



DEBATES OF THE SENATE

1st SESSION • 41st PARLIAMENT • VOLUME 148 • NUMBER 80

OFFICIAL REPORT
(HANSARD)

Wednesday, May 16, 2012

The Honourable NOËL A. KINSELLA
Speaker

CONTENTS

(Daily index of proceedings appears at back of this issue).

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: David Reeves, National Press Building, Room 926, Tel. 613-947-0609

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, May 16, 2012

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

Prayers.

[*Translation*]

INDUSTRIAL ALLIANCE PACIFIC INSURANCE AND FINANCIAL SERVICES

PRIVATE BILL—MESSAGE FROM COMMONS

The **Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill S-1003, An Act to authorize Industrial Alliance Pacific Insurance and Financial Services Inc. to apply to be continued as a body corporate under the laws of Quebec, and acquainting the Senate that they have passed this bill without amendment.

[*English*]

SENATORS' STATEMENTS

WORLD ASTHMA AWARENESS MONTH

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, few things are as fundamental to life as breath.

Most of us never think about it. We say that something is “as natural as breathing.” When we rise in this chamber to speak on various issues, we think about the words we will say, but we never pause to worry about having the breath that will allow us to speak those words. However, for more than 2.5 million Canadians with asthma, breath is not something that can ever be taken for granted.

According to the World Health Organization, Canada has one of the highest rates of asthma in the world. It accounts for some 80 per cent of chronic respiratory disease in Canada. Every year there are 146,000 emergency room visits because of asthma attacks. Traditionally, asthma was viewed as a children’s disease, but actually it affects more adults than children. In fact, the prevalence of asthma among adults has multiplied over the past number of years — from 2.3 per cent in 1979 to 8.5 per cent in 2010.

According to the Public Health Agency of Canada, asthma costs the Canadian economy over \$1.5 billion a year. That is the economic cost. The human cost, of course, is incalculable. Honourable senators, every year approximately 20 children and 500 adults die from undiagnosed or poorly managed asthma. It is estimated that more than 80 per cent of those deaths could be prevented just with proper asthma education.

Many steps need to be taken to help Canadians suffering with chronic lung diseases such as asthma. Air pollution, school and workplace contaminants, smoking, obesity — these are just a few of the factors that can impact asthma. We know that early detection, proper treatment and better understanding and knowledge about the disease are critical for those living with asthma.

The Asthma Society of Canada is a national charitable organization devoted to helping Canadians with asthma. It focuses on research and education — working to improve those statistics and especially the outcomes for Canadian children and adults who live with asthma.

May is World Asthma Month, designed to raise awareness among Canadians about asthma. The goal: to help Canadians take control of their disease through education and research, so that ultimately all Canadians with asthma can live their lives symptom-free.

Many of us who have never experienced the suffocating shock of an asthma attack take our breath for granted. I hope for a day when all Canadians have the luxury of breathing without thought or worry.

Please join me in marking World Asthma Month and applauding the work of groups like the Asthma Society of Canada, who do so much to help Canadians with asthma to live full, symptom-free lives.

GRAINS AND OILSEEDS INDUSTRY

Hon. JoAnne L. Buth: Honourable senators, I have noticed that when a piece of legislation is passed in Canada there are few instances when the impact of the legislation is reported. Therefore, I want to take this opportunity to tell you about the positive effects coming from the passage of the Marketing Freedom for Grain Farmers Act.

To put the grain sector in context, of the \$35.5 billion in Canadian agriculture and agri-food exports in 2010, grain and grain products accounted for 23.8 per cent or \$8.5 billion.

I recently attended the 2012 annual meeting of the Canada Grains Council in Winnipeg. The Canada Grains Council is a national association with members from the agricultural industry, including growers, across the country. It is the leading forum for the Canadian grains and oilseeds sector to enhance development of the industry and to coordinate and improve the dialogue within the grains industry and with governments.

This meeting was the first since our government passed the Marketing Freedom for Grain Farmers Act. As you know, this legislation removed the monopoly powers from the Canadian Wheat Board and gave Western growers the ability to market their own wheat and barley starting August 1 of this year.

The meeting covered topics such as the returns from wheat versus other crops, the yield lag for wheat and the interest from the private sector in the development of new wheat varieties with higher yields and new competitive traits.

The new CWB Inc. reported on its progress to provide marketing services for growers in an open market. It has already announced pool and cash contracts for wheat, durum and malting barley that offer competitive returns and solid risk management. Cargill is the first company to sign an agreement with the CWB to handle these grains and offer the CWB pricing options to growers. Discussions between CWB and other grain handlers are continuing.

Also at the meeting, a grain handling and transportation panel discussed what the industry needs in transportation policy development. Another panel of growers, exporters, researchers and regulators covered wheat variety registration in Canada and how to make the system more flexible to foster innovation while still protecting Canada's reputation as a high-quality wheat provider.

• (1340)

The Grains Council meeting demonstrated how the industry has positively embraced marketing freedom for grain farmers. There was an attitude of cooperation at this meeting that we have not seen for a long time.

Honourable senators, all of the grain industry players are moving forward in a very positive and constructive way to serve the needs of our grain customers around the world in an open and competitive market. The Marketing Freedom for Grain Farmers Act is one of the primary reasons for this forward momentum.

INTER-PARLIAMENTARY UNION

ONE HUNDRED AND TWENTY-SIXTH ASSEMBLY

Hon. Mobina S. B. Jaffer: Honourable senators, this past April, Senator Oliver, Senator Ataullahjan, Senator Dawson and I had the honour of attending the 126th Inter-Parliamentary Union Assembly, held in Kampala, Uganda. As you know, Uganda is the country of my birth and will always hold a special place in my heart. When Uganda was awarded the honour of hosting this year's assembly, all Ugandans, residing both in Uganda and abroad, were thrilled that our country would be showcased on the global stage.

I would like to congratulate President Museveni and Speaker Kadaga for hosting parliamentarians representing 159 parliaments from around the world and making this year's conference such a great success. I know that Canadian delegates, as well as all other delegates, left Uganda with a better understanding of the challenges Uganda faces and the proactive way in which its president and parliamentarians are working to better the lives of Ugandans.

I would like to thank the High Commissioner of Uganda to Canada, His Excellency Mr. George Marino Abola, who worked hard with our delegates by educating us on the challenges and struggles that many Ugandans are currently facing.

Honourable senators, I am sure that all of you would be extremely proud of our honourable colleague Senator Oliver for his great work. Senator Oliver was the head of the delegation and, since 2006, has been the president of the Canadian Group of the Inter-Parliamentary Union. Senator Oliver is also a member of the IPU executive committee, co-chair of the World Trade Organization Parliamentary Conference and a member of the Gender Partnership Group.

Not only did Senator Oliver work tirelessly at the conference, but he also reached out to all of the speakers present at the conference and held many bilateral meetings with the Ugandan ministers.

Senator Oliver, I know I speak for all Canadian delegates who joined you in Uganda when I say that you represented Canadian parliamentarians and Canada extremely well.

I would also like to take this opportunity to thank Mr. Serge Pelletier, who was the Executive Secretary to the Canadian IPU Group. Mr. Pelletier worked hard to ensure Canada was represented well and worked with a smile under very difficult conditions. He and his team did a great job in ensuring that all the delegates were well supported.

I am very pleased to tell you that our honourable colleague, Senator Dawson, was elected in a competitive election to the Advisory Group to the IPU Committee on United Nations Affairs. Congratulations, Senator Dawson.

Honourable senators, I am sure that you have all heard our honourable colleague Senator Ataullahjan speak of her role as a co-rapporteur on maternal health. Over the years, she has worked very hard on this issue and I very am pleased to inform you that she was considered one of the experts on the issue, one to whom the parliamentarians often turned when discussing how we could successfully reach our Millennium Development Goals.

Senator Ataullahjan, who was supported by Ms. Allison Goody, did an excellent job of ensuring that the maternal health issues were brought forward and given the consideration they so desperately require.

Although it will be a long time before Uganda will have another opportunity to host IPU delegates, I am confident that this year's conference is one that Ugandans will proudly be talking about for many years to come.

VISION HEALTH MONTH

Hon. Asha Seth: Honourable senators, can you all see me well? I know that, for some of us in this room, our eyes are not as sharp as they should be. That is why May is Vision Health Month. The Canadian National Institute for the Blind is launching a month-long campaign to educate Canadians about vision health and the importance of caring for our eyes to eliminate avoidable sight loss.

Our campaign message this year is: "Eyes are for life." As part of Vision Health Month, CNIB has launched the Shades of Fun campaign to raise awareness about vision health to elementary and middle school students across Canada.

At this moment, I want to encourage all honourable senators to put on their Shades of Fun sunglasses in support of vision health for all Canadians.

Honourable senators, I want to thank everyone who attended today's CNIB's "Eyes are for Life" reception for their support, especially our gracious hosts, the Honourable Noël Kinsella and the entire CNIB team. The team joins us today in the gallery.

The reception highlighted the continued development of a national digital library HUB, a database to support service delivery to Canadians with print disabilities. Currently, only five per cent of all published works are available in alternative formats. In February 2011, the CNIB was given funding by the federal government to: "make progress in support of the development of long term funding and service arrangements with provincial and territorial governments and other stakeholders for ongoing accessible library service." The HUB digital database will be a tangible result of these investments.

The database will provide more than 100,000 alternative format titles and create innovative digital platforms and programs to reach almost 1 million Canadians with print disabilities.

It will also help stimulate the Canadian economy and publishing sector by contracting to Canadian private producers interested in alternative format material.

Albert Einstein once said, "Small is the number of people who see with their eyes and think with their minds."

Today, I am confident that we are on the right path to increasing those numbers considerably and giving all Canadians equal access to information and education. Honourable senators, along with your continued support, the CNIB will work over the next five years to develop this much needed project.

Please continue sharing the importance of vision loss prevention this month and all year so that we can fight blindness and see a clearer tomorrow.

Hon. Senators: Hear, hear.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in the gallery of representatives from the Canadian National Institute for the Blind.

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

Hon. Senators: Hear, hear.

ACCESS TO CIVIL LEGAL AID

Hon. Catherine S. Callbeck: Honourable senators, access to civil legal aid in this country has become a crisis. We have all heard stories about people going to court and representing themselves because they could not afford a lawyer or get legal aid.

As a result, the rights and interests of low and middle-income Canadians — those who need assistance the most — continue to be overlooked with regard to access to justice.

The Community Legal Information Association, CLIA, in my home province has numbers to demonstrate the need for more comprehensive civil legal aid. Last year, CLIA fielded more than 1,600 telephone inquiries. More than 22,000 people checked its website. CLIA gave out over 26,000 information booklets. These are big numbers for a small province.

As well, more than 1,250 people took advantage of its lawyer referral program, whereby a person pays \$25 for 45 minutes with a lawyer.

Last fall, CLIA and the P.E.I. Advisory Council on the Status of Women worked together to host a Think Tank on Access to Family Justice.

The Honourable Gerard Mitchell, a retired Chief Justice and long-time proponent of improved access to legal aid, provided the opening remarks. He said:

Governments may not have unlimited funds, but they can set priorities as to how public monies are spent and how public resources are allocated. What good are governments if they cannot protect the poor and the vulnerable? Legal aid for these should be a government priority.

• (1350)

In response to the desperate need for family law services, the Community Legal Information Association has established a workshop for those experiencing a custody and access dispute. Every month, a local lawyer donates his or her time and explains what to expect in court, how to meet the "best interests of the children" and other ways to resolve disputes outside of court.

The demand has been high. The next course begins May 29, but it is already full. There is a waiting list for the session in June. Fortunately, the group has now received three years of funding from the United Way, ensuring that self-represented litigants will be able to cope a little better with the court system.

While a patchwork of excellent projects like this exists, there must be a more concerted national effort. It is a fact that many Islanders, indeed many Canadians, struggle to access justice. Though funding for family legal aid comes through the Canada Social Transfer, many provinces have been requesting separate, specially earmarked funding for family legal aid. I urge the federal government to reconsider this option, and I urge them to work with the provinces to create a national funding stream for this much needed service.

ROUTINE PROCEEDINGS

CRIMINAL CODE CANADA EVIDENCE ACT SECURITY OF INFORMATION ACT

BILL TO AMEND—SECOND REPORT OF SPECIAL COMMITTEE ON ANTI-TERRORISM PRESENTED

Hon. Hugh Segal, Chair of the Special Senate Committee on Anti-terrorism, presented the following report:

Wednesday, May 16, 2012

The Special Senate Committee on Anti-Terrorism has the honour to present its

SECOND REPORT

Your committee, to which was referred Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, has, in obedience to the order of reference of Thursday, March 8, 2012, examined the said Bill and now reports the same with the following amendments:

1. *Clause 10, page 10*: Replace line 36 with the following:

“(13) The judge, or any other judge of the same court, may, on application of the”.

2. *Clause 12, page 11*:

(a) Replace, in the French version, line 27 with the following:

“83.28, 83.29 et 83.3 et de leur application doit”;
and

(b) Replace, in the French version, line 31 with the following:

“cas, désigne ou constitue à cette fin.”.

Your committee has also made certain observations, which are appended to this report.

Respectfully submitted,

HUGH SEGAL
Chair

(For text of observations, see today's Journals of the Senate, p. 1289.)

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

(On motion of Senator Segal, report placed on the Orders of the Day for consideration two days hence.)

[*Translation*]

OFFICIAL LANGUAGES ACT

BILL TO AMEND—FIRST READING

Hon. Maria Chaput presented Bill S-211, An Act to amend the Official Languages Act (communications with and services to the public).

(Bill read first time.)

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

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

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

BUREAU MEETING, FEBRUARY 8-10, 2012—REPORT TABLED

Hon. Andrée Champagne: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Assemblée parlementaire de la Francophonie (APF), respecting its participation at the Bureau Meeting of the APF, held in Phnom Penh, Cambodia, from February 8 to 10, 2012.

MEETING OF THE EDUCATION, COMMUNICATION AND CULTURAL AFFAIRS COMMITTEE, MARCH 29-31, 2012—REPORT TABLED

Hon. Andrée Champagne: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Assemblée parlementaire de la Francophonie (APF), respecting its participation at the Education, Communication and Cultural Affairs Committee of the APF, held in Brussels, Belgium, from March 29 to 31, 2012.

MEETING OF THE COOPERATION AND DEVELOPMENT COMMITTEE, APRIL 1-5, 2012—REPORT TABLED

Hon. Andrée Champagne: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Assemblée parlementaire de la Francophonie (APF), respecting its participation at the meeting of the Cooperation and Development Committee of the APF, held in Delémont, Jura, Switzerland, from April 1 to 5, 2012.

CONFERENCE OF BRANCH CHAIRS OF THE AMERICA
REGION, APRIL 13, 2012—REPORT TABLED

Hon. Andrée Champagne: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Assemblée parlementaire de la Francophonie (APF), respecting its participation at the Conference of Branch Chairs of the America Region of the APF, held in Toronto, Ontario, on April 13, 2012.

EXECUTIVE COMMITTEE OF THE NETWORK
OF WOMEN PARLIAMENTARIANS,
MARCH 14-16, 2012—REPORT TABLED

Hon. Rose-Marie Losier-Cool: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Assemblée parlementaire de la Francophonie (APF), respecting its participation at the Executive Committee of the Network of Women Parliamentarians of the APF, held in Athens, Greece, from March 14 to 16, 2012.

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

FIRST REPORT OF COMMITTEE—NOTICE OF MOTION
TO DISCHARGE REPORT FROM ORDER PAPER
AND REFER TO COMMITTEE OF THE WHOLE

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

That the order for the adoption of the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament be discharged from the Order Paper and that the report be referred to a Committee of the Whole;

That this Committee of the Whole meet each Tuesday the Senate sits after the adoption of this motion, at the end of Government Business, until its work is completed, without having to report progress and seek leave to sit again;

That, while this Committee of the Whole is meeting the provisions of rules 6(1), 13(1), and 84(2) be suspended, with the Senate continuing to sit until the committee has completed its work for that day;

That business of this Committee of the Whole be conducted according to the following schedule:

- (a) during the initial period of the first meeting senators may ask questions of representatives of the Standing Committee on Rules, Procedures and the Rights of Parliament, with the time for the question and response being counted as part of the ten minutes' speaking time allowed under rule 84(1)(b);
- (b) after this initial period, which shall last a maximum of one hour, the committee shall consider chapters one, two, three, and four of the First Appendix of the report for a maximum of one additional hour, after which the chair shall interrupt proceedings to put all questions necessary to dispose of these chapters successively, without further debate or amendment, after which the committee shall rise once it has disposed of any consequential business;

(c) during the initial portion of the second meeting the committee shall consider chapters five, six, seven, eight, and nine of the First Appendix of the report for a maximum of one hour, after which the chair shall interrupt proceedings to put all questions necessary to dispose of these chapters successively, without further debate or amendment;

(d) during the second portion of the second meeting, the committee shall consider chapters ten, eleven, and twelve of the First Appendix of the report for a maximum of one hour, after which the chair shall interrupt proceedings to put all questions necessary to dispose of these chapters successively, without further debate or amendment, after which the committee shall rise once it has disposed of any consequential business;

(e) during the initial portion of the third meeting, the committee shall consider chapters thirteen and fourteen of the First Appendix of the report for a maximum of one hour, after which the chair shall interrupt proceedings to put all questions necessary to dispose of these chapters successively, without further debate or amendment;

(f) during the second portion of the third meeting, the committee shall consider chapters fifteen and sixteen and the appendices of the First Appendix of the report for a maximum of one hour, after which the chair shall interrupt proceedings to put all questions necessary to dispose of these chapters and appendices successively, without further debate or amendment;

(g) after completing its consideration of the First Appendix of the report at the end of the third meeting, the committee shall consider its recommendation to the Senate as to whether or not the report should be adopted, with amendments if appropriate, for a maximum of 30 minutes, after which the chair shall interrupt proceedings to put all questions necessary to dispose of any business successively, without further debate or amendment, after which the committee shall rise once it has disposed of any consequential business;

That, as a general practice, the committee consider the First Appendix of the report chapter by chapter, and, in particular, it shall proceed in this manner if the chair is required to interrupt proceedings to put all questions; and

That the chair report the result of the committee's work, with a recommendation to adopt the First Report of the Standing Committee on Rules, Procedures and the Rights of Parliament or not, along with any proposed amendments, during Presentation of Reports from Standing or Special Committees during Routine Proceedings as soon as convenient after it has completed its work.

• (1400)

[English]

QUESTION PERIOD

ATLANTIC CANADA OPPORTUNITIES AGENCY

APPOINTMENTS

Hon. Terry M. Mercer: Honourable senators, I asked the Leader of the Government in the Senate weeks ago, then a second and a third time, about budget cuts and hirings at the Atlantic Canada Opportunities Agency. I also said that in the recent federal budget, funding to ACOA was reduced by almost \$17.9 million per year — 21 per cent of ACOA's \$84.6 million operating budget. I also asked the minister before about high-paying jobs going to Peter MacKay's friends at ACOA. For example, John Lynn was hired by Enterprise Cape Breton Corp., under then minister responsible for ACOA, Peter MacKay; Kevin MacAdam, a former MacKay staffer, was hired as Director General of Regional ACOA Operations in Prince Edward Island; Patrick Dorsey, former senior adviser to Premier Binns, was named ACOA's vice-president in P.E.I. in 2007, when Mr. MacKay was the minister responsible; and, of course, Cecil Clarke landed himself a job as a consultant at the Cape Breton County Economic Development Agency.

In the wake of another round of pink slips to hard-working career public servants in federal departments, I note that none of the above names make the list. Could the minister tell honourable senators when these people will get their pink slips, considering that their jobs are costing hundreds of thousands of dollars to the federal purse?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, with regard to any cuts, as the senator calls them, to the Atlantic Canada Opportunities Agency — just in case Senator Mercer was wondering what its name is — all of ACOA's programs remain solidly funded. They will continue as they have in the past to help small- and medium-sized enterprises to create jobs and growth in the Atlantic region. Over the coming weeks and months, ACOA will inform unions and employees about specific changes and will communicate these changes accordingly.

Many people have received notices, not pink slips as the senator refers to them, such that their jobs could be affected, which does not necessarily mean that they will lose their jobs. It means that jobs will be affected and there might be other opportunities for them.

Delivering ACOA's programs more efficiently and effectively is an integral part of the government's 2012 Economic Action Plan to create jobs, growth and long-term prosperity. ACOA remains focused on small- and medium-sized enterprises to seize the opportunities coming to Atlantic Canada. Some of those opportunities are in connection with the naval shipbuilding procurement strategy, as well as other small- and medium-sized enterprises in Atlantic Canada.

Honourable senators, there are strict rules in place around the hiring practices at ACOA to ensure that agencies run their own competitive process free of political interference. These rules are important and must be respected.

Senator Mercer: Is that not interesting? I thank the minister; that was very enlightening. It is always good to be here in fantasy land.

I find the answer curious. It has come to the attention of honourable senators on this side that the Public Service Commission of Canada is investigating 11 employees for inappropriate hires at ACOA. That does not sound like everything is right. According to *The Chronicle-Herald* last week, and I am sure the leader will find something bad to say about them, the Public Service Commission of Canada is currently conducting six investigations under section 68 of the Public Service Employment Act, which happens to ban political influence in hiring non-partisan people in departments. Could the leader confirm that any of the people hired under this clause are the good friends of Peter MacKay, whom we have asked before to have removed?

Senator LeBreton: The senator says I might have something bad to say about *The Chronicle Herald*. I do not have anything bad to say, but by the same token, I have nothing good to say either.

I do not answer for the Public Service Commission of Canada. The commission operates independently and conducts its investigations. I will only repeat government policy. There are strict rules in place, and it is important that these rules be respected.

Senator Mercer: There may be rules in place, but it appears that some of these rules may have been broken.

I anticipated the leader's answer because she does not seem to get it. Apparently another five investigations are taking place under section 66 of the PSEA, where an employee is not hired on the basis of merit. They are hiring people who do not have the proper qualifications. People may have been hired because they were good friends of Mr. MacKay and the current minister for ACOA. However, the current minister says he knows of no cases of patronage and is adamant that he wants to know if it did happen.

Honourable senators, there are two separate investigations so far into the hirings at ACOA. When will this government take the right steps, fire these people and retain the good, hard-working public servants who have been serving Atlantic Canadians so well for so long?

• (1410)

Senator LeBreton: Honourable senators, there is no doubt that ACOA has been serving Atlantic Canada very well for a very long period of time. I am not privy to the workings of the Public Service Commission, nor should I be or would I want to be. The senator would be the first one skinning the hide off of me if I were ever involved in such a process.

There are strict rules in place surrounding hiring practices to ensure that agencies run their own competitive processes free of political interference, and we believe that it is important that the rules be acknowledged and respected.

Hon. Jane Cordy: We know that Cecil Clarke, who was a failed Conservative candidate, is making a higher salary than the executive director of UCBC, which is unusual since it was an invented job, a job created just for him.

Kevin MacAdam, who is also a failed Conservative candidate and a former staff member for cabinet Minister MacKay, makes between \$115,000 and \$135,000. We do not have the exact salary. He has not actually started to work in Prince Edward Island yet because he is still taking French courses, ironically in the Ottawa region, not in Prince Edward Island where his job is located. He has not yet been to Prince Edward Island to begin his job.

Could the minister tell us how many ACOA employees besides Mr. MacAdam are taking French language training, how long their French language training is taking, and where they are taking their French language training?

Senator LeBreton: Honourable senators, I will not engage in personal attacks on individuals — other than those who are in front of me.

Neither I nor the government involve ourselves in ACOA's hiring practices. There are strict rules in place for these agencies. There is a competitive process that they must follow. I cannot answer any more explicitly than I answered Senator Mercer. These rules are important and rules must be respected. That is exactly what my colleague, the minister responsible for ACOA, has been saying, because that is the fact.

Senator Cordy: Honourable senators, rules are extremely important and that is why it is unfortunate that they have not been followed by this government. No matter what my honourable friend says about the government not involving itself in ACOA business, it is a bit of a stretch to say that this is a coincidence. There are too many failed Conservative candidates who have jobs there to believe this government has not been involved in some hirings.

Is Mr. MacAdam on travel status when he is in Ottawa?

Senator LeBreton: Again, honourable senators, I have no knowledge whatsoever of Mr. MacAdam's whereabouts. I can only say that there are rules in place and that the government believes they must be followed.

[*Translation*]

AUDITOR GENERAL

BILINGUALISM OF SENIOR PUBLIC SERVANTS

Hon. Pierre De Bané: Honourable senators, my question is for the Leader of the Government in the Senate. A preliminary report by the Commissioner of Official Languages, released April 30, confirmed that the appointment of a unilingual Auditor General by the Prime Minister was a violation of the Official Languages Act.

Since November 2011, the Commissioner has received a large number of complaints expressing serious concerns about the appointment of a unilingual officer who does not report to the government, but to Parliament, where English and French have equal status.

In response to these concerns, the Conservative government provided assurances that the Auditor General is committed to completing 1,400 hours of French language training in order to attain the level of bilingualism he requires to carry out his duties. The government's commitment to Canada's linguistic duality continues to be met with skepticism by many Canadians.

How many hours of language training has the Auditor General actually completed to date? Which components of the training has he completed since he was appointed? Could the leader tell us what progress he has made?

[*English*]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I cannot, because the Auditor General is an officer of Parliament approved by both Houses of Parliament. As a result of a request from the Leader of the Opposition, Senator Cowan, I tabled a response on behalf of the Auditor General. I would expect that since the Auditor General is an officer of Parliament, the person to whom Senator De Bané should direct his question is the Auditor General himself.

[*Translation*]

Senator De Bané: Honourable senators, in this climate of austerity, it is quite unreasonable for a senior public servant who is an officer of Parliament to spend 1,400 hours to meet job criteria that he should have met before his appointment, while carrying out his duties as the Auditor General of Canada.

The duties of the Auditor General are very taxing and demanding. Could the leader tell us how much time Mr. Ferguson spends studying French in relation to the time he spends doing his job as Auditor General of Canada?

[*English*]

Senator LeBreton: Honourable senators, I cannot, but going back to when the Mr. Ferguson's name was presented to Parliament, it was indicated that the government sought out a bilingual candidate. Obviously, we were also looking for the very best person to do the job. Mr. Ferguson made a commitment to learn the language. He had significant knowledge of it before he took the position.

I think all would agree, including senators on the other side, that the Auditor General is doing a very good job in his position. I would not impugn his commitment to his job and the work he is doing by suggesting that one was going to be at the expense of the other.

I did table a letter in the Senate on behalf of the Auditor General as a result of questions by the Leader of the Opposition in the Senate, Senator Cowan.

• (1420)

The Auditor General answers to Parliament; he does not answer to the government. He is a parliamentary officer. Again, I would suggest that if the senator feels that the Auditor General is

not able to both take French lessons and also perform his duties as an Auditor General, perhaps he might like to tell him directly. I think most people would disagree.

Senator De Bané: Honourable senators, I am absolutely certain that if I recommended someone to you and gave you the assurance that he is absolutely outstanding but, on the other hand, he can only work in the position that you want to fulfill for 600 hours out of the 2,000 a year because he has to spend 1,400 hours on something else, you would say, “Well, I do not disagree that he is most competent but, if he can give only me 600 out of 2,000 hours, that is not enough.”

Here we are talking about someone who has to manage over 600 professional people, and he can devote about a third of the time to that heavy job. I am sure the leader would say no to an applicant that could give her only a third of the time when she needs someone full-time. Would the leader agree with that?

Senator LeBreton: First of all, the Auditor General is an officer of Parliament. He appeared before us in the Senate. I think it is fair to say that the Auditor General is a very well qualified individual. Clearly, he came with tremendous recommendations. He had been an auditor general in the province of New Brunswick and a deputy minister of finance in the province of New Brunswick. I would never suggest that because a person took the time to learn Canada's other official language — and in his case he had a good solid background, as we saw —, somehow or other their responsibilities were compromised in any way, especially not someone of the calibre of the Auditor General.

Hon. James S. Cowan (Leader of the Opposition): If I could follow up, I agree entirely with the questions that my colleague has put forward. This is not an issue of his competence as an auditor. No one on this side and no one in the other place questioned his ability as an auditor, either in New Brunswick or here. Any suggestion by you or anyone else that that is incorrect is wrong and is not fair. The leader of the government may shake her head, but we made it absolutely clear when he was before us that we had no quarrel with his competence as an auditor.

However, as Senator De Bané has pointed out, this is a very critical job which the government itself said required competence in both of Canada's official languages, not a willingness and an ability to learn the second language at some future time, but to be bilingual at the time that he or she was appointed. That is what the government said and that is what the government put forward. The quarrel is not with Mr. Ferguson. The quarrel is with the government.

The question that Senator De Bané has put is an absolutely fair one. How can a person fulfill that job when the answer that was provided to me in response to my question said that 1,400 hours of language training was required to reach the agreed level of competency? The answer provided to me said that this was essentially full-time language training. If he is engaged in full-time language training, who is acting as Auditor General?

Senator LeBreton: I think from the questions I got in here that you actually believe Mr. Ferguson is acting as Auditor General.

Actually, honourable senators, I have to confess that I am shocked by this line of questioning. The fact of the matter is that the Auditor General, in good faith, made a commitment to Parliament. He is an officer of Parliament. There is nothing more I am going to say about this. He is an officer of Parliament. He did appear before both the house and the Senate. To go back and rehash old arguments does not in any way advance this issue. As I said before, and I will say it again, obviously, in this case, and I put it on the record many times, Mr. Ferguson was chosen after an extensive search and was deemed to be the best candidate available. He has since his appointment proven very specifically that in fact he is and was the best candidate available. I would suggest that if the senator has a problem with the response the Auditor General provided to me and I tabled in the Senate, the senator should take it up with him directly.

Senator Cowan: The problem we have is not with the Auditor General. It is with the government that puts in place a process that indicates to us as parliamentarians and that indicates to prospective candidates for the position that in order to apply one has to be fluent in both of Canada's official languages. It is the leader's government that has put Mr. Ferguson in an absolutely impossible position. That is our problem.

Senator LeBreton: I think if you check the record, we have been around this issue for a considerable amount of time. The fact of the matter is that we have an excellent individual in the position of the Auditor General. He is an officer of Parliament. In our *Roadmap for Canada's Linguistic Duality*, the government has a tremendous record of advancing both of Canada's official languages. We have a minister in the person of James Moore working very hard with our various communities.

With regard to the Auditor General, he is an officer of Parliament. If there is some aspect of his performance that the senator has difficulty with, and he keeps saying he does not and it is the government, then there is nothing more that could be added to this, honourable senators. The Auditor General is in place. As he committed to do, he has made available to Parliament his intentions to become officially bilingual, and I do believe that he is a man of his word.

[Translation]

Hon. Roméo Antoinius Dallaire: Honourable senators, I believe that the government is playing with words when it comes to one of our country's key values, linguistic duality, and legislation that dates back to 1969. The legislation has been in existence for almost 45 years. We are faced with the unimaginable. In all departments, certain criteria must be met to fill top jobs at the EX-1 level and higher, and in the armed forces, at the rank of colonel and above. These positions require at least functional bilingualism. Yet an individual was appointed to a position with important national responsibilities, without meeting that language requirement, because the government felt he would do a good job.

Some of us studied in the evenings and on weekends, without taking any courses, in order to learn English and become bilingual. We did it to be promoted and to carry out the duties assigned to us. We are talking about someone who is at the pinnacle of his career and who will be offered a course in addition to his job. Do not tell me that this is honest, responsible and progressive and that it is in keeping with the fundamental law on bilingualism in our country.

[English]

Senator LeBreton: The honourable senator is suggesting that the Auditor General has not the same capabilities as he had to learn the other official language on the timetable that he is on. You cannot have it both ways. He made a commitment to Parliament. He is an officer of Parliament. He obviously is serious about his commitment about learning. I point out he did not start at zero in terms of his ability to speak and understand the other official language. If Senator Dallaire was able, as he stated in his question, to learn Canada's other official language — that is, a language other than the one of his birth — and that was English, then to suggest that Mr. Ferguson could not learn French makes no sense to me.

• (1430)

Senator Dallaire: Honourable senators, we must have lost something in the translation —

The Hon. the Speaker: Order, order! Senator Munson has the floor.

Some Hon. Senators: Oh, oh!

The Hon. the Speaker: I will explain, honourable senators. We have had a series of supplementary questions to Senator De Bané's question. If we have many supplemental questions from one senator, then a number of senators that I can recognize, knowing that they wish to speak, will not be able to speak. We have half an hour.

Senator Munson has the floor.

[Translation]

ENVIRONMENT

RIO + 20 SUMMIT—OFFICIAL OPPOSITION PARTICIPATION

Hon. Jim Munson: Honourable senators, I can ask my question in French, that is not a problem, but with regard to Mr. Ferguson, that is a whole other story. It is not a problem for the opposition because we have a lot of questions. Bilingualism in Parliament is a very important issue.

[English]

Honourable senators, I was thinking of a good old time. I am sure the leader remembers those good old days when she worked for Prime Minister Mulroney and when I worked for Mr. Chrétien. Were those not wonderful days? She must have known because she was there doing what she had to do. We talked about issues dealing with opposition MPs and others travelling with the Prime Minister on big conferences.

I remember, being a reporter, sitting on a plane and seeing both opposition MPs and senators. The leader must remember when Mr. Mulroney would invite opposition MPs and senators to be on these trips. Were those not the good old days?

Last night in the House of Commons, on the other side, there was a simple question from opposition members to Minister Kent, the Environment Minister guy. He was asked if he would be permitted to have opposition members go to the Rio + 20 Summit. For those

who do not know, Rio is where the United Nations Conference on Sustainable Development will take place. I have no doubt that we will see business and industry representatives there and that oil sands producers will be among the delegates.

I am asking the leader to think back to the good old days when opposition members were allowed to get on that big airplane with the other ministers and prime ministers to go to these conferences and to have a point of view.

By saying “no” — because, amazingly, the minister said “no” last night — is this yet another attempt by the government to silence dissenting views? Is that the rationale for excluding members of the opposition from the official Canadian delegation being sent to the Rio + 20 Summit? Keep thinking of those good old days.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I do not know whether we can describe them as “good old days” because of where Mr. Chrétien's legacy ended up and where Mr. Mulroney's ended up. I do not know if we can describe them as “good old days.”

I do not know the circumstances about the question to Mr. Kent; I will have to find out. I do know that recently Minister Baird travelled to different places. I believe I read somewhere that there were members of the opposition travelling with him. I will have to take the honourable senator's question as notice and find out exactly the context. I do not know if it was in the debate late last night, but I will take the honourable senator's question as notice.

[Translation]

DELAYED ANSWER TO ORAL QUESTION

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table the response to an oral question raised by Senator Jaffer on March 28, 2012, concerning child sex tourism.

JUSTICE

CHILD PROSTITUTION—SEX TOURISM

(Response to question raised by Hon. Mobina S.B. Jaffer on March 28, 2012)

Extra-Territorial Jurisdiction and Enforcement:

The *Criminal Code* was amended in 1997 to allow Canada to assume extra-territorial jurisdiction to prosecute citizens or permanent residents who sexually abuse children while abroad (subsection 7 (4.1)) (“child sex tourism”). Dual criminality is not required. A Canadian prosecution requires the consent of the Attorney General of the province in which the Canadian is resident in all cases. Another pre-requisite (a request from the foreign State where the offence was alleged to have been committed) was repealed in July 2002 to simplify the process.

The international consensus on child sex tourism is that persons who sexually abuse children must be held accountable: the primary obligation to prosecute travelling child sex offenders rests with the destination country and, where this does not occur, Canada can prosecute the Canadian or permanent resident of Canada.

The international law enforcement community is aware that offenders travel to several regions of the globe, such as Africa, South and Central America and South East Asia (including Thailand, Cambodia and the Philippines) for the purpose of engaging in unlawful sexual activity with children. Canadian law enforcement involved in the investigation of all forms of child sexual exploitation works closely with their foreign counterparts to combat this phenomenon. The RCMP's Canadian Police Center for Missing and Exploited Children (CPCMEC) is the national law enforcement coordination center for child sexual exploitation cases. The CPCMEC receives information relating to travelling child sex offenders and coordinates investigations with Canadian and foreign law enforcement agencies, on a case by case basis.

Convictions of Canadian Travelling Child Sex Offenders:

The Department of Justice is aware of four convictions under Canada's child sex tourism provision: Bakker (sentenced to 10 years imprisonment in 2005); Huard and Rochefort (sentenced to two and three years imprisonment respectively in 2008); and, Klassen (sentenced to 11 years imprisonment in 2010). As well, the Department of Foreign Affairs is aware of 166 cases since 1997 where Canadians have been charged / prosecuted for child molestation by destination countries.

Other Relevant Legislation:

On April 15th, 2011, the *Protecting Victims from Sexual Offenders Act* (S.C. 2010, c.17) came into force, which included specific provisions targeting travelling child sex offenders. Specifically, individuals convicted of a sexual offence abroad are now able to be included on the national Sex Offender Registry. In addition, any individual entering Canada who at any time has been convicted abroad of a sexual offence must report to police within seven days so that they may be included on the Registry.

It also made registration automatic upon domestic conviction for any sexual offence. Every individual required to register must report regularly to police and provide personal data, such as their home and business addresses, their vehicle information, and they must also report any plans they have to travel either domestically or abroad.

The *Safe Street and Communities Act* (S.C. 2012, c.12), which received Royal Assent on March 13, 2012, adds section 172.1 (luring a child) to the *Criminal Code* and new offences in sections 171.1 (making sexually explicit material available to a child) and 172.2 (agreement or arrangement — sexual offence against a child) to subsection 7(4.1). These amendments will come into force on a day or days to be fixed by order of the Governor in Council.

Private Member's Bill C-310, *An Act to Amend the Criminal Code (trafficking in persons)*, which was considered by the Standing Committee on Justice and Human Rights in March 2012 and adopted at Report Stage in the House of Commons on April 4, proposes to add the trafficking in persons *Criminal Code* offences (sections 279.01- 279.03) to subsection 7(4.1) to provide Canada extra-territorial jurisdiction to prosecute these offences. The Government supports this Bill.

Federal Coordination:

In 2010, a federal working group was established, co-led by the RCMP and Public Safety, to provide a forum for information-sharing and coordination on the issue of travelling child sex offenders. This group continued to meet throughout 2011 and served as a key forum for information-sharing among a growing number of partners.

Consular Issues:

The Consular Section of Canada's offices abroad may, in consultation with Foreign Affairs and International Trade Canada (DFAIT) in Ottawa, provide assistance in cases involving children, such as international child abductions, sexual exploitation, trafficking, international adoptions and custody cases.

Consular staff is provided with training at headquarters and abroad to better manage complex consular cases. Consular case management training is given by departmental subject-matter experts and covers various subjects including arrest and detention cases and children's issues.

The Consular Branch at DFAIT is also working with partner departments, including Public Safety Canada and the Royal Canadian Mounted Police, to examine ways in which DFAIT might assist with the implementation of the *Sex Offenders Information Registration Act*, which imposes a reporting requirement on people who are convicted of sexual offences abroad.

[English]

ORDERS OF THE DAY

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Runciman, seconded by the Honourable Senator Di Nino, for the second reading of Bill C-290, An Act to amend the Criminal Code (sports betting).

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to and bill read second time, on division.)

REFERRED TO COMMITTEE

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

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

NATIONAL FLAG OF CANADA BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Wallin, seconded by the Honourable Senator Martin, for the second reading of Bill C-288, An Act respecting the National Flag of Canada.

Hon. Francis William Mahovlich: Honourable senators, it is a great honour for me to rise today to speak on Bill C-288, An Act respecting the National Flag of Canada.

Some Hon. Senators: Hear, hear!

Senator Mahovlich: Like so many in this chamber, I am proud of our flag and all that it represents. I feel strongly that anyone should be allowed to display it to show their national pride.

As has been noted previously by Senator Wallin and others, this legislation was proposed because there are Canadians, including veterans who fought for our country under the flag, who have been asked not to display the Canadian flag in their own home because it contravenes rules that are in place to make the exterior of a building look clean and uniform.

I feel that this is shameful. While it may not have been the intent of the rules of these residential buildings, it is important to clear up any misinterpretations that may have taken place. That is what I feel this bill will do.

The purpose of this bill is to ensure that all Canadians are encouraged to display the national flag of Canada in accordance with the flag protocol. The preamble of the bill states, in part:

Whereas the Canadian flag is the symbol of the nation's unity;

Whereas the Canadian flag represents the principles of freedom, democracy, courage and justice upon which our great nation is based;

Whereas the Canadian flag represents all the citizens of Canada;

Whereas the Canadian flag represents pride in our great nation and support for those who have sacrificed their lives for it. . . .

Honourable senators, I am certain everyone here will agree with these words. The first sentence in this preamble is one that really struck a chord with me: "The Canadian flag is a symbol of the nation's unity."

Symbols are a powerful thing. They have been known to bring out intense emotions in people. If I may, I would like to take time here to relate a story about what happened to me when I was in the travel business. I went to St. Moritz, Switzerland, where Barbara Ann Scott won her Olympic medal. I had group of skiers, about 40 couples, and we had organized a ski event and a hockey game. We played the locals of St. Moritz on the outdoor rink where Barbara Ann Scott skated.

I can remember the tourism official saying that if I went over there, the ice was so clear, because there was no pollution, that you could see the fish swimming underneath the ice while you were playing hockey. It was quite an experience, and we happened to win the hockey game.

• (1440)

The next morning, I went up on a hill to ski, and I looked down. On the top of the hotel — a huge dome — they had taken down the Swiss flag and put up our Canadian flag. I said to myself that Herr Hoffer was a very generous person to fly that flag. When I came down after skiing, my wife was very upset. Herr Hoffer had called us and was calling a meeting. That meeting was very serious. After the party, two dentist friends of mine went up on top of the roof, took down the Swiss flag and put the Canadian flag up, without asking permission.

Mr. Hoffer was going to call in the reserves. I said, "Do not do a thing. I will discipline these people myself, and everything will be all right." He backed off and thank goodness. They got a talking to from my wife, mind you, and it never happened again. I just thought I would pass that little story on. You have to respect the country that you are in.

Flags do have the power to divide and strike fear in people, but they also have the power to unite and to bring a tremendous sense of pride to a whole country.

Outside of Canada, we can find many good examples to show the significance and importance of symbols as national unifiers.

For centuries, people have fought battles under the banner of their country or region's flags. Even elements of flags can bear strong symbolic significance.

[*Translation*]

The Cross of Lorraine dates back to the Crusades, but during the Second World War, the Free French Forces adopted it as their symbol.

[*English*]

I would also like to mention that the Cross of Lorraine was also the symbol that Joan of Arc fought under, so it is clear that this symbol has quite a bit of history to it. The Free French Forces were launched by Charles de Gaulle and worked as part of the resistance against the axis powers of occupied France. While the cross was first used in 1940, as a symbol of this group, it later became the symbol to unite the numerous factions of the resistance and liberation of occupied France.

So strong did this symbol become that it can still be found today. I have one of the flags of the Free French Forces in my pocket. If anyone wants to see it, they can see me later. It can be found at numerous French war memorials of the Second World War and can be seen on numerous French medals and orders that have been given in recognition of those who fought in the resistance and for the liberation of France.

I would like to tell honourable senators a little story. Years ago, I developed an allergy to ragweed, and the doctors told me that if I went near the ocean, it would not be as bad. My wife wanted to go to France, and I took her to Saint-Pierre and Miquelon.

The tourism officer was touring us around. He took us on a boat to a little abandoned island. There was an old schoolhouse there, and under one of the chairs there was a ragged, old flag. My wife picked it up and has kept it ever since. That was 35 years ago. When I was asking her about the trip, she brought the flag out, so I have it here in my pocket if anyone cares to see it.

My point, honourable senators, is that such a small symbol as the Cross of Lorraine had the power to unite the whole country, on all sides of the political spectrum, so that they could fight for their principles, the same principles I read from the preamble of this bill — freedom, democracy, courage and justice. That small symbol gave them pride in their country, just as our flag gives us pride in ours.

[*Translation*]

Speaking of our flag, how did we come to be so proud of it?

[*English*]

As senators well know, it was not until 1965 that we had the Canadian flag that we all know and love today. Before that time, we had the Royal Union Flag and the Canadian Red Ensign as our de facto flags.

With the one-hundredth anniversary of Confederation approaching, former Prime Minister Pearson made it an election promise to have a new flag for Canada to call its own.

I happened to call my friend Red Kelly just a few days ago, and brought to his attention the flag. He was there when they voted, and he was my roommate. He told me about it and told me that

they had a filibuster. They could not come to a decision and had to form a committee. While the committee sat down for the summer, he could go out golfing, and that is how the committee was formed.

The debate began on June 15, 1964, and lasted throughout the summer, until a special flag committee was created on September 10 of that year.

This committee was made up of 15 members of Parliament representing five different political parties.

While previous committees tasked with creating a new Canadian flag had failed, after 35 meetings held over six weeks and after reviewing the thousands of suggestions from across the country, the committee unanimously agreed to the design put forth by George Stanley.

On October 29, the committee's decision was reported to the House of Commons. Opposition leader John Diefenbaker disagreed with the committee's decision and argued against it for the next month and a half.

It was only on December 9 that John Diefenbaker's own Quebec lieutenant, Léon Balcer, invited the government to invoke closure and thus end the debate. So it was that at 2 a.m. on December 15, the committee's chosen design was approved by the House of Commons, by a vote of 163 to 78.

Approval from this chamber followed two days later. On January 28, 1965, Her Majesty signed a royal proclamation, officially making George Stanley's design the new Canadian flag.

The flag was first flown over Parliament Hill on February 15, 1965.

I will not stand here and say that this new symbol was not divisive at first. Many people still preferred the Red Ensign.

However, a large majority came to accept and even love the new flag because it was ours, a distinctive Canadian flag.

As journalist George Bain wrote the morning after the first flag had flown, Canada's maple leaf emblem "looked bold and clean, and distinctively our own."

Mr. Stanley clearly knew the power of symbols, for he believed that the new flag should draw from the traditions of both French and English Canada so that it could serve as a "unifying symbol."

In a letter he wrote to John Matheson, one of the members of the flag committee, he stated:

The single leaf has the virtue of simplicity; it emphasizes the distinctive Canadian symbol and suggests the idea of loyalty to a single country.

He understood the importance not only of having a strong a symbol on the flag but also of having a flag of our own that all Canadians could embrace.

In his letter, he continued:

A flag speaks for the people of a nation or community. It expresses their sorrow when it flies at half-mast. It honours those who have given their service to the state when it is draped over coffins. It silently calls all men and women to the service of the land in which they live. It inspires self-sacrifice, loyalty and devotion.

Honourable senators, surely there are no better reasons than these to ensure that Canadians are encouraged to display the national flag of Canada.

Some Hon. Senators: Hear, hear.

Senator Mahovlich: While our Canadian flag is only 47 years old, we still feel a strong tie to it, as a country. Perhaps that is because its main symbol, the maple leaf, dates back to the 18th century in New France when it was adopted as an emblem for some of the settlements along the St. Lawrence River.

[*Translation*]

In 1834, during the inaugural meeting of the Saint-Jean-Baptiste Society, the society adopted the maple leaf as its emblem.

• (1450)

[*English*]

Jacques Viger, the first mayor of Montreal, encouraged this decision and described the maple as “the king of our forest . . . the symbol of the Canadian people.” Since Confederation, the maple leaf can be found on the coat of arms of both Ontario and Quebec and, as of 1921, on the Canadian coat of arms as well.

Perhaps we feel such a strong tie to the maple leaf because of its role in one of the most important battles in our country’s history. The badge of the Canadian Expeditionary Force, which helped to capture Vimy Ridge, featured the maple leaf. As many senators know, this battle was significant because it was the first time all four Canadian divisions fought together, and their victory proved to be the turning point in the Great War. It helped to unite many Canadians in pride at the courage of their soldiers and established a feeling of real nationhood. While other military powers, such as France and Britain, were unable to capture Vimy Ridge, the young and inexperienced Canada did just that, all while bearing the maple leaf.

This national pride continues today as we recognize the men and women who serve in the Canadian Forces at home and around the world. They serve, still bearing the maple leaf. These soldiers risk their lives to serve our country. I believe it is the least we can do to allow them to fly the flag in their own homes, regardless of where they live.

When I was a member of Team Canada, in the “Summit Series,” it was not the individual players Canadians were cheering for. They cheered for our great nation of Canada. Ensuring that all Canadians are encouraged to display the national flag of

[Senator Mahovlich]

Canada in accordance with the flag protocol, as this bill aims to do, will only allow Canadians to keep cheering for our great country.

As I mentioned previously, the Canadian flag is 47 years old. To many honourable senators that may seem quite young. Others, however, might feel that it is just a ragged old flag and that we should not be making such a big deal about this bill. To those people, I would like to quote the lyrics from a poem by Johnny Cash.

I walked through a country courthouse square
On a park bench, an old man was sittin’ there.
I said, “Your old courthouse is kinda run down.”
He said, “Naw, it’ll do for our little town.”
I said, “Your old flagpole is leaned a little bit.
And that’s a ragged old flag you got hangin’ on it.”
He said, “Have a seat,” and I sat down.
“Is this first time you’ve been to our little town?”
I said, “I think it is.” He said, “I don’t like to brag,
but we’re kinda proud of That Ragged Old Flag.
“You see, we got a little hole in that flag there.
When Washington took it across the Delaware.
And it got powder burned the night Francis Scott Key
sat watching it, writing “Say Can You See.”
It got a rip in New Orleans,
with Packinham & Jackson tugging at its seams.
And it almost fell at the Alamo
beside the Texas flag, but she waved on though.
She got cut with a sword at Chancellorsville,
And she got cut again at Shiloh Hill.
There was Robert E. Lee and Beauregard and Bragg,
And the south wind blew hard on That Ragged Old Flag.
On Flanders Field in World War I
She got a big hole from a Bertha Gun.
She turned blood red in World War II.
She hung limp, and low, a time or two.
She was in Korea, Vietnam.
She went where she was sent by her Uncle Sam.
She waved from our ships upon the briny foam
And now they’ve about quit wavin’ back here at home.
In her own good land here, she’s been abused,
She’s been burned, dishonoured, denied an’ refused.
And the government for which she stands
Has been scandalized throughout the land.
And she’s getting threadbare, and she’s wearin’ thin,
But she’s in good shape, for the shape she’s in.
’Cause she’s been through the fire before
And I believe she can take a whole lot more.
So we raise her up every morning
And we take her down every night.
We don’t let her touch the ground,
And we fold her up right.
On second thought.
I do like to brag
’Cause I’m mighty proud of
That Ragged Old Flag.

I believe that a vast majority of Canadians feel the Canadian flag is a symbol that unites us and makes us feel proud to be part of this country. They permanently mark their bodies in ink with a flag or a maple leaf to show that they are forever Canadian. Even as they travel the world, they sew the Canadian flag onto their backpacks to proudly show where they are from.

This summer, as they have many times previously, Canadians will drape themselves in red and white and everything Canadian to celebrate our national holiday on July 1 from coast to coast.

Honourable senators, I cannot think of a more appropriate time for this bill to come into effect than just in time for Canadians to show their national pride while cheering on our athletes in London at the Olympic Games in just a few months' time. Canadians are proud of this symbol of the nation's unity. I feel the best way to foster this pride and help it grow further is to ensure that all Canadians are encouraged to display the national flag of Canada. This bill aims to do just that. I encourage all honourable senators to support it.

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

Some Hon. Senators: Question!

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

[Translation]

REFERRED TO COMMITTEE

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

(On motion of Senator Carignan, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

OFFICIAL LANGUAGES

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY ON THE USE OF INTERNET, NEW MEDIA AND SOCIAL MEDIA AND THE RESPECT FOR CANADIANS' LANGUAGE RIGHTS—FOURTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Official Languages (*budget—study on the use of the Internet, new media and social media and the respect for Canadians' language rights—power to hire staff*), presented in the Senate on May 15, 2012.

Hon. Maria Chaput moved the adoption of the report.

She said: Honourable senators, the committee began studying the use of the Internet, new media and social media and the respect for Canadians' language rights last fall. It has heard from more than 30 organizations to date and will be hearing from more witnesses until the end of June. The committee will present a report this fall.

Given the subject of the study, the committee believes that it should use new media in the context of its work on this study. It suggests using a video animation to present the highlights and conclusions of the report to be issued in the fall.

The committee suggests that the video animation be broadcast on YouTube in addition to being available on the committee's website.

• (1500)

During the public hearings, the committee learned that a number of federal and provincial institutions and many other organizations use YouTube more and more to communicate information to the public in an effective and interesting way. Specialized services for the creation of a video animation are not available in house. The committee is asking for \$15,000 to hire a professional service to create the video.

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

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

[English]

HUMAN RIGHTS

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL—STUDY ON ISSUES PERTAINING TO HUMAN RIGHTS OF FIRST NATIONS BAND MEMBERS WHO RESIDE OFF-RESERVE—SIXTH REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the sixth report of the Standing Senate Committee on Human Rights (*budget—study on the rights of off-reserve Aboriginal Peoples—power to hire staff and to travel*), presented in the Senate on May 3, 2012.

Hon. Mobina S. B. Jaffer moved the adoption of the report.

She said: Honourable senators, the report before you is a budgetary request for the committee to travel to Western Canada as part of its study into the access of First Nations people who live off-reserve. Currently, there are disparities in the range of available programs and services for off-reserve band members. Recent court decisions have challenged the current federal policy framework, which attaches rights to residency on reserve rather than to the individual. For example, in *Corbiere v. Canada*, Minister of Indian Affairs and Northern Development Canada, the Supreme Court of Canada ruled that denying band members working rights based on where they live violated their rights to equality guaranteed by section 15 of the Canadian Charter of Rights and Freedoms.

The increasing off-reserve urbanization of Aboriginal peoples is continuing to amplify pressures for reform in this area.

[Translation]

On March 15, 2012, the Senate authorized the Standing Senate Committee on Human Rights to study this issue. As part of its study, the committee requested authorization to travel to Winnipeg, Saskatoon and Vancouver to hear from local stakeholders and raise awareness among Aboriginal people living in those cities. We plan to travel in November. This report sets aside enough money to enable the committee to travel and hold public hearings.

(On motion of Senator Comeau, debate adjourned.)

[English]

CHARTER OF RIGHTS AND FREEDOMS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cowan calling the attention of the Senate to the 30th Anniversary of the *Canadian Charter of Rights and Freedoms*, which has done so much to build pride in our country and our national identity.

Hon. Joseph A. Day: Honourable senators, although I have not spoken to Senator Andreychuk, if honourable senators are agreed, I will speak for a few minutes to this motion and adjourn the debate in the name of Senator Andreychuk.

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

Hon. Senators: Agreed.

Senator Day: Honourable senators, on the thirtieth anniversary of the Canadian Charter of Rights and Freedoms, I am delighted that Senator Cowan moved this inquiry; the Charter is the most important document reflecting the civil liberties of Canadians.

Honourable senators, human rights matter. Since 1945, almost 60 countries around the world have adopted new constitutions or revised existing constitutions to include a bill of rights. However, the practical application of civil rights varies from nation to nation. Some constitutions are shams and some are simply ignored. A striking example is the experience in the United States. During the first 150 years of the republic, the Bill of Rights of 1791 was largely ignored by the courts; but part way through the last century, the Bill of Rights became the focal point of judicial activism. Totalitarian regimes and many so-called “banana republics” have eloquent bills of rights, which in practice have no enlightened application whatsoever. Every jurisdiction has its own story.

Canadians are experiencing considerable judicial activism, but the level of access to enjoy the promise of the Charter is mixed. Bills of rights look great on paper. Costs may restrict the

availability of judicial redress to the middle and upper class due to the costs of engaging legal counsel. Without financial means to pursue a human rights case in court, the promise of the Charter remains theoretical for those who are marginalized by income, often related to race or personal status.

The Trudeau government created the Court Challenges Program in 1978 to assist the disadvantaged to support and promote their rights. Due to increased Charter activity, the Mulroney government expanded the program in 1985. As Senator Cowan mentioned, Liberal and Progressive Conservative governments of 20 and 30 years ago did not fear dissenting views from Canadians. Sadly, the program was cancelled in 2006, except for challenges to language rights cases.

For marginalized citizens, the Charter’s promise is elusive, incomplete and beyond reach, as long as we do not have a publicly funded court challenges program. We must revisit this issue in order to make our democracy whole. Only through strategic, often expensive litigation, will the promise of the Charter benefit all citizens. Otherwise, the Charter will slide into an exclusive made-for-the-upper-and-middle-class remedy by ignoring the practical need for universal access.

Honourable senators, marginalization speaks to the ongoing tug-of-war between economic and political considerations and civil rights. Constitutional frameworks seek to accommodate these elements, at least on paper. The achievement of democracy is only fully met when we balance these interests in practice.

Our social history, illustrating how we are supposed to treat each other, is a fascinating story; our constitutional benchmarks are well known. I mention only a few of them that particularly resonate from the last 997 years when the Magna Carta was signed by King John in 1215: the Habeas Corpus Act; the English Bill of Rights; the Quebec Act; the Constitutional Act; the Wartime Election Act, 1917; the Canadian Bill of Rights, 1960; and the Charter of Rights and Freedoms, 1982.

• (1510)

Adding to these milestones are international influences preceding our Charter’s birth, including France’s Declaration of the Rights of Man and of the Citizen, 1789; the United States Bill of Rights of 1791; the International Court of Justice of 1945; the Universal Declaration of Human Rights, 1948, in which a Canadian, John Peters Humphrey, played a major role; the European Convention for the Protection of Human Rights and Fundamental Freedoms in 1953; and the UN Covenant on Economic, Social and Cultural Rights and its Covenant on Civil and Political Rights in 1976.

Our Charter is the product of a long journey on the road to embrace civil rights. It is really a combination of guideposts, inspiration and promotion for civil liberties for the 20th Century in Canada.

Individual freedom and the recognition of human dignity took on new meaning with the passage of each piece of legislation I have just mentioned, culminating in our Charter of 1982. Each milestone proclaiming our liberties paves the way for the next one, regardless of the time that passes between them. They simply build on each other, reflecting the development of the legal

[Senator Jaffer]

framework required for the ways we treat each other and the respect that we give to each other. One by one, these changes push the old frontiers of human rights into new and unknown territory.

We live in a continuum of ever-expanding human rights. The Charter unfolds as a living tree, extending its reach everywhere, impacting every aspect of our lives. This directly contrasts with previous notions that constitutions embrace frozen concepts.

When ruling on same-sex marriage in 2004, the Supreme Court of Canada depicted our Constitution as that living tree, which, by way of progressive interpretation, accommodates and addresses the realities of an evolving world.

A fascinating phenomenon of legislative action is the challenge and the magic of unintended consequences, honourable senators, flowing from that parliamentary action. Effects on human rights legislation are no exception. New legislation challenges old barriers. Once impenetrable frontiers are discarded, new horizons beckon, speaking to both the frailty and the nobility of human conduct. Consequences of legislation effecting human rights inevitably include resistance to the expansion and acceptance of alternatives. This is foreseen. At work is the living tree of the Constitution.

Charter-related decisions alter relationships in business and family in areas of artistic, academic and political expression, and in attitudes about law enforcement and the development of our sense of self-worth.

These changes take place in an officially bilingual setting, in a broadly expanding immigrant society that is also rooted in a rapidly evolving technologically based country. The dynamic changes demand our attention and our reflection, honourable senators.

By mentioning consequences, I do not speak negatively, although detractors may bemoan and belittle the desire to test new frontiers of civil rights.

The apex of the Charter's influence is our judiciary. Canadians frequently wait for clarity to determine whether or not Parliament is supportive of the Charter-based decision-making of the judiciary. Frequently parliamentarians and judges seem to be partners in human rights progress. Other times, one or the other takes the lead.

The Charter inspires the adjudication of profound human rights issues. At the same time, we see a dramatic increase in the number of women graduating from law school. I do not believe this to be an entirely coincidental situation. In the 1970s, when I was at law school, there were three women in my class of over 100. Today, women outnumber men in virtually all law schools. I think that I can make a reasonable assumption that there is some relationship between the Charter-based cases and the effect of the Charter on the practice of law. This is a consequence of evolving ideas, of the nature and intensity of freedom, attitudes about collective and autonomous action, and the discipline and responsibility we expect of each other in a democratic society.

Since 2008, almost 20 per cent of the Supreme Court of Canada appeals have been Charter cases, many of which speak directly to the ways we treat one another. These decisions have daily

application in our lives. I could go over a litany of representative cases, honourable senators, but time does not permit. However, many have changed the way we view society.

In 1982, the Charter's adoption converged with rapid change in Canada. One hundred years ago, knowledge doubled every ten years. Knowledge now doubles in months, not years. This rapid increase brings dramatic change in technology, medicine and resource management. The rapid doubling of knowledge, combined with Charter-related jurisprudence, produces dramatic results. Effects on the legal community and Canadians are profound. Unintended consequences abound.

The legal community and its clients are becoming more and more impatient and frustrated by the diminishing pace of judicial processes — another unintended consequence. We are faced with new ways of approaching the limits of privacy and the multifaceted issues of abuses at school, at work, at home and in medical care facilities, to name but a few. The list is really endless. This is the new legal climate. It is the price we pay for enhanced and expanding civil liberties for Canadians, but doing the right thing should never be regarded as a burden on society.

The Charter is pivotal to the integrating and expanding of the very definition of our democracy. Discovering new horizons of constitutionally based civil liberties authored by the Charter is as wide as it is deep. The dimension of change is considerable and beyond preconceived ideas of human rights parameters.

We have heard many eloquent and impassioned speeches, honourable senators, on this inquiry. The Charter's significance for language and minority rights was reviewed by Senator Tardif. That seems to be an area of rights that is a kind of moving target here in Canada, which it should not be. We thought it was already settled, but it keeps getting challenged. The Charter anchors these rights. This is as it should be.

Senator Losier-Cool made specific reference to minority rights in our home province of New Brunswick. The Charter has provided legal strength to the linguistic and cultural rights of all Acadians. We must acknowledge here, honourable senators, the leadership role that Premier Richard Hatfield played at the time the charter was adopted.

Senator Smith spoke about the disabled. It is amazing that accessibility, which is only one of the issues facing those with physical disabilities, is yet to be a total reality. The Charter champions the rights of the disadvantaged.

Senator Cordy talked about expanding Canadian values, about the Charter as the inspirational document for new democracy on a planet plagued with foggy civil rights.

Senator Poy praised the new levels of understanding that the Charter brings to our unique multiculturalism that is so fundamental to our evolving identity as a nation.

The Hon. the Speaker *pro tempore*: Honourable Senator Day, I regret to inform you that the allotted time has expired. Are you prepared to ask the House for more time?

Senator Day: Could I have a few more minutes, honourable senators, to finish?

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: Agreed, five more minutes.

Senator Day: Thank you, honourable senators.

I was just reviewing Senator Poy's praising of the new levels of understanding the Charter brings to the unique multiculturalism that is so fundamental to our evolving identity as a nation.

• (1520)

Senator Hubley lauded the new frontier of women's rights in the world of sports, based on the Charter's equality clause, section 15, and the positive effect for women on the number of gender-discrimination challenges.

Senator Munson addressed many aspects of freedom of expression. No doubt the depths and limits of this issue will be one of the cutting edges of Charter-related judicial decisions for decades to come. Senator Charette-Poulin highlighted the Charter as the means for the Supreme Court to serve as the guardian of our rights.

Prime Minister Trudeau was the Charter's champion and architect, supported by three of the most resilient public policy quarterbacks in our modern history, Roy Romanow, Roy McMurtry and Jean Chrétien. What a fine team. Some might find fault with some of Mr. Trudeau's policies, but when it comes to the Charter, human rights advocates around the planet applaud his leadership. Together, Prime Minister Trudeau and his provincial premiers ushered in a new era of rights and freedoms, a beacon of civil liberty in the often tarnished world of human rights.

In launching this inquiry, Senator Cowan characterized the Charter as "truly transformative in our nation's history." He reminded us that the Charter has "become one of the most important symbols of Canadian identity." The Charter unifies our citizenship and codes and interprets and expands our shared rights. It inspires basic equality in our democracy. It promotes, and at times forces, legislative action to bring practical application to our legal rights.

Our Charter is the compass for Canadians and the cornerstone of our democracy. It acknowledges rights taken for granted by preceding generations. It embraces new rights. It is our legacy of dignity and humanity, now and for the future.

Thank you, honourable senators.

The Hon. the Speaker pro tempore: Honourable senators, by agreement, this matter stands adjourned in the name of Honourable Senator Andreychuk.

(On motion of Senator Andreychuk, debate adjourned.)

VOLUNTEERISM IN CANADA

INQUIRY—DEBATE CONTINUED

Leave having been given to revert to Other Business, Other, Inquiry No. 9:

On the Order:

Resuming debate on the inquiry of the Honourable Senator Mercer calling the attention of the Senate to Canada's current level of volunteerism, the impact it has on society, and the future of volunteerism in Canada.

Hon. Terry M. Mercer: Honourable senators, it is a pleasure to rise today to speak on my inquiry about an issue that is most important to me, volunteerism.

As honourable senators will know, I have been a professional fundraiser for various charitable and political organizations over the years. I have come to have a profound understanding of exactly the power a single person has to change the world. Raising money for children in poverty, running for breast cancer research, preparing meals for the homeless or simply answering the phone are all things Canadians do every single day to help their communities, their families, their friends and strangers they will never meet. Canadians do it well.

According to a study released by Statistics Canada last month, more than 13.3 million people, or 47 per cent of Canadians aged 15 and over, did some sort of volunteer work in 2010.

They gave over 2.07 billion hours of their time, which is equivalent to almost 1.1 million full-time jobs. That is just incredible, honourable senators. While you have heard me give these statistics before for previous years, the numbers have grown.

According to the report, the 13.3 million people who volunteered is an increase of 6.4 per cent over 2007 and 12.5 per cent over 2004. This is fantastic, and we applaud those Canadians for giving of themselves. However, while the number of volunteers has continued to grow, the number of hours dedicated to volunteer work has remained the same. After rising about 4 per cent between 2004 and 2007, the total number of volunteer hours logged in 2010 remained essentially unchanged from 2007, at just under 2.07 billion.

What is interesting is that a small number of these volunteers, 10 per cent, have given over half of all the hours volunteered from amongst this group. They dedicated a minimum of 390 hours to their volunteering activities during the year, which is equivalent to almost 10 weeks in a full-time job. Just imagine, 10 weeks of volunteer time. The report goes on to say that 15 per cent of volunteers logged between 161 and 309 hours, corresponding to between 4 and 10 weeks of unpaid work. It is fabulous. They contributed 24 per cent of the total hours devoted to volunteer work in 2010.

In terms of donations, nearly 24 million people, or 84 per cent of the population aged 15 and over, made a financial contribution to a charitable or non-profit organization, totalling \$10.6 billion. However, according to the report, both the percentage of the population donating and the total amount of donations were relatively unchanged from 2007.

What does it all mean? Canadians are great at volunteering time and donating money, but is there something else going on here? Why are a smaller percentage of those who volunteer giving more of their time? Why has the number of people donating not gone up?

Last month, we celebrated National Volunteer Week, a week where we paid tribute to millions of Canadian volunteers who donate their time, energy and enthusiasm to help Canada become a better place. Organizations such as Volunteer Canada play an integral role in recognizing the value of volunteers but also in figuring out how to increase the number of volunteers and the number of donors and how to create the right environment to encourage more people to volunteer.

His Excellency, the Right Honourable David Johnston, Governor General of Canada, is a great supporter of volunteerism in Canada. During National Volunteer Week, His Excellency spoke at the Round Table on Professional Practices in Volunteerism, where he said:

I do not need to tell you how important volunteers are. You see it, feel it, experience up close every day of the year just what volunteers are doing to make Canada a smart, caring nation.

I use the words “smart and caring” deliberately. On the day of my installation as Governor General, a year and a half ago, I made clear that I consider my time in office a call to service; and that I intend to answer that call in one clear way. I will serve as a bridge to bring Canadians of all backgrounds and ages together to create a country that supports families and children, reinforces learning and innovation, and encourages philanthropy and volunteerism.

His Excellency also is a proud supporter of Canada’s youth and has encouraged more young people in Canada to give back to their communities and to their country through volunteering.

I applaud His Excellency for these initiatives, and I encourage all of you to do the same.

All honourable senators have volunteered for various charities and organizations over the years, let alone for their respective political parties. I have many times before, when speaking to my bill on National Philanthropy Day, mentioned the various good works that many honourable senators have done. I am proud to say that this bill is currently before the House of Commons and, indeed, is up for debate this evening. We hope to have it sent to committee. Finally, perhaps we will actually get it out of there and get it done once and for all. I thank all honourable senators for their support in that initiative. I know that passing the bill will be one more way that we can recognize the value of volunteerism and encourage more people to volunteer in Canada and, indeed, around the world.

Volunteers are the lifeblood of many organizations. Without them, those organizations would not be able to function. There is a great quote from Margaret Mead that goes like this:

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

• (1530)

I think that sums up just how important volunteers are to our society.

When I first started in the charitable sector in 1978, I had been a long-time volunteer both on solo projects and working with a team. I came to understand that one needs to know what motivates someone to volunteer and that the motivation to volunteer is so different for everyone.

That is what makes it so fascinating, honourable senators. Many volunteers fall into general categories like “making a contribution to community” or “using their own skills and experience to do some good.” However, the reasons are usually more personal, like supporting a sick member of the family or a friend in the community. It is some kind of a personal link.

One of the most rewarding things about being a fundraiser for more than 30 years is the hundreds of volunteers whom I have met. All of them have enriched my life and made a big difference to the organizations for which I worked. Many have become very close friends.

It is always important to ensure that volunteers are thanked properly and to recognize their contributions. One method I have used throughout my career is to ensure that volunteering is, at the very least, a fun and enjoyable process on a daily basis.

It is always important to say “thank you.” I have a motto in thanking donors and volunteers: I thank them six times and, on the sixth time, I thank them just as I ask them to help me again, either with a donation or with more time. It is a rule that has always worked for me. It is not hard to keep volunteers motivated to work hard for a cause, all by just saying “thank you” and showing that one cares.

Indeed, the Special Senate Committee on Aging and the Standing Senate Committee on Agriculture and Forestry, in its rural poverty study, discovered, when we travelled across the country, just how important volunteerism has been across the board, particularly in rural Canada. Rural Canada lives by volunteers. The small village I live in is run by the people who support the volunteer fire department, who volunteer at the Legion and with the Sea Cadet Corps in our community, the Boy Scouts, the Girl Guides, and so on. If it were not for those volunteers, none of those activities would happen in our small community.

The volunteer sector is a hands-on business. Every volunteer is unique and they all need something different to keep them interested and coming back to help make this world a better place.

In conclusion, honourable senators, we would all do well to encourage more volunteering in Canada. I have raised this issue here today in the Senate because I believe our country becomes a better place when more people give of themselves and help their neighbours, their friends and strangers they will never meet.

While we have a good system in place now, there is always more we can do.

During both of our aging and rural poverty studies, we found that the increased cost of gasoline has made it difficult for people to volunteer. The increase in the cost of public transit in urban centres has made it more difficult for people to volunteer and to get back and forth. The increased price of parking is also an issue, if they happen to have a car.

I thank the Governor General for his support, and all honourable senators, as well. I encourage all honourable senators to speak on this inquiry and to share their stories about how volunteering has affected their lives and how volunteers have impacted their communities.

I am afraid I cannot quote Johnny Cash, as Senator Mahovlich did, but I have a quote from one of my favourite singers, Harry Chapin, who said:

Our lives are to be used and thus to be lived as fully as possible. And truly it seems that we are never so alive as when we concern ourselves with other people.

I thank honourable senators and I encourage them to speak on this inquiry.

(On motion of Senator Cowan, debate adjourned.)

[Translation]

EDUCATION IN MINORITY LANGUAGES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Losier-Cool, calling the attention of the Senate to the evolution of education in the language of the minority.

Hon. Gerald J. Comeau: Honourable senators, this inquiry is at its fourteenth day. I intend to continue my research so that I can eventually give an excellent speech, which I hope I will be able to do before Senator Losier-Cool retires from the Senate. I therefore move the adjournment of the debate for the remainder of my time.

(On motion of Senator Comeau, debate adjourned.)

POVERTY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Robichaud, P.C., calling the attention of the Senate to the issue of poverty in Canada — an issue that is always current and continues to have devastating effects.

[Senator Mercer]

Hon. Fernand Robichaud: Honourable senators, the Honourable Senator Callbeck is currently in committee, and she asked me to propose that we reset the clock for this inquiry so that she can speak about it in the near future.

[English]

The Hon. the Speaker *pro tempore*: It has been moved by the Honourable Senator Robichaud, seconded by the Honourable Senator Moore, that this inquiry be adjourned to the next sitting of the Senate in the name of Senator Callbeck, and that it revert to day 1.

[Translation]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I believe that Senator Robichaud has already used the 15 minutes allotted to him.

Senator Robichaud: Yes.

Senator Carignan: I am not certain he can adjourn the debate.

Senator Robichaud: No. I am asking to adjourn the debate in Senator Callbeck's name.

Senator Carignan: Yes, but she is not here to yield the floor to you.

Senator Robichaud: No, you have misunderstood.

[English]

Hon. Joseph A. Day: Honourable senators, Senator Callbeck is involved in Finance Committee hearings that, with the permission of the Senate, are meeting outside of normal time and while the Senate is sitting. Under the circumstances, as one of the members of that committee, I would ask that the matter be adjourned in her name, beginning at day 1.

The Hon. the Speaker *pro tempore*: It has been moved by the Honourable Senator Day, seconded by the Honourable Senator Moore, that further debate in this matter be adjourned in the name of Honourable Senator Callbeck, and at day 1. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

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

LITERACY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck, calling the attention of the Senate to the importance of literacy, given that more than ever Canada requires increased knowledge and skills in order to maintain its global competitiveness and to increase its ability to respond to changing labour markets.

Hon. Elizabeth Hubley: Honourable senators, Senator Tardif is preparing her notes on this very important subject matter and is not able to be with us at this moment. She has asked me if we might restart the clock and leave it in her name for the remainder of her time.

The Hon. the Speaker *pro tempore*: It has been moved by the Honourable Senator Hubley, seconded by the Honourable Senator Munson, that this matter be adjourned in the name of

Honourable Senator Tardif and that it revert to day 1. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(On motion of Senator Hubley, for Senator Tardif, debate adjourned.)

(The Senate adjourned until Thursday, May 17, 2012, at 1:30 p.m.)

CONTENTS

Wednesday, May 16, 2012

	PAGE		PAGE
<hr/>			
Industrial Alliance Pacific Insurance and Financial Services		Auditor General	
Private Bill—Message from Commons.		Bilingualism of Senior Public Servants.	
The Hon. the Speaker	1836	Hon. Pierre De Bané	1842
<hr/>			
SENATORS' STATEMENTS		Hon. Marjory LeBreton	1842
World Asthma Awareness Month		Hon. James S. Cowan	1843
Hon. James S. Cowan	1836	Hon. Roméo Antonius Dallaire	1843
Grains and Oilseeds Industry		Environment	
Hon. JoAnne L. Buth	1836	Rio + 20 Summit—Official Opposition Participation.	
Inter-Parliamentary Union		Hon. Jim Munson	1844
One Hundred and Twenty-sixth Assembly.		Hon. Marjory LeBreton	1844
Hon. Mobina S. B. Jaffer	1837	Delayed Answer to Oral Question	
Vision Health Month		Hon. Claude Carignan	1844
Hon. Asha Seth	1837	Justice	
Visitors in the Gallery		Child Prostitution—Sex Tourism.	
The Hon. the Speaker	1838	Question by Senator Jaffer.	
Access to Civil Legal Aid		Hon. Claude Carignan (Delayed Answer)	1844
Hon. Catherine S. Callbeck	1838	<hr/>	
<hr/>			
ROUTINE PROCEEDINGS		ORDERS OF THE DAY	
Criminal Code		Criminal Code (Bill C-290)	
Canada Evidence Act		Bill to Amend—Second Reading	1845
Security of Information Act (Bill S-7)		Referred to Committee	1846
Bill to Amend—Second Report of Special Committee		National Flag of Canada Bill (Bill C-288)	
on Anti-Terrorism Presented.		Second Reading.	
Hon. Hugh Segal	1839	Hon. Francis William Mahovlich	1846
Official Languages Act (Bill S-211)		Referred to Committee	1849
Bill to Amend—First Reading.		Official Languages	
Hon. Maria Chaput	1839	Budget and Authorization to Engage Services—Study on	
L'Assemblée parlementaire de la Francophonie		the Use of Internet, New Media and Social Media and	
Bureau Meeting, February 8-10, 2012—Report Tabled.		the Respect for Canadians' Language Rights—	
Hon. Andrée Champagne	1839	Fourth Report of Committee Adopted.	
Meeting of the Education, Communication and Cultural		Hon. Maria Chaput	1849
Affairs Committee, March 29-31, 2012—Report Tabled.		Human Rights	
Hon. Andrée Champagne	1839	Budget and Authorization to Engage Services and Travel—	
Meeting of the Cooperation and Development Committee,		Study on Issues Pertaining to Human Rights of First Nations	
April 1-5, 2012—Report Tabled.		Band Members Who Reside Off-Reserve—	
Hon. Andrée Champagne	1839	Sixth Report of Committee—Debate Adjourned.	
Conference of Branch Chairs of the America Region,		Hon. Mobina S. B. Jaffer	1849
April 13, 2012—Report Tabled.		Charter of Rights and Freedoms	
Hon. Andrée Champagne	1840	Inquiry—Debate Continued.	
Executive Committee of the Network of Women		Hon. Joseph A. Day	1850
Parliamentarians, March 14-16, 2012—Report Tabled.		Volunteerism in Canada	
Hon. Rose-Marie Losier-Cool	1840	Inquiry—Debate Continued.	
Rules, Procedures and the Rights of Parliament		Hon. Terry M. Mercer	1852
First Report of Committee—Notice of Motion to Discharge		Education in Minority Languages	
Report from Order Paper and Refer to Committee of the Whole.		Inquiry—Debate Continued.	
Hon. Claude Carignan	1840	Hon. Gerald J. Comeau	1854
<hr/>			
QUESTION PERIOD		Poverty	
Atlantic Canada Opportunities Agency		Inquiry—Debate Continued.	
Appointments.		Hon. Fernand Robichaud	1854
Hon. Terry M. Mercer	1841	Hon. Claude Carignan	1854
Hon. Marjory LeBreton	1841	Hon. Joseph A. Day	1854
Hon. Jane Cordy	1842	Literacy	
		Inquiry—Debate Continued.	
		Hon. Elizabeth Hubley	1855



If undelivered, return COVER ONLY to:
Public Works and Government Services Canada
Publishing and Depository Services
Ottawa, Ontario K1A 0S5