated a suggestion that she made several times on Friday. The implication is that Mr. Kroeker was making his inquiries of the hotel in Dubai because, if I may quote the words of the honourable leader on Friday "the issue was in the news."

We know that at some time before October 10, Mr. Kroeker requested an invoice with expenses concerning the committee's stay at the Dubai Renaissance Hotel. We know that he requested it before October 10, because that is when he received it. We know that he further requested more information on October 16. However, the first media reports were on October 17, more than one week after Mr. Kroeker's first request for information from the hotel. Could the leader explain this sequence of events?

• (1425)

Senator LeBreton: I have not followed the chronology of when the various stories about the Senate appeared in the media. As I said last Friday, there is a simple reality: The issue is the committee travelling to Dubai in the first place. All of these unpleasant stories could have been avoided if the committee had listened to the Chief of Defence Staff before they left Canada and had decided in their wisdom that it was not appropriate to carry on with their trip to Dubai in the first place.

Senator Fraser: With respect, minister, I do not think that is the issue. Forget Afghanistan for a moment. The trip to Dubai had been planned for months and had been approved by the relevant subcommittee of the Internal Economy Committee and by the full Senate.

In Dubai, the committee did work that is likely to be of benefit to Canadians. They investigated some serious matters, including the operation of a Dubai company that is investing in Canada and has been the subject of considerable controversy in the United States on security grounds. This is surely a legitimate matter for committee inquiry.

The issue is not whether that trip should have been authorized. The issue is: What was the appropriate way for the Senate to inquire after the fact — if the Senate believed that should be done — into the appropriate spending of public money? The Internal Economy Committee did take another look at this matter last week.

Why then, before there had been any media news reports, before the topic was in the news, did the leader's office deem it necessary to take upon itself to make inquiries into a matter that is the purview not of any senator's office but of the Internal Economy Committee and the Senate finance administration?

Senator LeBreton: Honourable senators, as discussed last Friday, the matter is before the Internal Economy Committee. Again, this most certainly could have been avoided. If the

honourable senator reads last June's Hansard, it indicates that the whole trip was predicated on the committee getting into Afghanistan, and while on the way, it would also go to London, Rotterdam and Dubai. The committee was made aware before it left Canada that it could not go into Afghanistan. Obviously, they knew that the trip to Dubai was, I believe, for one meeting. The prudent and sensible action at the time that would have avoided all of these stories would have been for the chair of the committee to inform the members of the committee that because they could not get into Afghanistan, the Dubai portion should be removed from the trip. That is all that was required.

I am not aware of the complete chronology of when the various news stories appeared about certain members of the Senate and I am not aware of the other activities. I have seen in the media some of the comments of the Canadian Taxpayers Federation. Although I should not speculate, perhaps they had sources of information, but I do not know that for certain. As far as I am concerned, this whole issue arose because a committee decided to do something they were advised against doing.

• (1430)

If they are looking for people to blame for this, perhaps they should have a look in the mirror and look at who is looking back at them.

Senator Fraser: I appreciate that the minister seems not to wish to answer my question. I will refresh her memory about the chronology, and perhaps tomorrow she could return with an answer.

The chronology is that the first request from the minister's office went to the hotel more than a week before the first news story appeared. The second request, and the information received in response, came one day before the first media report appeared. The leader does not have to answer today; she has made it very clear that she does not wish to do so. I would hope that she will do so tomorrow.

Senator LeBreton: Senator Fraser, I do not believe that a member of my staff leaked this to the media. The media are very resourceful; they have their own ways of getting information. I certainly did not have any discussions with the media about this issue. The media are always asking questions about many things and, often in the interests of everyone in this place, I do not choose to answer. That is the best advice when you do not want to get involved in a media story. I was not involved in it myself. When I am asked questions on various matters, I choose not to respond.

The fact is that I do not believe a member of my staff is responsible for the leak. The media, as I said, have their own resources. It is similar to the question of what came first, the chicken or the egg? I will not get into it because I have no knowledge, except to say that I do not believe that a member of my staff was involved in the media leak.

Hon. James S. Cowan: Honourable senators, last Friday, our colleague and my good friend Senator Oliver reported on his leadership of a trade mission sponsored by ACOA the previous weekend in Florida. Having had the honour to lead such a mission to Chicago myself last September, I share his appreciation of the value of such initiatives.

My question is for the Leader of the Government in the Senate. Would the honourable senator agree it would be appropriate for a member of my staff, without consulting Senator Oliver, to ask where Senator Oliver stayed while leading the mission? Would it be appropriate for a member of my staff to ask for a detailed copy of his hotel bill, which, of course, is paid from public funds? If not, why not?

Senator LeBreton: Honourable senators, I thank the honourable senator for the question. I do not believe a member of my staff asked for personal detailed information about the particular account of any one particular senator.

As I said, last week in response to a similar question, I do not believe that people should be looking for personal information on people's hotel bills. According to the documents — I am only going by the documents that Senator Banks tabled — this information was not sought, nor was it provided. That is all I can say.

We are all responsible to the public for our actions. I am very confident in my own actions. I believe that we are all publicly accountable. I reiterate that I do not believe a member of my staff sought out personal information on any senator; nor, according to the documents that were tabled in the Senate last Thursday, was any given.

Senator Cowan: Is the leader saying that it would be inappropriate for a member of a senator's staff, or a senator himself or herself, to request detailed information about another senator's hotel bill without going through the usual procedures of the Internal Economy Committee? Is that her position?

Senator LeBreton: Honourable senators, I actually did not get much of a question out of that. The fact is that every senator that travels on Senate business charges it to the Senate. The matter is referred to the finance division of the Senate, and the bills get paid. I am quite certain that most senators who purchase or use personal items when they are in various hotels pay for them themselves. Those costs would not be part of the record sent to the Senate to be paid.

• (1435)

Hon. Tommy Banks: Honourable senators, I am a great admirer of talent. I have to inquire of Senator LeBreton as to where she took her lessons. I have never seen such good tap dancing. It is absolutely terrific.

I had intended to ask the minister a question about something else, but I cannot resist. The minister has just said that she has no knowledge of detailed information having been sought on any particular senator. I will remind the honourable senator again —

The Hon. the Speaker: Order, please. The chair is having a hard time hearing the question. Senator Banks is asking a question.

Senator Banks: As has been reported in Hansard and as has been tabled in this house, there was an email message from Mr. Kroeker in the leader's office who said to the hotel in Dubai:

Dear Amjad:

Thank you so much for sending me the invoice.

I was hoping you could help me with further detail.

First — if possible, could you please send me the invoice for Senator Colin Kenny, his name was not included on the invoice and I believe it might be under a separate invoice.

Second — if possible, can I get detailed breakdowns for each room?

Third — if possible, I note that no lunches or other costs were included on the invoice. Were those included in room charges? If not, would you be able to track down any and all sundry costs associated with the stay?

Thank you,
Jeffrey.

In light of that email, how can the leader possibly say that no such information has been requested? It was asked for by Jeffrey Kroeker, who works in the minister's office. This is not a question or a subject for dispute or under some kind of doubt — this is what he said.

Senator LeBreton: Honourable senators, I can only go by the document that was tabled and the email exchange.

In his questions last week Senator Banks was asking about personal information. Obviously, as I said last week, it is public knowledge that the committee went to Dubai. It is public knowledge that they stayed in the hotel. It is public knowledge that they had a meeting but stayed for the better part of the week, if not the week.

The email exchange is obvious in what it states. This is public money about a public trip that was public knowledge. Unless the honourable senator can prove otherwise, I do not see in that exchange of emails where he asked for personal information.

One of the examples used last week by the honourable senator was personal telephone calls. There is no evidence that that kind of information was asked for. Certainly, there was no evidence that he was given it.

Senator Banks: Honourable senators, I want to make sure I understand this clearly. The leader has said that no personal information was asked for and that that answer is consistent with the words "If not, would you be able to track down any and all sundry costs associated with the stay?" Are those two things reconcilable in the minister's mind?

Senator LeBreton: It would be a question of whether — when the committee was there and incurred costs for its meetings — that is public information.

[Senator Cowan]

• (1440)

THE ENVIRONMENT

EFFECT OF EMISSIONS ON WORLD ECONOMY— ABSENCE OF PRIME MINISTER AND MINISTER FROM WORLD CONFERENCES

Hon. Tommy Banks: I have a supplementary question on a different subject.

We are unused to, in the business of ecology and energy in the Standing Senate Committee on Energy, the Environment and Natural Resources — of which committee I have the honour of chairing — hearing people from the economic sector urging more action on behalf of governments in respect of looking after the ecology, but it has become good business.

Last week, one of the world's leading economists, Sir Nicholas Stern, issued a report in which he cast a disparaging forecast for the world's economy. He stated there would be costs in the reductions of economic activity and economic state of health of the world that are more significant than any that have heretofore hit that economy, save matters of world wars and the like.

Could the Leader of the Government in the Senate tell us whether anyone in the government has read the Stern report?

Hon. Marjory LeBreton (Leader of the Government): Now, really, I do not even know how to answer that question. Of course, our colleagues have read the Stern report. It is just typical arrogance on the honourable senator's side to suggest that honourable senators on this side are incapable of reading or acting upon a report as important as the Stern report dealing with the environment.

Senator Banks: I just wanted to ensure that someone had read it. In light of having read it, does the Leader of the Government think it is appropriate that the Minister of the Environment and the Prime Minister, whether for good reason or otherwise — have, “offended” would not be too strong a word, — other government leaders by their notable absence? It has been widely noted by those leaders at conferences, one in Nairobi and one in Finland, having to do with questions of ecology and the environment.

Senator LeBreton: With regard to the conference in Nairobi, the first part of the conference, as I understand it, involves officials and the second part involves ministers. Minister Rona Ambrose will participate on behalf of the Government of Canada.

Honourable senators, it seems that if the Toronto *Globe and Mail* offers a theory as to why the Prime Minister cannot attend a meeting, they then run around asking a series of questions and telling stories based on an erroneous article in the Toronto *Globe and Mail*.

The Prime Minister met with European Union leaders in July and will likely be meeting them in the spring. He will be attending many conferences in the next month with world leaders. As he has done at all other conferences in which he has participated, he will acquit himself well.

Senator Banks: That the government will not act on erroneous news reports is very good to hear.

PUBLIC SAFETY

ROYAL CANADIAN MOUNTED POLICE— EFFICACY OF GUN REGISTRY

Hon. Terry M. Mercer: Honourable senators, I am tempted to switch the topic of my original question. I wanted to follow up on what Senator Cowan stated about Senator Oliver's expenses. I understand that in a later answer the Leader of the Government confirmed that would be okay. However, I will go back to my original question.

Honourable senators, my question is for the Leader of the Government in the Senate. I was moved the other day when one of the victims of the Dawson College shooting challenged the Prime Minister to a debate on gun control, calling on Stephen Harper to expand the federal Gun Registry instead of abolishing it, as the Conservatives plan to do.

I understand that the Minister of Public Safety, Stockwell Day, has agreed to meet with Mr. Hayder Kadhim, although Mr. Day has stated and continues to state that he will abolish the registry.

I am proud to support Mr. Kadhim in his efforts to make Canada safer and applaud this young man's efforts to start the debate. As such, will the honourable leader stand and tell Canadians that the Gun Registry does not work? Will the honourable senator stand and tell Canadians that Canada's new government will relax gun control laws in the wake of events such as the shootings at Dawson College?

• (1445)

Hon. Marjory LeBreton (Leader of the Government): I will not stand and agree with the honourable senator at all. There is no question that this young gentleman suffered serious injuries at the hands of this madman, and there is not a person in the world, especially in this country, who would not sympathize with what he has gone through. I have great sympathy for the ordeal he has endured.

Minister Day has made an attempt to meet this young man, and the young man's media handler said he did not have time. I think that was on Friday for a meeting today. Minister Day is still attempting to meet him.

We are looking seriously at strengthening the laws in this country so that people who use guns in committing crimes are more seriously penalized. The sad reality in this case is that the individual who perpetrated the crime had legally purchased these guns. The \$2 billion spent on the gun registry probably would have been more wisely spent on better screening devices in the first place so that such a person would not have been in a position to legally obtain these guns.

Senator Mercer: It would appear that the minority Conservative government is trying to scare Canadians into believing that their communities are not safe. Their agenda seems to be based on fear-mongering and is geared toward garnering headlines instead of taking a realistic approach to public safety.

Senator Comeau: Who writes your material?

Senator Mercer: A recent report by the Canadian Centre for Justice Statistics, released on July 21, 2005, analyzes 2004 crime data as reported by the police. This could be a shock to members of the Conservative caucus. These findings show that crime rates have fallen, so the statistics do not support the neo-conservative claims that our streets are becoming more dangerous. We can also see this type of rhetoric when the government talks about dismantling the Gun Registry.

Will the honourable senator accept that, one, the Gun Registry works; two, that it should be expanded, not dismantled; and, three, that this is a proven way to reduce crime and keep Canadians safe?

Senator LeBreton: Many people have been killed by illegal guns coming across the border because the previous government did not put sufficient effort into border security and police work. We need only read the newspapers on a daily basis to know that serious crimes are taking place.

Crime and safety was a big issue for all political parties in the last election campaign. The Liberal Party, the NDP and the Conservative Party all made commitments on this issue to the Canadian public. For one reason or another, the other two parties now seem to have second thoughts, but the Conservative government is committed to dealing with serious crimes and with gun crimes, and making our communities, small and large, safer for Canadian citizens.

Senator Mercer: The Leader of the Government in the Senate has answered a question I did not ask. I did not ask about border safety or illegal guns coming across the border. I asked about the Gun Registry. I asked the honourable leader to admit that the Gun Registry works, that it saves lives and that it makes Canadian streets safer.

Senator Stratton: Tell that to the people of Winnipeg.

Senator LeBreton: There is no evidence that that is the case.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

FUNDING FOR LITERACY PROGRAMS

Hon. Maria Chaput: My question is to the Leader of the Government in the Senate. All across Canada, people are following the debate in the Senate regarding literacy. We receive emails, letters and communications of all kinds because Canadians do care and do want the literacy programs to continue. We do not inflate the numbers in order to make our point. We do not go around alarming people by saying that they will be cut out of the system. They come to us with information because they are worried, just as we are.

• (1450)

The government has labelled literacy programs as poor value for money. Honourable senators, this is untrue. The literacy coalitions have data to prove otherwise. The government has said that they consulted before changing the programs. This is untrue. Literacy partners and literacy coalitions asked to meet with Conservative ministers. They wrote letters and made phone calls. However, they did not receive replies to their invitations, and the phone calls were not returned.

The leader says that she finds it difficult to believe that programs are being cut. Literacy Partners of Manitoba, as an example, has told me that funding for community-based literacy programs usually arrives at the end of March or the beginning of April — that would be of 2006 — but no money as yet has come for the programs. They are hanging on by a thin thread. Some threads are broken. Some programs are gone.

What more do we need in order for the Leader of the Government to believe or have faith in what we have been telling her? We have facts, proof, data and statistics. What more can we do to convince the government that they should re-evaluate their decision?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I do not believe there is any government document anywhere, and I certainly did not say there was, indicating that we labelled this program as “poor value for money.” I have spoken about this matter on many occasions in this chamber, and I think there is now proof. Senator Cochrane, in her speech the other day, spoke of a particular group in Newfoundland and Labrador, and she referred to an article in the Charlottetown *Guardian*, I believe, about a program in Prince Edward Island that had applied for and received funding. Therefore, I would simply say to honourable senators that the government has set aside a significant amount of money for learning, skills training and adult literacy programs.

The honourable senator says that the group to which she refers has not received its money. Have they applied? This is a new government. This is a new program. The government is trying to direct the money down to where the programs are actually being delivered. As I have said in answer to previous questions on this subject, I believe that when these various organizations and groups that are working in the communities stop worrying about what someone may tell them will happen and get down to actually applying for the funding, they will realize that this government is committed to literacy programs, skills training and, of course, adult literacy programs in particular.

[Translation]

DELAYED ANSWER TO ORAL QUESTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting the response to an oral question raised by Senator Banks on June 13, 2006, regarding the softwood lumber agreement and the forestry industry.

INDUSTRY

AID TO FORESTRY INDUSTRY

(Response to question raised by Hon. Tommy Banks on June 13, 2006)

With respect to assistance to the forestry industry, the federal budget provides \$400 million over two years to combat the pine beetle infestation, strengthen the long-term competitiveness of the forestry sector and support worker adjustment. It also called for an acceleration of the capital cost allowance for forestry bioenergy.

Through a variety of federal programs to support worker and community adjustment, promote new markets, and facilitate innovation in the industry, the Government of Canada has been supportive of the forest industry. Since 2002, the government has made available \$531.5 million in federal assistance to forestry workers, communities and industries.

In addition, the Softwood Lumber Agreement signed in Ottawa on September 12, 2006, eliminates punitive U.S. duties, returns more than US \$4.4 billion to producers, provides stability for industry, and spells an end to this long-running dispute and the costly litigation. The return of more than US \$4.4 billion marks a significant infusion of capital for the industry and will benefit workers and communities across Canada.

• (1455)

[English]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 27(1), I give notice that, when we proceed to Government Business, the Senate will address the items beginning with No. 1 under "Reports of Committees" followed by the other items in the order in which they stand on the Order Paper.

[Translation]

FEDERAL ACCOUNTABILITY BILL

REPORT OF COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Stratton, seconded by the Honourable Senator Comeau, for the adoption of the fourth report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill C-2, An Act providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability, with amendments and observations), presented in the Senate on October 26, 2006;

And on the motion in amendment by the Honourable Senator Milne, seconded by the Honourable Senator Cook, that the fourth report of the Standing Senate Committee on Legal and Constitutional Affairs be not now adopted but that it be amended at amendment No 146(a), by adding, in the French version, after the word "Commission," the following:

"ou le renouvellement de son mandat,".

Hon. Dennis Dawson: Honourable senators, I would like to congratulate the members of this house and the members of the Senate Standing Committee on Legal and Constitutional Affairs for their work on Bill C-2, and point out in particular the efforts of Senator Oliver, Senator Day and also Senator Joyal, my mentor in the Senate.

[English]

The class of 2005 namely, Senator Cowan, Senator Mitchell, Senator Campbell, Senator Zimmer who did an extraordinary job in this committee, bodes well for the future. The class of 2005 will go down in history.

[Translation]

The situation has changed since the debate on this bill began. Thanks to pressure from the Liberal opposition, over a hundred amendments to the bill were introduced, and I am sure that the reasonable amendments we are introducing today will further improve this bill.

There are a number of topics in this bill that I am interested in and would like to address, but I will limit myself to three topics in particular: lobbying, political party financing and political staff recruitment. Let me begin with this third one.

Like many other senators, I have served on a government transition committee. This is a volunteer activity to help a party that might one day be in power. I have even been on this type of committee without winning the election.

Everyone who sits on such a committee shares a profound desire to serve the interests of the public and of the party. We have contributed to preparing a platform, recruiting candidates and ensuring that the transition to forming the government would go as smoothly as possible, as the name of the committee would suggest.

This is done in the best interest of the public. I could name people across the way who have sat on this type of committee. We all have the same objective of serving the public, which goes without saying when one enters into politics.

In view of the comments by the Prime Minister and a number of his ministers, who have been likened to prison guards in the other place, the transition process has come under direct attack. Elizabeth Roscoe, who has been working for the Conservative Party for a number of years, was attacked because she served her leader and her party. This attack is an insult to all those who volunteer to make the Canadian political system work here in Ottawa.

[English]

In the future, who will want to serve on such a committee with this type of shameful treatment of those who have served their party?

[Translation]

Every time the Prime Minister savagely attacks these activities, he is destroying the public confidence that is vital to ensuring our institutions function properly.

Speaking of our institutions, over the next few days, we will discuss personal inquiries made by the Leader of the Government in this chamber about our Senate colleagues. Her staff essentially dug through the garbage to find out who ate what, who called whom and what movies people watched on television. This is shameful, honourable senators!

I do not enjoy discussing the disgraceful conduct of the Leader of the Government in the Senate. However, she and her staff will be here for just a short time. The Senate will continue its work long after they move on, which I hope will be sooner rather than later.

[English]

Of all people, the Leader of the Government in the Senate should know better. The honourable senator should know how difficult it is to recruit the right people to serve Canada; it was her job in the previous Tory government. Rules such as being banned from work for five years and the negative attitude that turns people away will not help the honourable senator or the government to recruit the best and brightest. By discouraging people who serve ministers, the honourable leader is an accomplice in lowering the quality of people who are ready to serve here in Ottawa. Just looking at her own staff, honourable senators, should make her realize the harm done by these rules, because in the past she would not have been obliged to hire such people.

• (1500)

To change the subject, honourable senators, I will now talk about party financing. I find it surprising that recently I have heard multiple references to the Quebec model for financing political parties. References by the Tories to René Lévesque's legacy are something quite new. It must make him want to come back, or at least turn in his grave.

Let us look at the existing legislation in Quebec. Since 1977, it permits \$3,000 of contribution for an individual.

An Hon. Senator: Was that \$3,000?

Senator Dawson: You heard me right, senator; \$3,000. That is since 1977. The ridiculous reference in the bill to \$1,000 maximum is, and should be considered, a joke.

An Hon. Senator: It is a joke.

Senator Dawson: In addition, the man who has been associated with this subject for over 30 years, Pierre F. Côté, was the Chief Electoral Officer in Quebec for many years, and has been fighting for its reform.

[Translation]

Mr. Côté said:

I read a particular clause from Bill C-2 that bans contributions by corporations or businesses to a political party. This is to a certain degree drawn, as was the case with certain provisions a few years back, from what the Loi électorale du Québec advocates.

[Senator Dawson]

He continued:

However, I personally do not agree with this clause. As far back as November 1999, I expressed the opinion that corporations, which are corporate citizens, should be allowed to make financial contributions to political parties.

In his presentation, Mr Côté went on to say:

What must be made clear is that the Quebec experience illustrates that it is wishful thinking to forbid corporations from making contributions to political parties. Party financing by the public can no longer meet the financial needs of political parties...new avenues must be explored.

I will conclude by quoting the same text:

We can no longer continue putting a large number of people in a situation where they must act inappropriately. This is not ethical behaviour. Changes must be made. It seems to me that corporations must be allowed to contribute to political parties, but according to very strict rules. For example, one could allow corporations — businesses, law firms, engineering firms — to contribute to political parties. This is why I find it strange that, instead of drawing on Quebec's experience, the main provisions of Quebec's 1977 legislation have been invoked, including those banning the corruption of corporations.

The financing of political parties is — and must remain — public, transparent and fair. The government's proposal encourages hypocrisy, dishonesty and deception.

Mr. Côté's comments seem very clear. There is nothing left to add.

Speaking of hypocrisy, let us move on to lobbying. To begin with, consider the definition of lobbying.

[English]

Lobbying — to try to influence the thinking of legislators or other public officials for or against a specific cause.

Google free dictionary, Wikipedia states:

Lobbying is the practice of attempting to directly influence the actions of government through various combinations of private cajoling, public actions, and the combination of the two. (For instance, encouraging the public to contact members of the legislature.)

[Translation]

In Quebec, lobbying is defined as oral or written communications aimed at influencing the decisions of a public office holder.

[English]

If it walks like a duck and quacks like a duck, it is a duck, Your Honour.

What about the numerous lobbying groups, such as the Citizens Coalition of Canada? As you know, the first thing they say on their site is that they do not lobby. They then spend page after page explaining how they put pressure on governments to change what they intend to do.

I was trying to find a French word for “Citizens Coalition,” but that was before the Prime Minister learned that he had a vocation in French, so they do not have a French equivalent. It was one of his rare jobs in a previous life.

[Translation]

For 40 years, the Citizens Coalition has tried to influence government policy, often with success. How is it that they are not regulated by the bill? Is the government afraid of them? Or did the Prime Minister realize that they have remained his staunchest allies in circumventing certain aspects of Canadian law?

I do not fault them for earning an honest living, but excluding them from the legislation, not including them in the definition, strikes me as another hypocritical move by the Prime Minister, who preferred to score easy points on anyone at any time.

[English]

When the Government Relations Institute of Canada appeared before the committee, they reiterated their grievances against unregistered lobbyists. According to that group, unregistered lobbyists are the enemy. We must assure ourselves that we are targetting the right people with our legislation. Are we doing that, honourable senators?

[Translation]

In conclusion, what concerns me most about this bill is its tone. In the speeches by the ministers and the Prime Minister, we always assume the worst. We are developing measures intended to curb abuses and create a climate that discourages people from becoming involved in politics by questioning their honesty. How can we recruit staff under such conditions? Not being able to earn a living for five years after working for a minister seems excessive to me. Not being allowed to donate \$2,000 to a political party for fear of buying politicians is a farce. Having to disclose all discussions, meetings and telephone conversations with the government has nothing but a negative impact on the necessary communication with the business world.

We should encourage political action rather than cloaking it in secrecy. We should encourage moves between public- and private-sector jobs rather than banning them. And finally, we should monitor the real unregistered lobbyists, not those who are doing their work properly.

[English]

Hon. David Tkachuk: Would Senator Dawson accept a question?

Senator Dawson: With pleasure.

Senator Tkachuk: Perhaps the honourable senator can help me out. I listened to his speech, as I did to Senator Mitchell’s speech the other day, as well as those of other senators. I may be

mistaken but did the Liberals in the other place not unanimously support this legislation that we have before us now?

Senator Dawson: How much time do I have? The reality is that that is why we have a chamber of sober second thought. We are here to debate this bill. It has been sent to committee. The committee is now reporting to us. As you know, in the other place up to 100 amendments were tabled. The debate is going forward. They had a great deal of confidence in us. I do not know if they had confidence in both sides of the Senate, but they thought they were sending it on to us. We would be receiving about 100-odd witnesses — and I do not know how many hours of work that entails —

Senator Mercer: Over 90.

Senator Dawson: Over 90 hours, and 100 witnesses. It was a wonderful job. The other place was counting on us to send this bill back to them with improvements.

Senator Tkachuk: That is fine. My understanding was that they unanimously supported the legislation. I am sure that members in the other House were looking forward to seeing what our report and our amendments would be.

From what the honourable senator has said, I take it that the Liberal Party of Canada and the Liberal caucus in the other place is fully supportive of the amendments that have been moved in this place, and that that will be reflected when the bill is again before the House of Commons.

[Translation]

Senator Dawson: More than 50 amendments have been introduced, some of them by the Conservatives. I hope that these amendments — theirs and ours — which will be tabled in the next few hours, will be studied. There may be things to add to this bill.

[English]

Hon. Lowell Murray: Would the Honourable Senator Dawson answer a question about lobbying that has been on my mind for a while? I am sure others more conversant with the issue than I am have thought of this.

Why does the law not put the onus on ministers and deputy ministers, and other people on the government payroll, to record every month the contacts that they have had with lobbyists rather than requiring lobbyists to do so?

Senator Dawson: Actually, I think this bill does put a great deal of onus, for once, on the other side. The reality is that we have a government here which is saying that it wants to reduce paperwork and make things easy for communications between business and government. With this bill, the proof will be in the pudding. We will need to see how it will be applied.

• (1510)

If we look at it the way it is written, everyone will be writing reports. A lobbyist will meet with a minister and each of them will write down what he or she thought happened at the meeting. I have had meetings with ministers in which I think we might have had a different interpretation of what happened.

This bill risks creating more problems. We are all for transparency, we believe in accountability and we believe this system of registration has to exist. We think that there are improvements to be made and that is why we presented amendments. Honourable senator, we hope you will support these amendments.

Senator Murray: The system of registration is one thing, but the system of reporting on each contact with a lobbyist is another. As I understand the bill, that onus will be on the lobbyist not on the minister, deputy ministers or anyone else to keep a record of all these contacts. I would have thought the government would have placed the onus on its own creatures to do that record keeping.

Why do they not include the chairs of parliamentary committees and Senate and House of Commons committees, in terms of being the object or subject of lobbying activities?

Senator Dawson: On the question of the chairs of the committees, I would not be able to comment. With regard to the register, I am led to believe that both sides will have to record the meetings.

Hon. Consiglio Di Nino: Can I ask a question first? Do I have time?

The Hon. the Speaker *pro tempore*: Senator Dawson you have to ask for extra time.

Senator Dawson: Senator Di Nino, it would be a pleasure.

The Hon. the Speaker *pro tempore*: Is it agreed to give more time to Senator Dawson?

Hon. Gerald J. Comeau (Deputy Leader of the Government): No more than five minutes.

Senator Di Nino: Thank you. I will be touching on this issue in a presentation that I will make in a minute or so. Can the honourable senator inform us of the Quebec government's allowable tax credits, rebates or allowances toward its \$3,000 contributions? Do you have any information on how the taxpayers contribute towards the cost of the political system in Quebec?

Senator Dawson: In Quebec, they contribute in both ways. The citizens of Quebec subsidize the political parties according to the votes they received in the previous election. That would have stopped the Reform party from existing. It is a regressive system; there is a 75 per cent tax credit on the first \$100 and it regresses until \$450, I think.

Senator Di Nino: If I may, I will resume debate.

I am pleased to add some comments in this debate about this hobby horse I have had for many years.

Let me associate myself with the recognition and praises of the committee's work. All honourable senators have expressed gratitude and thanks and I add mine.

This is a complex and challenging piece of legislation, dealing with a variety of important issues, at least important to this

government. The subject matter of this bill was the centre piece of the Harper government's election platform. Accountability was the principal issue on which, in my opinion, Canadians based their choice on January 23, 2006 and elected a Conservative government. Accountability is the issue that defined the differences between the two political parties during the last election. For most Canadians I believe accountability was the valid question.

When those opposite suggest that Bill C-2 is seriously flawed, and many have, I see it as nothing more than an attempt to divert the focus of Canadians from the substantive subject matter of this legislation, which is about honesty, integrity, responsibility and transparency. These are things about which Canadians care deeply and they expect parliamentarians to enthusiastically embrace them. It saddens me that we have to legislate these kinds of concepts of good governance. Unfortunately, past experiences have shown that to protect the interest of Canadians, and I hasten to add because of the actions of a few, it becomes necessary from time to time to enact laws to strengthen the rules of responsible government.

I strongly support the amendment to the electoral financing rules. I will spend the rest of my time dealing with this issue. Those of you who have had the privilege to serve Canadians in this place for some years will be aware of my interest in this matter.

I submit to you that political contributions have been the greatest source of embarrassment and problems for political parties over the years, and I suggest all over the world, resulting in tainting of all the various parties. Inappropriate financial contributions received by parties, either by omission or commission, have too often cast dark clouds over the honesty and integrity of parties and indeed individual parliamentarians.

I believe Canada's political system to be relatively clean, particularly when compared to some other countries, but nonetheless we have had some spectacular examples of major failures of judgment, which, as you know, taints all parliamentarians.

I have often stated that democratic reform without appropriate electoral financing reform is a hollow objective and I believe I was in a minority for praising Prime Minister Chrétien for undertaking the task of reforming the system. The introduction in 2003 and the subsequent passage of Bill C-24, was a major step toward the reformation of a system that over the years was too often abused. As an aside, I remember the day Bill C-24 was introduced, Senator Murray suggested that the legislation be called the Di Nino bill because of my too often lonely voice promoting reform.

Time does not permit me to list the careers and reputations destroyed by the misuse and abuse of financing political parties; however, the saddest example is the Helmut Kohl saga. Mr. Kohl should have gone down in history as the man who orchestrated the reunification of Germany and the future peace of Europe without being referred to as "Don Kholeone." This was all to fill the coffers of his party and I believe without any direct benefit to him.

Colleagues, Bill C-24 changed the electoral financing laws by, among other things, establishing contribution limits, spending limits, disclosure requirements, public funding rules and changing the tax credit regime.

Today I will focus on the areas of public funding, the contributions from the public purse.

Bill C-24 authorized the rebate of a portion of political contributions by way of tax credits, which are quite generous, particularly for contributions up to \$400, for which the credit is 75 per cent to the contribution. This does not change in this bill.

The bill also increased the percentage of reimbursement of all eligible political parties' election expenses to 50 per cent from the previous 22.5 per cent. It also reduces the threshold for reimbursement of candidates' campaign expenses from 15 per cent to 10 per cent of the valid votes obtained and increases the percentage of expenses reimbursement to 60 per cent from 50 per cent.

The public purse is also tapped by businesses supporting a political party when deducting the expenses from their taxable income of contributions to businesses by way of attending political events such as golf tournaments, dinners, and receptions. These are, of course, all proper and appropriate business expenses; but notwithstanding, the public purse does pay a portion of those expenses.

The other area, and one that is probably never thought about where the public purse is tapped, is when trade unions make political contributions. Trade unions are not taxable entities. So I am asked often, how does that happen? The financial resources of trade unions come mainly, principally from dues paid by their members and these are deductible from their taxable income, obviously, creating a portion of that money as a public expense.

The granddaddy of them all is the annual per vote allowance given to an eligible registered political party for each vote received in the previous election.

• (1520)

While it is impossible to determine an exact breakdown of these various components, many put forth the argument that the cost of a political party should be borne by its supporters. However, in effect, it is not borne by the political supporters but by the general public through these tax credits, refunds and other schemes that I mentioned. In effect, the only Canadians who contribute to the political system are those who pay taxes, and those who never make a contribution are those who never pay taxes.

I believe an even stronger argument to reduce private contributions to political parties, as Bill C-2 proposes, arises when you add up all the credits, rebates, reimbursements, deductibles and allowances and find that the Canadian taxpayer is paying all the costs of the system. Why do we persist in the false assumption that the system is funded through political contributions when it comes down to you, to me and to every other Canadian taxpayer?

Honourable senators, think of all the money we could save by eliminating the bureaucracy that operates the receiving, recording, receipting and general administration of the system

by both government and political organizations if we were to totally eliminate private contributions to political parties. Bill C-2 comes closer to the position on political funding that I have held for these many years. Even though I realize I am still in the minority, because of past abuses and misuses and the fact that the taxpayers are in reality footing the bill, I hold strongly the same view. I believe that the reduction of the contribution limit to \$1,000 will go further toward my position as stated, which I have held for a long time.

In closing, honourable senators, I intend to support and vote for the passage of Bill C-2. It is an enormous step forward toward the establishment of an accountable and responsible set of governance rules. I urge all colleagues to embrace the principles and objectives of this bill and tell Canadians that we have heard their message "loud and clear."

Hon. Norman K. Atkins: Honourable senators, I rise today to speak to Bill C-2. I recognize the hard work that the members of the Standing Senate Committee on Legal and Constitutional Affairs have put into ensuring that this legislation is more concise and ultimately more effective. I certainly do not intend to comment on each and every aspect of the bill, but I will comment on certain issues.

While I believe that the federal accountability bill might be well intentioned, in many ways it could potentially make the situation worse in terms of transparency. I will preface my comments by indicating that I find it astounding that this government failed to take into account many of Justice Gomery's recommendations. It seems to me that the Canadian people, having invested an enormous amount of their tax dollars, would expect the government to have taken the report and its recommendations more seriously than they appear to have done. I would first like to express my concerns about the changes to political financing.

The proposal in the bill to reduce political donations by individuals to \$1,000 from \$5,000 is misguided. Rather than increase individual donations from \$1,000 to \$2,000, as proposed in an amendment, the ceiling should remain at \$5,000, which would include everything and is a more realistic figure. However, this proposal should exclude candidates who are running for leadership or election and who are covered by spending limitations imposed by the law or by party regulations or by both, with the understanding that they must disclose all contributions. This is the way to keep the system honest.

If someone makes a financial contribution, he or she is showing a commitment to a political party and ultimately to our democratic system. The name of the game is not to prevent people from participating by making contributions to political parties. When you do that, you discourage the kind of political activity that is right in a democracy. The issue is transparency and accountability.

I would like to comment on the restrictions on lobbying activities. The five-year restriction with regard to former politicians and officials is too onerous. Two years would be more realistic. This clause will make it more difficult to attract the bright young minds that are needed within the political realm to ultimately influence good public policy. It will interfere with further employment opportunities outside of government when it is time to move on and will make it extremely difficult for those candidates to be considered within the government bureaucracy. It is a disincentive to serve in our democratic process.

The requirement to report lobbying details to the Office of the Registrar of Lobbyists by registered lobbyists dealing with federal officials is also too onerous and will result in a major reduction in the level of communication and dialogue between government and the private sector. It will result in poor public policy and needs to be changed. If the government is worried about the role of lobbyists dealing with government on policy issues while working under contract for the government, the solution is simple: ban registered lobbyists and their companies from having any contracts with the federal government. That will solve the problem, real and perceived.

The provision in Bill C-2 to prohibit anyone involved in transition planning from lobbying the government is questionable. It is likely overkill, but so be it. However, to apply this provision retroactively to individuals who volunteered after the last election is simply wrong. Progressive Conservatives, and I thought Conservatives, do not believe in retroactive application of rules and laws. It is simply wrong.

Honourable senators, with regard to combining the role of the Ethics Commissioner and the Ethics Officer into one position with jurisdiction over both Houses, the House of Commons and the Senate, I applaud the recommendation to keep the two positions separate. It is imperative that we recognize that the parliamentary duties of the two Houses are different and need to remain that way. I heartily concur with Senator Joyal's well-articulated justification for this recommendation.

I am in agreement with the amendment that ensures that the Access to Information Act legislation is not retroactive. While increased access is crucial to the goal of transparency being sought by this legislation, it would be irresponsible to allow access to files retroactively, when organizations had no prior knowledge that there would be a need to safeguard critical information. We must be vigilant in protecting the rights of Canadians. The act now embeds the principles of the "injury test" and/or "public interest," which could potentially release information that violates the privacy of citizens or information that is sensitive to commercial operations. Without prior knowledge, the security of information gathered prior to these principles would be in jeopardy.

I wonder what the late Jed Baldwin, MP from Peace River, Alberta and pioneer of the original Access to Information Act, would think of the far-reaching changes and their implications.

I support the amendments proposed to the whistle-blower legislation. This legislation has evolved slowly and it is clear that it is needed and has been for a long time. One cannot help but wonder if we would have experienced the depth of scandal that we witnessed with Adscam had employees felt protected in coming forward.

• (1530)

That being said, it is essential to ensure that not only is there money available for legal fees to potential whistle-blowers but that a significant period of time is provided to ensure that reprisals are not postponed until the coast is clear, as it were. Protection needs to be offered long enough to alleviate any misgivings.

[Senator Atkins]

I will move now to the introduction of yet another layer to the bureaucracy, which is the public appointments commission. It is extremely difficult to determine how effective this will be without seeing any mandate for this commission, or a code. However, at some point there will be so many oversight mechanisms that people in a position of authority will be "effective neutral." They will ultimately not be able to execute a decision. We need to see the code that will enable us to determine how effective this commission will be, and if it is necessary.

I am well aware that the establishment of the position of director of public prosecutions was one of the many promises that were made in the platform of this government in the last election. However, I question whether that is in the interests of Canadians, or good policy. I have made this point before in the Senate: This government is adding too many layers of bureaucracy; I believe that they are following the path of Americanization of our system. This type of oversight is not necessary, except in a "Big Brother" sense. Our system has worked well for many years and I would hope that, despite the intent of this new legislation, it is entirely unnecessary to continue to add watchdogs.

As proposed, Bill C-2 is seriously flawed and is in need of help. In some places, this legislation goes too far and in others, perhaps not far enough. I believe that ultimately this legislation should be examined further and not rushed through in this session. Some might say it is in need of further sober second thought. I sincerely hope that, at the very least, most of the amendments proposed will be supported in order to make the bill more realistic.

The Hon. the Speaker *pro tempore*: Is the house ready for the question?

Hon. Senators: Question!

The Hon. the Speaker *pro tempore*: Honourable senators, we have before us a motion that says:

It was moved by the Honourable Senator Stratton, seconded by the Honourable Senator Comeau, that the fourth report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill C-2, providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability, with amendments and observations), presented in the Senate on October 26, 2006 be adopted;

And on the motion in amendment by the Honourable Senator Milne, seconded by the Honourable Senator Cook, that the fourth report of the Standing Senate Committee on Legal and Constitutional Affairs be not now adopted but that it be amended at amendment No. 146(a), by adding, in the French version, after the word "Commission," the following:

"ou le renouvellement de son mandat,".

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

Hon. Senators: Agreed.

Motion in amendment agreed to.

I now come to the motion on the report, as amended. Is it your pleasure, honourable senators, to adopt the report, as amended?

An Hon. Senator: On division.

Motion agreed to and report, as amended, adopted, on division

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Donald H. Oliver moved second reading of Bill C-19, to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act.

He said: Honourable senators, I rise to speak in support of Bill C-19, to amend the Criminal Code with respect to street racing.

In its essence, Bill C-19 is about ensuring that our streets and communities are safe, and that our roads are not treated as racetracks, at the expense of Canadians and their communities. Before going into the main text of my remarks, I will briefly give the framework of this bill.

It is a very short bill, five and one-half pages, which basically amends two existing provisions of the Criminal Code of Canada, and it also amends the Corrections and Conditional Releases Act.

As honourable senators know, the dangerous driving provisions of the Criminal Code are found in section 249, and the criminal negligence sections are 220 and 221. Under the heading of criminal negligence, there is criminal negligence causing bodily harm and criminal negligence causing death. This new bill amends the Criminal Code to create an offence of street racing, based upon dangerous driving and criminal negligence offences — in other words, offences under sections 249 and 220. There are five new offences created in this short bill dealing with street racing.

The blatant disregard for the safety of our citizens that street racers and street racing demonstrates is obvious. In the name of thrills and excitement, street racers pursue this activity without concern for their own safety or the safety of those who have the right to freely enjoy our public spaces.

We have all heard the tragic stories of innocent Canadians and their families who have been impacted by this outrageous behaviour. Families in Toronto, Vancouver and Edmonton, to name just a few places, have been forever changed because of this crime. The deaths caused by street racing are the more tragic because of the simple fact that this crime is preventable. We should not, and cannot, stand idly by and allow this practice to continue.

That is why the government has introduced Bill C-19, to ensure that our streets and citizens are protected from dangerous criminal behaviour. This situation must change and that is why I stand here today. I am pleased to rise to speak in support of this bill, and I urge honourable senators to join me in offering their support for its expeditious passage, as was done in the House of

Commons. As honourable senators know, this bill did not go to committee in the other place.

Street racing is a dangerous activity on our streets and public roadways. Bill C-19 will create, as I said earlier, five new offences that specifically incorporate street racing, and this will aid in deterring the practice. The new offences are: Dangerous driving with street racing; dangerous driving causing bodily harm while street racing; criminal negligence causing bodily harm while street racing; dangerous driving causing death while street racing; and criminal negligence causing death while street racing.

Bill C-19 is a measured response to street racing, and it is a welcome addition to the combination of efforts now made by police, provinces, schools and safety organizations to eliminate street racing. By building upon our existing laws, we are providing our citizens with enhanced protection from this increasingly common and deadly activity.

No one is suggesting that Bill C-19 is a magic bullet which will, by itself, eliminate street racing. We know that that will not happen. Nonetheless, Bill C-19 is a reasonable measure that Parliament can and must take in order to contribute to the goal of putting a stop to street racing.

To provide some context, it is important to note how the existing law deals with such conduct. Currently, if street racing amounts to dangerous driving with no death or no bodily harm, the prosecution may proceed by summary conviction or by indictment, one of which is a more serious procedure, of course. Where the prosecution proceeds by way of summary conviction, the maximum period of imprisonment is six months or a maximum fine of \$2,000 or both. If the prosecution proceeds by way of indictment, the maximum period of imprisonment is five years. Regardless of whether the prosecution proceeds by summary conviction or by indictment, there is discretion for the court to make an order prohibiting the offender from driving anywhere in Canada for a period of up to three years. In other words, it is up to the judge. He or she is not required by law to impose the prohibition, but they have a discretion as to whether to take that step.

• (1540)

I find this disturbing. Street racers abuse the privilege of operating a motor vehicle. I am pleased that under Bill C-19 there will also be mandatory driving prohibitions that will increase with repeated offences.

For example, one of the five offences that Bill C-19 will enact is based on the current offence of dangerous driving. With the added element of street racing, the new offence will have maximum periods of incarceration that are the same as those that now attach to the offence of dangerous driving. There will also be, however, a mandatory minimum driving prohibition.

This is a welcome improvement to the law, honourable senators. Unlike our current laws, Bill C-19 would require the judge to impose a minimum driving prohibition. This is important, in my view. Those who would abuse the privilege of driving and place our citizens at risk should not be allowed to get behind the wheel. The punishment appropriately fits the crime, and I am sure all Canadians would agree that this is a sensible and important response to this criminal behaviour.

On a first offence of dangerous driving that involves street racing, the minimum driving prohibition would be one year and the maximum would be three years. On a second offence, the minimum driving prohibition would be two years and the maximum would be five years. On a subsequent offence, the minimum driving prohibition would be three years and the maximum would be a lifetime ban on driving.

Honourable senators, new indictable offences would be enacted under Bill C-19 that are based on the existing indictable offences of dangerous driving causing bodily harm and criminal negligence causing bodily harm. The element of street racing would be incorporated within these new offences. The maximum period of imprisonment for the two new street racing offences with bodily harm would be 14 years, which is significantly higher than the maximum period of imprisonment of 10 years that now exists for causing bodily harm by dangerous driving or by criminal negligence under sections 249 of the code and 220, as I said earlier. These increased penalties rightly reflect our shared values that the criminal law must appropriately punish behaviour that threatens to undermine our collective safety. I am pleased to see that Bill C-19, through these increased penalties, is getting tougher on crime.

Currently, there is discretion to impose a period of driving prohibition of up to 10 years for dangerous driving causing bodily harm or criminal negligence causing bodily harm; that is, a judge may or a judge may not impose a driving prohibition. Once again, the discretion is currently left with the judge.

Under Bill C-19, there is a mandatory minimum driving prohibition of one year on the first offence, two years on the second offence and three years on a subsequent offence. The maximum driving prohibitions for dangerous driving causing bodily harm while street racing and criminal negligence causing bodily harm while street racing would be 10 years on the first offence, 10 years on the second offence, and a lifetime driving ban on a subsequent offence. However, if an offender who is convicted of dangerous driving causing bodily harm while street racing or criminal negligence causing bodily harm while street racing has a previous conviction for dangerous driving causing death while street racing or criminal negligence causing death while street racing, there will be a mandatory lifetime ban from driving.

Honourable senators, another two indictable offences would be enacted under Bill C-19. These would be based on the existing indictable offences of dangerous driving causing death and criminal negligence causing death. The element of street racing would be incorporated within these new offences. The maximum period of imprisonment for the new offence of dangerous driving causing death while street racing would be life imprisonment. This is significantly higher than the maximum imprisonment of 14 years that now exists for causing death by dangerous driving. The maximum penalty of life imprisonment that now applies for criminal negligence causing death will apply for the new offence of dangerous driving causing death while street racing and for the new offence of criminal negligence causing death while street racing.

Under Bill C-19, there is also a mandatory minimum driving prohibition of one year on the first offence. On a subsequent offence of dangerous driving causing death while street racing or criminal negligence causing death while street racing, there is a mandatory lifetime ban on driving.

Honourable senators, some media stories about Bill C-19 suggest that the bill is not adding much to the maximum periods of imprisonment. This simply ignores the fact that Bill C-19 will enact mandatory minimum driving prohibitions that will increase with repeated offences, as I have outlined already.

I have also outlined the range of imprisonment and the mandatory driving prohibitions that will be available for new offences and how these differ significantly from existing periods of imprisonment and the existing discretionary periods of driving prohibition.

Honourable senators, I want to underline that the changes that increase the sanctions indicate to a court that Parliament views these offences very seriously, not only for a case of a worst offender involved in the worst circumstances, which attracts a sentence at the highest end of the penalty range, but in all cases. Street racing is a serious crime and has serious consequences. Put simply, it has the potential to kill, and Bill C-19 appropriately acknowledges this fact with proportionate penalties.

It is my hope that future media stories and, more importantly, the sentences imposed after the law comes into effect, will acknowledge these significant changes.

Honourable senators, I observe that Bill C-19 takes a different approach than the proposed Bill C-65 in the previous Parliament, which dealt with a similar subject matter. It died when Parliament was prorogued last year. That bill would have codified what many judges already do, that is, to treat dangerous driving as an aggravating factor at the sentencing stage for offences of criminal negligence and dangerous driving if a death or bodily harm is involved, and that is only as an aggravating factor in sentencing. Maximum periods of imprisonment for offences under the old Bill C-65 would not have been changed. Also, because that bill would not have created new street racing offences, it would not have been feasible to ensure that all situations involving an aggravating factor of street racing would have been recorded with the Canadian Police Information Centre, which focuses on recording the offence and not on the aggravating factors accompanying an offence. Again, Bill C-65 in the previous Parliament had no proposals for higher penalties linked to repeated offences, as our current Bill C-19 does.

By way of contrast, honourable senators, Bill C-19's approach is to enact separate offences for street racing. This enables the Canadian Police Information Centre to more easily identify convictions involving an offence of street racing. Because prior convictions can readily be identified, higher penalties can uniformly be applied to sentences in cases involving repeated offenders. Bill C-19 creates clear, new offences which provide for clear penalties, sending a strong message that this type of criminal behaviour will not be tolerated in our streets and in our communities.

Another benefit of Bill C-19 is that it will be possible to track the cases involving street racing over time and observe changes to the number of charges, convictions and penalties imposed over a period of time. Currently, there is information that dangerous driving cases have increased over time, but there is no way to know exactly how many of these may have involved street racing. Therefore, Bill C-19 will be a huge help in tracking street racing offences.

Honourable senators, I have a few more words to say about the offences proposed under Bill C-19. While my comments today already acknowledge that Bill C-19 would create new offences of street racing, and this will have an important impact on deterring this crime, it is important to underline that the creation of new criminal offences must be seen very seriously. The criminal law is an extremely powerful instrument of change in society and as parliamentarians we have a duty to ensure that our laws reflect our values.

• (1550)

In my opinion, Bill C-19 is a welcome change because it appropriately signals the disdain that we, as Canadians, feel toward this reckless and dangerous crime. It demonstrates that we will not tolerate this wanton disregard for the safety of others in our communities.

I am proud that this government is committed to improving the quality of life for Canadians and Bill C-19 will contribute to this by ensuring that our citizens can feel comfortable when they use our public spaces.

Bill C-19 defines street racing to mean "... operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place." When I had my briefing with the department, I asked the officials to define the word "race," since it is not defined in the statute. I gave a few examples of what I thought a race might be and ultimately, this will be one of those phrases that will have to be left to the courts to determine because it is not specifically defined in the statute.

These proposed amendments are not about criminalizing otherwise legitimate motor sports activities. They will not criminalize legitimate races on circuits closed to the public, nor will they criminalize what are known as road rallies. In fact, participants in rallies are already obligated to drive in a manner that does not offend against provincial traffic laws and they must follow the existing prohibitions in the Criminal Code against dangerous driving and criminal negligence. What Bill C-19 is about is ensuring that dangerous and irresponsible street racing is recognized in the Criminal Code for what it is, that is, a serious crime which will not be tolerated.

I will now deal with what are called pursuit races. These involve two cars where one car starts first and later on another one starts. Pursuit races time the cars setting out at different intervals. They race to a set location over varying routes. Pursuit races are encompassed within this new definition of street racing by virtue of the fact that there is a race involving another vehicle, even if the race is not side by side.

Bill C-19 does not cover situations that are not competitions but which involve a lone driver who speeds, for pride, or prestige, or to beat the clock. In cases where no other vehicle driver competes, if the driving exceeds a speed limit, provincial or municipal speed laws would apply to that individual. If the driving amounts to dangerous driving, the existing Criminal Code prohibition against dangerous driving applies. Ultimately, proving a street racing offence depends upon the evidence that is available to the prosecution. This is true of course for every offence under the Criminal Code.

Honourable senators, the approach proposed in Bill C-19 is a pragmatic one. It builds upon our existing laws and will provide law enforcement with additional tools to crack down on this reckless behaviour. There will be tougher penalties than what are currently available under our criminal laws. These offences will act as a clear deterrent to those who would engage in this practice and threaten public safety in the process.

Honourable senators, Bill C-19 sends a clear, strong message that street racing will not be tolerated. It does this through its five new offences, which are specific to street racing, the accompanying maximum periods of imprisonment and the accompanying mandatory driving prohibitions with minimum levels that increase with repeat offences. Significantly, having a specific offence of street racing will enable more systematic and comprehensive tracking of street racing offences in order to enhance the safety of all Canadians across Canada.

Bill C-19 is a reasonable and measured response to the serious problem of street racing. Operating a motor vehicle is a privilege, not a right. Those who, through street racing, dangerously and recklessly endanger the lives and safety of others will be appropriately sanctioned through serious measures that address the serious behaviour.

This government made a promise to ensure that our communities and streets are safe. Bill C-19 is one of the many important bills currently before Parliament which will ensure that our communities remain safe. Bill C-19 contributes to fulfilling the promise. It will have a lasting and significant impact in protecting our communities.

The proposed amendments in Bill C-19 reflect Canadian values which seek to maintain a society that is safe, just and law abiding. I am certain that we as parliamentarians want to ensure that our laws reflect these values.

Combined with the important work being done by police and the efforts of our schools, our safety organizations and our provincial governments, these measures targeted at street racing will lead to a safer and more secure Canada.

It is through a combination of effort that we will eliminate street racing. Bill C-19 complements provincial and territorial laws which have been enacted to respond to street racing. Those provincial and territorial measures include fines, vehicle impoundment and licence suspensions. Bill C-19 adds to the array of measures that will be brought to bear upon those who engage in street racing.

We need to ensure that our streets and public roadways are safe places for all. I urge all honourable senators to support quick passage of Bill C-19, as was done in the other place, by not even sending it to committee.

Hon. Joan Fraser (Deputy Leader of the Opposition): Will the Honourable Senator Oliver take one question?

Senator Oliver: Of course, honourable senators.

Senator Fraser: I may simply be betraying my ignorance here, but I tried very hard to follow what the honourable senator was saying carefully because it was very interesting. I was particularly struck by the honourable senator's remarks about the ambiguity of the meaning of "race." Shortly after that, the honourable

senator said that road rallies would not be covered by this bill. The honourable senator may have explained it and, if he did, I missed the link. If “race” is ultimately up to the courts to define, how does this bill exclude road rallies? Is there a specific section in the bill that refers to them, or how does it work?

Senator Oliver: Road rallies are now covered by municipal and provincial legislation. You have to drive safely and responsibly or you will be caught by provincial legislation.

This statute amends the Criminal Code which is a federal statute. Where there is a conflict between provincial, municipal and federal statutes, the doctrine of paramountcy would prevail. Thus the federal statute would prevail. In this case, since road rallies are regulated provincially and municipally, that is what it is covered under.

Senator Fraser: I think I understand.

Hon. Anne C. Cools: Honourable senators, I was listening to the Honourable Senator Oliver with some care. I am not that well acquainted with the bill. However, I was listening, with considerable attention to the honourable senator. I believe I understood him to say that this bill will introduce a new criminal offence, that of street racing. Am I correct in that?

Senator Oliver: That is correct.

Senator Cools: I also understood the honourable senator to say that there is no definition of street racing in the bill and that the courts will therefore have to define it.

My question is not as simple as I am in a state of bewilderment at those statements.

If the act of Parliament is not going to say “street racing,” and it is a totally new offence, on what grounds in law or in the Constitution will the court be able to define it?

There is no jurisprudence or law, unless the honourable senator is saying that the courts should exercise an act of will and perform a legislative function.

Could the honourable senator tell us upon what areas of law the courts will be relying upon to make a definition when the honourable senator, who is the sponsor of the bill, has no idea of what it means? It is craziness in my mind.

Senator Oliver: Section 1 of Bill C-19 states:

Section 2 of the Criminal Code is amended by adding the following in alphabetical order:

“street racing” means operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place;

I asked the drafters of the legislation about the parameters and definitions of when a street race is a street race. We know it means operating a motor vehicle in a race with at least one other vehicle, but what are the parameters? That question is not further defined in this statute. That will have to be interpreted by the courts.

[Senator Fraser]

• (1600)

Senator Cools: I have always been under the impression that when Parliament, in its mighty power, moves into the area of creating criminal offences, which is a blunt instrument, that Parliament attempts to be as specific and as definite as possible so as to ensure that one does not include a set of actions that are not intended to be criminalized.

Therefore, if the sponsor does not want to answer my question in that regard, perhaps he can answer another one: Why is it that the minister did not take more care with this bill to ensure that the term “street racing” is very clear, and that the courts are given great guidance in their interpretation, rather than be left on their own with no guidance? Quite frankly, I think it is an act of ministerial irresponsibility to do that. Why has the government not provided more clarity and guidance to the individuals it may be criminalizing and prosecuting?

Senator Oliver: I do not know the answer to that question, honourable senators.

Senator Cools: Why should we vote for it, then?

Hon. Pierre Claude Nolin: Do I understand that Senator Oliver is suggesting that the same course of action be taken in this place as was taken in the House of Commons?

Senator Oliver: No. I was reporting to this chamber as to how the bill proceeded in the other chamber. I am asking for speedy passage of the bill, but I think the bill should go to committee and that witnesses should be heard.

On motion of Senator Fraser, debate adjourned.

[Translation]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, when shall Bill C-2, as amended, be read the third time?

Hon. Gerald J. Comeau (Deputy Leader of the Government): I move that the bill be read the third time at the next sitting of the Senate.

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

Hon. Senators: Agreed.

Motion agreed to on division.

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

[English]

Hon. Anne C. Cools: I am sorry, I did not hear the translation, so I did not hear the motion. Which bill was being dealt with?

Senator Nolin: Bill C-2 was dealt with.

Senator Cools: Bill C-2 has already passed. The vote for third reading of Bill C-2 is supposed to take place after the adoption of the report. One cannot rise in between and do something else, at least not without permission of the house.

My understanding of the system is that, by the fact that the motion for third reading was not moved at least 20 minutes ago, in point of fact the bill has fallen off the Order Paper and it must be restored with a motion. One cannot just rise an hour later and do that. Can it be moved tomorrow or next week?

It would be nice if there could be some respect for the decorum of the system. My understanding of what may have happened is that after the report was adopted, I believe the Hon. the Speaker should have risen and asked, "When shall the bill be read the third time?" and then the motion should have been put before the house for a vote. The house must answer the question as to why no motion was moved.

It is entirely possible that the government does not want to proceed with bills. That has been done in the past when governments do not want to proceed on bills; they sort of let them fall away.

However, I am not questioning whether or not this bill can be restored to the Order Paper. I am saying to the honourable senator that it must be done properly; that it must be moved by a motion. I am not sure if the motion is in lieu of notice. The honourable senator cannot rise like this and act as though nothing untoward has happened. Something did happen. The minimum that the deputy leader should do is provide an explanation to this place to indicate what occurred and at least try to obtain in some way or other the permission or agreement of the house as to how this should be corrected.

I continue to be amazed and shocked at the wanton disregard for the rules of this place, and not only the rules but the principles. What I am speaking of concerns fundamental principles; I am not raising a point of order.

I am not sure whether or not Bill C-2 is still on the Order Paper. It might have fallen off the Order Paper, or fallen off the orders because no motion was moved. Perhaps we should attempt to ascertain that, rather than just rise and say, "I move that it be done." This is the Senate of Canada. We should treat our procedure with a high degree of respect, I believe.

Perhaps, Your Honour, I should have made this a point of order. Perhaps there should be a debate on this matter. The system is that senators are supposed to run these things, and when things happen, senators should have opinions. The more opinions there are, the better.

Hon. Eymard G. Corbin: On a point of order, I am asking for clarification. We were dealing with Bill C-19, is that correct?

Senator Cools: That is right.

Senator Corbin: The debate on that bill was adjourned.

Senator Oliver: In the name of Senator Fraser.

Senator Corbin: Normally, the next step is that someone at the table rises and calls the next item.

Senator Cools: Precisely.

Senator Corbin: I did not see that happen. I heard His Honour the Speaker put a proposition to the house, but how can a proposition to the house be made if the clerk has not read the next item? Therefore, I seek clarification.

The Hon. the Speaker: Honourable senators, the clarification being sought by the honourable senator is welcome. An error was made by the chair. To correct the error, after the item that was being dealt with by the house was completed, the Speaker rose and asked the house whether or not it was ready to — the question was asked in French, but in English it was, "When shall Bill C-2, as amended, be read the third time?" That question, by error of the chair, had not been put.

As that question was responded to unanimously by the house, the question was put. It was carried, and it has been adopted. If the chair was in error, I ask that the fault fall on the shoulders of the chair, and not on this honourable house.

Senator Cools: Is there debate on these points?

The Hon. the Speaker: No, that is the ruling of the chair.

Senator Cools: I did not ask for a ruling, Your Honour. I did not raise a point of order.

This is the Senate. If an error was made, the Speaker of this house has no responsibility whatsoever to keep the government's agenda or any bill moving along. Granted, the Speaker of the house noted that he or she did not rise and put the question to the house as to when the bill should be read the third time. The Speaker has no responsibility beyond that.

In other words, if the Speaker was forgetful, sleeping or absent mentally for a moment or two, the onus of moving a government bill along rests with the government leaders. Therefore, the Speaker may have been inattentive for a split second, but the fact is that the government leadership has the responsibility for moving the agenda of the government along. Moving government bills along is not the responsibility of the Speaker of the Senate. It belongs with the government.

I do not remember who was in the chair, but whatever they said does not bear substantially on the fact of the matter. The fact of the matter is that the government did not make a motion to place Bill C-2 on the Orders of the Day for third reading. That is the issue at hand, not the Speaker's delinquency.

• (1610)

I would like to say, in case no one else wants to say it, that I do not think that how we just proceeded is in order. I do not think it is proper and I do not think it is respectful of the house or of its members. All that the Deputy Leader of the Government in the Senate needed to have done was to seek the advice of this house as to how to proceed. I deeply suspect that had he sought the advice and opinion of this house, he would have obtained it.

Why was such advice and opinion of this house not sought? I have no doubt that if it had been sought, the deputy leader would have discovered that this house is not willing or wanting to put any obstacles in the way of passage of the bill. I do not understand. Maybe it is just the era or maybe just the day. I do not like that sort of thing, and the only choice I have is to rise and say so from time to time. Frankly, such action undermines this house, and it undermines the rules and the principles of the entire system. It is painful to watch and to listen to this sort of thing, honourable senators. Maybe, as I said before, it is just the time, but it would be nice if this government would show some respect for this house.

Hon. Joan Fraser (Deputy Leader of the Opposition): For purposes of clarification, I should perhaps explain that the Deputy Leader of the Government and I realized almost immediately that there had been a lapse, and that this matter had not been disposed of.

It is normally the Speaker who rises after the report stage has been voted on to say, "When shall this bill be read the third time?" Then, if it is a government bill, the government says, "At the next sitting," or whatever the case may be.

In this case, Senator Oliver was already speaking when the Deputy Leader of the Government in the Senate and I conferred. We went immediately to the Speaker and the table officer, and it was agreed among us that the appropriate way to proceed would be to have the Speaker conclude the matter of Bill C-2 at the earliest opportunity. This did not, I agree, constitute consulting the entire chamber, but it did constitute consultation across the two sides. If, on my part, this was less than full consultation, I apologize. I confess that, in my view, it was not a matter of high principle, but it was a matter that needed to be rectified, and the sooner the better. The way His Honour approached the matter satisfied us on this side entirely.

Senator Comeau: I agree. I concur with my colleague that we did try to rectify the calling of the item with respect to third reading. As my colleague on the other side has just said, we on this side, at least from the leadership side, were entirely satisfied with the way in which it was disposed of. Of course, I agree with my colleague on the other side that it is sometimes difficult to go round and see everyone, and I imagine there might well have been a different way of dealing with it. However, I believe the Speaker has dealt with the matter and I think we should proceed with the business of the day.

Senator Cools: I thank the two honourable senators for the clarification. I would like to underscore very clearly that all these decisions rest with the house. Senator Fraser spoke of discussions, negotiations and consultations between the leaders. However, I must remind her, as I must remind the Deputy Leader, Senator Comeau, that those consultations, discussions and agreements form no part of an agreement of this house until this house is asked to agree to it.

Therefore, if what the honourable senator described is the actual situation and is what happened, then the proper course of action that should have been taken was to immediately put the situation to the house and to ask for the house's agreement to proceed. The house would then, in point of fact, have asked the Speaker to put the question again, namely, "When shall this bill

be read the third time?" Then the Deputy Leader would have been welcomed, I believe, if not applauded, in putting the motion to the house. This house's agreement had to be obtained to his course of action, and his course of action was less than sufficient and less than satisfactory, to my eye.

The Hon. the Speaker: I thank all senators for their contribution in clarifying this matter, and in particular Senator Cools.

CANADA ELECTIONS ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-16, to amend the Canada Elections Act.

Bill read first time.

The Hon. the Speaker: When shall this bill be read the second time?

On motion of Senator Comeau, bill placed on the Orders of the day for second reading two days hence.

NATIONAL CAPITAL ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Spivak, seconded by the Honourable Senator Segal, for the second reading of Bill S-210, to amend the National Capital Act (establishment and protection of Gatineau Park).—(*Honourable Senator Cools*)

Hon. Anne C. Cools: I rise to speak to second reading of Bill S-210, which amends the National Capital Act. As honourable senators know, the National Capital Act is that piece of legislation that governs the business of the National Capital Commission.

I would like to begin by associating myself with the remarks of Senator Banks and the other senators who spoke in support of this bill, and also to say that, in general, I am supportive of this bill and think it is a timely one.

I would also like to say that this bill is the intellectual child, so to speak, of the Honourable Senator Spivak. I, like many, I am sure, would like to thank Senator Spivak for her efforts and labours in putting this bill before us for our consideration. As honourable senators know, Senator Spivak is not well, so I hope she will read the record and see that I have expressed my gratitude.

I have had some contact with Senator Spivak's office, and her wishes on this bill have been communicated to me.

• (1620)

In any event, Bill S-210 has for its large purpose the establishment of clear boundaries, coherent land management and lasting protection for the Gatineau Park. The Gatineau Park is a most glorious piece of nature, located very close to us, just two miles from this very building, across the Ottawa River in western Quebec's spectacular Gatineau Hills. I would like to say that quite often I discover that many honourable senators serve here for years and do not see much of the spectacular beauty around this area. If there are any senators who have never been to the Gatineau Hills and to Gatineau Park, I encourage them to take a tour.

Honourable senators, Gatineau Park is historically significant for many reasons, only one of which is the fact that it contains former Prime Minister Mackenzie King's properties, which he donated to the country. Mackenzie King's farm is now the residence of the Speaker of the House of Commons.

Honourable senators, it is also significant because James Harkin, the Dominion Parks Commissioner, had proposed that it be Canada's first national park outside of the Rocky Mountains. In his December 3, 1913 memorandum to William Cory, the Deputy Minister of the Interior, Commissioner Harkin argued for the creation of a national system of parks, which was to include the Gatineau Park. He said:

The East has no National Parks like those in the Rockies and it is proposed that the country develop a broader scheme of parks than exists in any other country. At present Canada is behind other civilized nations in the matter of preserving the scenic, historic and wild animal life.

Honourable senators, Commissioner Harkin's hopes were never realized. Gatineau Park remains the only large federal park that is not a national park, and whose administration is beyond the direct reach of Parliament. Unlike the boundaries of national parks, Gatineau Park's boundaries can be changed. Its lands can be sold and roads can be built inside of the park without the knowledge or approval of Parliament.

Honourable senators, the absence of sufficient and adequate legal protection for Gatineau Park has allowed the National Capital Commission, which administers the park, considerable leeway with the park. Besides, I understand that the National Capital Commission has severed 48 properties, comprising 1,508 acres, and since 1992 has allowed at least 32 new homes to be built on privately owned lands inside the park. This 1,508 acres added to the 334.45 acres given up to road building over the last decade or so makes for a total area removed from the public use in the park of about 1,842 acres. That is nearly 3 square miles — quite a vast area.

Senator Spivak's bill, Bill S-210, will provide Gatineau Park with the same statutory protection and parliamentary oversight as that enjoyed by other Canadian national parks since 1930. On May 7, 1930, in the House of Commons debate on the proposed National Parks Act, Charles Stewart, then Minister of the Interior, summarized the new act. He said that its purpose was to establish the boundaries of national parks, embody regulations in statutory form and place national parks under the control of Parliament. Honourable senators, this is precisely what Senator

Spivak's bill, Bill S-210, intends to do for the Gatineau Park. Because I spend so much time in Ottawa, I tend to call it "the Gatineau."

Honourable senators, the importance of preserving this precious natural asset must be stated. I wish to cite the report of the Advisory Committee on Gatineau Park. This report to the Federal District Commission, dated May 16, 1949, read in part:

While this park will serve a useful purpose as a place of recreation, bringing physical benefits, its greater purpose lies in its possibilities as a spiritual and moral force in the lives of those who visit it.

I would like to repeat that, honourable senators, because at the end of the day this is what nature is about: It is about uniting man with creation, uniting human beings with God. If I may be allowed, I will read that again:

While this park will serve a useful purpose as a place of recreation, bringing physical benefits, its greater purpose lies in its possibilities as a spiritual and moral force in the lives of those who visit it.

Honourable senators, one of the characteristics of Canadian people is their call and the rush to be outdoors, to the water, to the rivers, to the lakes, to the parks. When I first came to Canada as a young girl of 13, I could not understand why Canadians talked daily about the weather. "Isn't it a glorious day? Isn't it a beautiful day?" After the first winter, I began to understand why enjoying good weather is a wonderful Canadian thing. Remember that connection to nature.

Honourable senators, for many decades concerned Canadians, nature lovers and outdoor enthusiasts have argued that the Gatineau Park requires clearer legal status and also protection from unsuitable encroachments, developments and sell-offs. Further, the National Capital Commission, through its own successive master plans, notably those from 1990 and 2005, has argued that the Gatineau Park needs a different status to legalize its zoning, set its boundaries and establish clear regulations. Despite these repeated entreaties and commitments, no action has been taken in this regard and the park remains without the sufficient and necessary legal status.

Honourable senators, Gatineau Park is a place of astounding beauty. The poets speak skilfully of the communion between humanity and divinity, of the unity between human beings and nature. I wish to close with a poem from Duncan Campbell Scott, a major Canadian literary figure. His poem *Leaves* tells of the bounty of nature's leaves and trees in all the seasons. It tells of the leaves of the oak trees, the leaves of the poplars, of the elms and of the maples.

Dr. Scott read this poem at the Château Laurier Hotel on May 8, 1935, at the inaugural meeting of the Federal Woodlands Preservation League. The preservation league, honourable senators, was the organization responsible for the creation of the Gatineau Park. Over the years, its members had included Governors General Bessborough, Tweedsmuir and Althone, as well as Prime Ministers Richard B. Bennett, Robert Borden and Mackenzie King. At the league's first meeting, Dr. Scott,

expressing the need for better protecting the forests of the Gatineau Hills, read his poem *Leaves*. I shall now read a few verses of the poem:

But when the maple-leaves are touched with frost,
All our similitudes are dwarfed or lost;
We do not think of single leaf or tree.
No more than of water when we think of the sea;
We only know the hills are hung with garlands.
And in a happy trance we dream there are lands
As calm with beauty as this painted scene,
Calm with perpetual beauty; ...

Honourable senators, the very next day, May 9, 1935, the *Ottawa Citizen* reported on this historic meeting. The headline of the paper was "Stresses Need of Preserving Natural Beauty: Rt. Hon. W. L. M. King Addresses First Meeting of Federal Woodlands Preservation League." The *Ottawa Citizen* continued:

"It is difficult to overestimate the importance of preserving for Ottawa the natural beauty of her surroundings," stated the Rt. Hon. W. L. Mackenzie King at a meeting of the Federal Woodlands Preservation League at the Château Laurier last night. "If the facts concerning the destruction of woodlands as described tonight were brought home to the public, I am certain the organization would everywhere have great support," Mr. King said.

• (1630)

Honourable senators, Bill S-210 is a step toward bringing the Gatineau Park into harmony with Canada's national parks. I urge honourable senators to support this bill.

The reason I included that Mackenzie King quote in my remarks is that, unknown to many, Mackenzie King had a great love of the outdoors, of the parks, of the green country and the spectacular aesthetic that was Ottawa, just as he had an enormous appreciation, for example, of the architecture. For example, the current home of the ambassador, now High Commissioner, from South Africa was purchased because Mackenzie King drew their attention to this lovely, old, precious property. At the time, Mackenzie King thought that General Smuts, who used to support him at the imperial conferences, deserved a residence of distinction in Canada. I guess it is just the nature of life, but Mackenzie King knew so much. Originally, he had different ideas of how Ottawa's development should take place.

In any event, honourable senators, whether or not there are a few imperfections in the bill is a matter for the committee to discern and to iron out. I think this bill could just as easily meet with your approval.

Honourable senators, my instruction from Senator Spivak is that we should allow the question to be put by His Honour, have a second reading vote and then she has asked me to make a motion to refer the bill to committee.

On motion of Senator Comeau, debate adjourned.

[Senator Cools]

STATE OF LITERACY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fairbairn, P.C., calling the attention of the Senate to the State of Literacy in Canada, which will give every Senator in this Chamber the opportunity to speak out on an issue in our country that is often forgotten.—(*Honourable Senator Robichaud, P.C.*)

Hon. Larry W. Campbell: Honourable senators, I would like to join with the thousands of other Canadians in expressing my sincere disappointment with the \$17.7 million cut made by this government on September 25 of this year. According to the latest International Adult Literacy and Skills Survey, 42 per cent or 9 million adult Canadians have low literacy skills. In British Columbia, 1 million adults have those low skills. This means they struggle with everyday activities such as job applications, medical instructions, election ballots and, perhaps most important, reading with their children.

Low literacy is linked to low income, low employment and poor health. The level of literacy skills in the workforce has direct links with our country's economic welfare. According to Statistics Canada, a rise of 1 per cent in literacy scores relative to the international average is associated with an eventual 2.5 per cent relative rise in labour productivity and a 1.5 per cent rise in GDP per person.

Honourable senators, I would like to know how anyone can look at these facts about literacy in Canada and decide to cut funding. Literacy programming in Canada has always been underfunded and the funds that were available were essential in helping Canada's most vulnerable citizens, such as the First Nations, new immigrants and people with disabilities. Canada's literacy programs, as I have said before in this house, are run by dedicated staff and a network of thousands of volunteers in every community of every province in every territory. These funding cuts send a discouraging message to this vital group of Canadians.

I first became involved in the literacy cause through the Peter Gzowski Golf Tournament for Literacy. Mr. Gzowski understood how critical Canada's literacy problem was and rallied prominent Canadians from media, politics and business to raise more than \$10 million for the cause. More recently, CanWest leader Dennis Skulsky started Raise-a-Reader, a national fundraiser for children's literacy which has raised more than \$7 million for literacy. In addition, Premier Gordon Campbell — my older brother, just in case you are wondering — is a devoted advocate for literacy and first started when he was a teacher, prior to becoming a politician. These initiatives are a testament to how much literacy means to Canadians. These Canadians need to see that their government is also committed to improving our literacy levels. To tackle this enormous and complex problem, we need more funding — not less.

This week, we learned that the federal government has changed the specific areas impacted by these cuts. I welcome this fact: that the government is coming to its senses and is reconsidering the details of the \$17.7 million cut. Only now, literacy programs across the country have no idea how they will be impacted by the

cuts. Can we possibly get some idea or some sense for Canadians of what literacy programs and services will be affected by the cuts?

It is rather ironic that this Thursday is Literacy Action Day on the Hill. On this day, literacy representatives from across Canada will be here to discuss literacy. I hope that senators will make themselves available to speak with these representatives and discuss the national disgrace of Canada's literacy levels.

Hon. John G. Bryden: Honourable senators, I would like to take a few minutes to comment on this inquiry on the state of literacy, particularly as it relates to my home province of New Brunswick.

Last week, Senator Fairbairn gave us a quick overview of the provincial impact of the announced cuts to literacy programming. Today, I want to tell honourable senators about what I am hearing in New Brunswick.

It is now almost exactly one year since we learned the results of the Statistics Canada International Adult Literacy and Skills Survey. That survey told us that the residents of New Brunswick had average proficiency scores that "were significantly below the national average." In all the four domains that were tested, on average 48 per cent of the Canada population age 16 and over scored at the lowest levels in what they called the "prose domain." In New Brunswick, that figure is 56 per cent. The Statistics Canada report goes on to say:

This suggests that a significant proportion of the population of these jurisdictions is at risk of not being able to fully reach their social and economic potential.

Nearly two thirds of the population in New Brunswick scored at the lowest levels in what the surveys call "numeracy," which adds mathematical concepts to the literacy assessment.

That is the context from which we must consider the recent announced cuts to literacy programming. Previously, \$97,500 in federal funds were available to the Literacy Coalition of New Brunswick. That funding has been terminated. In addition, \$97,500 in federal funds were available to la Fédération d'alphabétisation de Nouveau-Brunswick. That funding has also been terminated. Furthermore, \$517,000 in federal funds were available to registered charities in our province to carry out literacy programming. This has been terminated.

• (1640)

According to the Statistics Canada report, the proportion of francophones who scored in the bottom two levels in the prose domain was even larger than the proportion of anglophones. The Executive Director of la Fédération d'alphabétisation du Nouveau-Brunswick was to leave her post as of last Friday, November 3. That leaves one administrative person to complete two projects and then the FANB will have to close its doors.

The Literacy Coalition of New Brunswick is reaching the end of a multi-year agreement with the Government of Canada. One agreement will end on March 30, 2007; the other will end on July 20, 2007. It has one more project to complete after that and then anticipates having to close its doors.

I will briefly highlight some of the annual events and promotions that the Literacy Coalition has been responsible for in the province of New Brunswick and that will have to stop.

Raise-A-Reader is the well-known program that provided \$16,000 each year for family literacy programs. Ironically, Laureen Harper has been a champion of this project and was front and centre in all the media participating in Raise-A-Reader here in Ottawa. This program will not be able to continue in the province of New Brunswick because of these cuts.

The distribution of 30,000 units of family literacy materials via ABC Canada will end.

The coalition has been responsible for the donation of 300 new and used books to the Storytent and Story Wagon program at Crescent Valley. Crescent Valley is New Brunswick's largest low income neighbourhood; it is in Saint John. These books were given to families to keep so that children and their parents could have reading materials in the home. We all know how critical that is to developing literacy skills. This small but important program will now die.

The New Brunswick PGI Golf Tournament for Literacy was organized by the coalition and has been the most successful literacy fundraiser in the country four years in a row. It has been more successful than the ones in Ontario or British Columbia. In 2006, it broke its own record, raising \$160,000 for literacy programs in the province. What sense does it make to bring an end to this tournament? Peter Gzowski must be rolling over in his grave.

Books Brighten Life is an annual campaign that encourages New Brunswickers to donate newly published children's books to the Literacy Coalition, which then passes them directly to children who need them. This campaign puts about 400 new books each year into the hands of children. With a new sponsorship agreement with CanWest Global, the coalition anticipated being able to provide 3,000 new children's books to families each year. This will be lost with the loss of the coalition.

The Sheree Fitch Adult Learner Scholarships has honoured 10 adult literacy students in each of the past three years. For many of these adults, it is the first time in their lives that they have ever been recognized for academic or educational achievements.

Senator Trenholme Counsell is too modest to refer to this, but the Dr. Marilyn Trenholme Counsell Early Childhood Literacy Awards have been a wonderful success, recognizing exemplary service in support of early childhood education. These, too, will be lost with the loss of the coalition.

A week-long summer institute for teachers of adults with learning disabilities was held at Mount Allison University in Sackville. Teachers who attend this institute must agree that not only will the training be applied in their classroom, but that they, in turn, will share that training with their peers, formally and informally. In other words, this program is set up explicitly to have a ripple effect throughout communities in the province.

Honourable senators, not only does the policy behind these cuts make no sense, even the manner in which they are announced demonstrates a disappointing disregard for the literacy organizations and the communities they help.

A call went out last August for proposals of literacy projects that could fit within the criteria of the \$517,000 in federal funding to which I alluded earlier. The deadline for proposals was September 15. I am told that people moved heaven and earth to make that deadline. They worked on holidays and juggled the demands of their other projects — the big PGI Golf Tournament was already occupying one person 24/7 — and they met the deadline for the applications. Then, a week and a half later the announcement came that all the funds were being terminated. This is not respectful, honourable senators. Surely this is not how public policy should be made or announced to the citizens of this country or my province.

Honourable senators, I have tried to share with you a few of the impacts of these cuts that New Brunswickers have drawn to my attention. Now I will briefly tell you what I know.

I know that as a province we have been working hard over the past years to transform ourselves and our economy to be prepared to meet the challenges of the new skills-based economy and to thrive. We have always known that our best resource is not our fish or our minerals or our forests; it is our people. However, the absolute, basic, critical element for success is a high literacy level.

This government has said it is not abandoning literacy programming. Instead, to quote the Leader of the Government in the Senate, it is eliminating “\$17.7 million over two years for funding to local and regional literacy programs because we are withdrawing from activities being performed by other levels of government.”

Honourable senators, no one to whom I have spoken has said there was a problem of people or organizations stepping on each other's toes and getting in each other's way. To the contrary, this is an area in which there has been very effective partnering for a very important — critical, really — national cause.

There was a study done in New Brunswick several years ago called the Landal report. It found that the community approach works best in the battle against illiteracy. Learners feel welcomed and encouraged by the familiarity and the flexibility of the learning environment. The teachers and volunteers get the satisfaction and encouragement of seeing their work make a difference in their own communities, but the problems cited by the study were problems of administration and coordination. To quote the report:

The responsibilities of the operational core are scattered and contaminated with ambiguities. The valiant efforts of the volunteers and the employees are losing their momentum, threatened by the general lack of recognition by the authorities, and the exhaustion of having to adapt to the perpetually evolving and increasingly demanding needs of the clientele.

Honourable senators, it is simply wrong for the federal government to abdicate any responsibility in this area. Federal monies have played a valuable, some would say critically important role in addressing these problems. The Literacy Coalition of New Brunswick and Fédération d'alphabétisation du Nouveau-Brunswick have played pivotal roles precisely in these types of coordination and information-sharing activities, among others. We were on the right track, honourable senators.

The coalitions have the infrastructure already in place. They have policies around accountability and a proven track record, and they know their communities. This is why they are a magnet for these excellent projects like the Raise-A-Reader and the PGI Golf Tournament.

Senator LeBreton told us that \$81 million will be made available for federal programming. Honourable senators, I frankly do not know what that means and, speaking to the people on the ground in my province, they do not know what that means either. If we are to do anything effective to combat illiteracy, it will be through projects at the local and community level. The federal government has been extremely effective in working with its provincial counterparts to fund these local and community projects. They are working. Why in the world would we pull the rug out from under them?

• (1650)

I do not often quote this particular gentleman, but he is someone who was well-known and respected by many honourable senators opposite. Dalton Camp said, when serving as the Honorary Chair of the Literacy Coalition of New Brunswick:

Literacy is the foundation which enables all citizens to acquire for themselves a better quality of life. We, as literate citizens, have an obligation to step up our efforts in providing resources to literacy programs.

I hope that this government realizes that it has made a mistake. That is okay, because sometimes even governments make mistakes. I hope, however, that it is prepared to do the right thing now and reinstate this funding. The people of my province need it, and they deserve it.

On motion of Senator Fraser, for Senator Robichaud, debate adjourned.

THE SENATE

MOTION TO URGE GOVERNMENT TO STUDY IMPACT OF LEGISLATION ON REGIONS AND MINORITIES—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Cordy:

That the Senate urge the government to accompany all government bills by a social and economical impact study on regions and minorities in accordance to the Senate's role of representation and protection of minorities and regions.—(*Honourable Senator Comeau*)

Hon. David Tkachuk: Honourable senators, I have a few comments to make on Senator Ringuette's motion that the Senate urge the government to accompany all government bills by a social and economic impact study on regions and minorities and in accordance to the Senate's role of representation and protection of minorities and regions. I disagree with Senator Ringuette on this motion because the government does present

the numbers with Royal proclamation on every government bill in respect of the cost. For example, on matters of public record in 1996 the budget of then- Minister of Finance, Paul Martin, called for a halt to cash transfers of health, education and social assistance by one third. The details are available from the Department of Finance should one have doubts about that. To my knowledge, not one New Brunswick Liberal from the other side stood to oppose this move, even though on this side we did stand. They knew the economic impact study on the region and yet no motion was forthcoming. I do not believe there were any speeches from the other side condemning those cuts.

The Liberal Budget Implementation Act, 1995, repealed the Maritime Freight Rates Act and the Atlantic Region Freight Assistance Act, driving up the cost of shipping from Truro, Nova Scotia, to Toronto, Ontario, for example. At the time, the Canadian Manufacturers' Association predicted that the cost of shipping goods from Truro to Toronto would increase by 30 per cent to 33 per cent yet. While we were fully aware of the impact on the regions, not one Liberal from Atlantic Canada rose in opposition.

Many other instances of this kind exist, such as the gun registry. We on this side tried to point out that such a registry would have a tremendous impact and that the costs were highly underestimated by the government. Yet, no one on the other side paid any attention.

I commend Senator Ringuette for putting this motion forward because this should be debated in the Senate. It is important to note that in the United States, members of Congress and the Senate have to include an economic impact statement when introducing a bill because the American political system does not have an executive. Members of the house can present bills to spend money and, therefore, are obliged to attach a dollar figure. We should adopt the same practice and include a social and economic impact statement when introducing a bill in the Senate and in the House of Commons.

The Senate exists to protect the interests of the regions and minorities. When bills are referred to committee for consideration, the social and economic impacts of bills on the regions that we represent must be taken into account, as well as what they mean to us and not just what they mean in overall costs to the country. In that way, we would have better knowledge of what is happening.

It would be good for honourable senators to remember, when studies are done, to point out some of these issues. I would hope that the Senate does not always do what the minister wants. In many cases in this chamber during the last 13 years, that is exactly what has happened, with few exceptions. For matters that come before the Senate, we have the power and the resources to include those impact statements. The government does that now but the numbers are not broken down by regions and, in most cases, they have proven to be inaccurate. The Senate should do this so that it does not need to depend on government figures. Therefore, I oppose this motion.

Hon. Wilfred P. Moore: Would the honourable senator take a question?

Senator Tkachuk: Certainly.

Senator Moore: Could the honourable senator share with the house the financial state of our country in 1995-96 at the time of the two programs that you mentioned?

Senator Tkachuk: I was not speaking to the financial state of the country but to what had happened and what members on the honourable senator's side did, although they might have had their reasons. In this chamber, there are many opportunities in debate to justify those actions. While doing that, the honourable senator might speak to some of the defence facilities in Atlantic Canada that were closed in 1994 by the Liberal government. It is the right of the honourable senator's government to defend that action, but not mine.

Hon. Joan Fraser (Deputy Leader of the Opposition): As Senator Bryden pointed out, sometimes people make mistakes, but that does not mean mistakes cannot be corrected as we go forward. That said, I would like to move the adjournment of the debate for the balance of my time.

On motion of Senator Fraser, debate adjourned.

CANADA NATIONAL VIMY MEMORIAL

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Dallaire, calling the attention of the Senate to the final phase of the restoration of the Canadian National Vimy Memorial, begun in 2001 under the auspices of the Canadian Battlefield Memorials Restoration Project.
—(Honourable Senator Banks)

Hon. Lorna Milne: Honourable senators, I want to congratulate and thank Senator Dallaire for bringing us up-to-date on the restoration of that magnificent testimonial to Canada's sacrifice at Vimy Ridge in 1917. There were 3,598 young men who died at Vimy Ridge and 10,602 casualties. In total, 11,285 fine young men died during that war, whose bodies were either never found or could never be identified.

• (1700)

Their names are inscribed on the Canadian National Vimy Memorial there on that hilltop where Canada came of age. Another 51,953 Canadians are buried in cemeteries across France with their names proudly inscribed on their tombstones, row upon row.

What we tend to forget is that many other fine young Canadians also died, sometimes years later, as a result of their time in the trenches below Vimy and those terrible days. Their graves are found in quiet cemeteries across France, England and here in Canada.

Wherever there was a hospital where Canadians were treated or sent to convalesce, you will find such graves. You will find them at Cannes in France, in Birmingham, at Shoreham-on-Sea near Hastings, at Uxbridge, at Epsom, at Orpington and just outside Buxton in the Hill District of England. You will also find them in quiet country graveyards all across Canada.

Many of these young men were either gassed or wounded before or during the battle for Vimy Ridge; and some of them suffered for months, even years, before eventually dying as a direct result of that battle. They died in agony from gangrene and from the infections caused by filthy conditions and unclean surgical instruments. They drowned in their own body fluids. They died from secondary infections due to the permanent damage the gas had done to their lungs. They died.

Let me tell you the story of just one such fine young man. He was born on a farm near the hamlet of Dromore in Grey County, Ontario. He grew up there on the farm, but his lungs were damaged by a bad bout of whooping cough when he was a child, so farm work was too difficult for him. His first job was working in the local store — Taylor's General Store in Dromore. As a young man, he went west and immediately got a job in a department store in Winnipeg, where he worked until early in 1916, when he enlisted in the 11th Reserve Battalion. He was 22 years old, five feet, nine-and-a-half inches tall, with blue eyes, fair hair and a fair complexion — quite a handsome, slender young man, as the proud portrait in uniform that he sent to his parents shows.

His battalion left for England at the end of October, 1916, arriving at Shorncliffe on November 11 — how prophetic. At the end of November, he was transferred to the 22nd Battalion overseas and two days later, he arrived in France, and into the indescribable muddy misery of the trenches below Vimy Ridge.

Just imagine the shock that the stench, the mud, the vermin and the mounds of rotting garbage outlining the trenches would have been to those young men from the clean countryside of the Canada.

He was gassed the first time just twenty days later. Shortly after that, there was a second gas attack and he got it again.

He was first treated in the field and then transferred to Cannes. Later he was transferred back to England, eventually to the Canadian Casualty Assembly Centre at Shoreham-on-Sea near Hastings, then to the Canadian Convalescent Hospital at Uxbridge, finally arriving at the Canadian Reserve Cavalry Hospital in Buxton. He spent the next two years of his life in and out of the Red Cross Hospital at Buxton, alternating between military duty and hospital stays.

He fell in love with one of the nurses and they were married in April 1918, but his lungs never recovered. He died in hospital in Buxton on January 2, 1919. The army recorded it as "Struck off the strength (having died)." He was just 24 years old.

That young Canadian, one of the thousands who never made it home again, was William Milne, my husband's uncle. He is buried near the middle of a row of well-tended Canadian graves there in the peaceful English countryside on the edge of Buxton.

The quiet fertile fields, the cattle, the low hills in the distance and the small woodlot that you can see from the cemetery are very similar to the view from the cemetery at Dromore, where he is commemorated on his parents' tombstone behind Amos Presbyterian Church. His name is also engraved on the war memorial in Holstein, Ontario.

[Senator Milne]

Honourable senators, when you next visit a cemetery, look for a uniform row of military gravestones embossed with a maple leaf. Pause for a moment and consider the dates on them. Think of the other victims of Vimy Ridge whose names do not appear on that stately memorial or in the nearby cemeteries, but who, through their sacrifice, helped to create our country. Remember.

On motion of Senator Banks, debate adjourned.

KYOTO PROTOCOL

GOVERNMENT POSITION—INQUIRY— DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Mitchell calling the attention of the Senate to the stated intention of the Canadian government to weaken the Kyoto Protocol, and to dismantle 15 climate change programs, including the One-Tonne Challenge and the EnerGuide program.—(*Honourable Senator Stratton*)

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I do not think there is any more important subject before the world today than the matter of climate change. It seems to me that all other things pale before it because if we do not manage it, nothing else will matter.

I am very grateful, therefore, to Senator Mitchell for launching this inquiry. I believe that the Kyoto Protocol should be supported, that Canada should continue to support it and to meet its targets. Above all, I believe that the matter of climate change goes beyond the Kyoto Protocol, and that it is our absolute duty to consider it.

I am, however, mindful that as we speak — this item has been on the Order Paper for a while now — the world is heading into the Nairobi conference. One would hope that progress will be made at that conference. I may be a sunny optimist, but I would even hope that the Government of Canada might adjust its current position on the Kyoto Protocol slightly in the light of world opinion and of new science. However, I also believe that it is probably appropriate to wait until we see a little more of what will come out of that meeting before we continue this debate. Therefore, I would ask that the debate be adjourned for the balance of my time. I move adjournment of the debate.

Hon. Terry Stratton: As an aside, Senator Fraser, it is not that I did not intend to speak. I do intend to speak. Unfortunately, the plate is stacked a little high now, with Bill C-2, Bill S-210 and the concern with the Internal Economy Committee. I need a little patience here, and I am sure you will give it, because I intend to speak to Bill C-2, and then to Bill S-210 and then I will speak to the inquiry.

Senator Fraser: As a point of clarification, honourable senators, when I moved the adjournment, it was not with the intention of preventing anyone else from speaking. It is my understanding that Senator Stratton will remain free to speak any time he wishes.

On motion of Senator Fraser, debate adjourned.

- (1710)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO REFER DOCUMENTS OF STUDY ON MENTAL HEALTH AND MENTAL ILLNESS FROM PREVIOUS PARLIAMENTS TO STUDY ON FUNDING FOR TREATMENT OF AUTISM

Hon. Joan Fraser (Deputy Leader of the Opposition), for Senator Eggleton, pursuant to notice of November 2, 2006, moved:

That the papers and evidence received and taken by the Standing Senate Committee on Social Affairs, Science and Technology, on the study of mental health and mental illness in Canada in the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee for its study on the issue of funding for the treatment of autism.

Motion agreed to.

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF FUNDING FOR TREATMENT OF AUTISM

Hon. Joan Fraser (Deputy Leader of the Opposition), for Senator Eggleton, pursuant to notice of November 2, 2006, moved:

That, notwithstanding the Order of the Senate adopted on Thursday, June 22, 2006, the Standing Senate Committee on Social Affairs, Science and Technology which was authorized to examine and report on the issue of funding for the treatment of autism, be empowered to extend the date of presenting its final report from November 30, 2006 to May 31, 2007.

[*Translation*]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, could Senator Fraser tell us if she knows whether postponing the date of presenting the report to May 31, 2007, would result in additional costs. Would this review have an impact on the work of this committee?

I know that two other items were proposed for the committee's agenda by this chamber recently. What will be the impact of those studies on the committee's budget? Second, what will be the impact on the committee's other plans?

Senator Fraser: Honourable senators, I have the definite impression that there will be no impact or very little on the budget. Initially, the committee was to carry out this study review quickly. Perhaps you recall the debate on this matter in the spring. As Senator Stratton pointed out, we have had fairly heavy schedules. The committee was unable to study this matter as quickly as anticipated; however, the proposed parameters did not change. The date and the motion just adopted have the same purpose. This motion was introduced to simplify things.

We know that when the committee was examining mental health issues, it heard from witnesses on the subject of autism. It would be easier to study this matter if the papers received and evidence taken with regard to mental health were referred to the committee.

As for the budgetary implications, the members of the committee present will correct me if I am wrong, but I do not believe that there would be any change in that regard.

The Hon. the Speaker: Honourable senators, are there any other comments on this subject?

Some Hon. Senators: No.

The Hon. the Speaker: Are the Senators ready for the question?

Some Hon. Senators: Yes.

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

Motion agreed to.

The Senate adjourned until Tuesday, November 7, 2006, at 2 p.m.

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