SENATE SÉNAT

CANADA

DEBATES OF THE SENATE

1st SESSION • 41st PARLIAMENT • VOLUME 148 • NUMBER 85

OFFICIAL REPORT
(HANSARD)

Tuesday, June 5, 2012

The Honourable NOËL A. KINSELLA
Speaker

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

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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

Tuesday, June 5, 2012

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

Prayers.

CONGRATULATORY ADDRESS TO HER MAJESTY QUEEN ELIZABETH II ON ANNIVERSARY OF SIXTY YEARS OF REIGN

MESSAGE FROM COMMONS

The Hon. the Speaker: Honourable senators, a message has been received from the House of Commons, as follows:

Monday, June 4, 2012

RESOLVED,—

That an humble Address be presented to Her Majesty the Queen in the following words:

TO THE QUEEN'S MOST EXCELLENT MAJESTY:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's loyal and dutiful subjects, the House of Commons of Canada in Parliament assembled, beg to offer our sincere congratulations on the happy completion of the sixtieth year of Your reign.

The People of Canada have often been honoured to welcome Your Majesty and other members of the Royal Family to our land during Your reign, and have witnessed directly Your inspiring example of devotion to duty and unselfish labour on behalf of the welfare of Your People in this country and in the other nations of the Commonwealth.

In this, the Diamond Jubilee year of your reign as Queen of Canada, we trust that Your gracious and peaceful reign may continue for many years and that Divine Providence will preserve Your Majesty in health, in happiness and in the affectionate loyalty of Your people.

ORDERED,—

That the said Address be engrossed; and

That a Message be sent to the Senate informing their Honours that this House has adopted the said Address and requesting their Honours to unite in the said Address by filling up the blanks with the words "the Senate and".

ATTEST

AUDREY O'BRIEN
The Clerk of the House of Commons

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

(On motion of Senator Carignan, message placed on the Orders of the Day for consideration at the next sitting of the Senate.)

SENATORS' STATEMENTS

DIAMOND JUBILEE MEDAL RECIPIENTS

Hon. Nicole Eaton: Honourable senators, it is not often that one has the opportunity to publicly thank 30 individuals who have given so much of themselves to their community and their country.

The Queen Elizabeth Diamond Jubilee offered each of us that opportunity. In every region, every province, every city and town, we have the honour to recognize someone's selfless work, passion and belief that one person does make a difference.

Last week I awarded my last medal. The decision of whom to recognize with this prestigious acknowledgment was hard for me, as I am sure it was for every one of us in this chamber. We have all been blessed with having met and worked with so many accomplished and deserving people, so it was with a great deal of humility that I presented the Queen's Jubilee Medal to 30 individuals who have dedicated their lives to Canada. From consummate volunteers to talented pedagogues and accomplished scientists, each has made life a little bit better, a little more comfortable, a little less stressful and a lot easier for another human being.

Permit me a moment to read their names into the record.

For volunteerism: Pamela Richardson, Gretchen Ross, Nancy Lockhart, Joan Thompson, Marian Bradshaw, Danielle Zion and John Carson.

For business and development: Mario Cortellucci and John Bennett.

For pedagogue: Loretta Rogers, Maria Rudko-Uchacz and James Carley.

For culture and the arts: Sandra Faire, Lynda Prince, Noreen Taylor, Diane Reitberger, Scott McFarland, Joseph Sorbara, Maxine Granvosky Gluskin and Sandra Rotman.

• (1410)

For medicine and science research: Dr. Robert Howard, Alayne Metrick, Dr. Andrea Laupacis, Dr. Arthur Slutsky, Dr. Andrew Baker, Dr. Ori Rotstein, Dr. Anthony Graham, Dr. Teodor Grantcharov, Dr. Guylaine Lefebvre and Ella Ferris.

Every one has built and continues to build our caring society and country through their service, expertise, contributions and achievements, and for that I thank them.

I wish all of them even greater success in their future undertakings. I know they will continue to make a difference with their inspiration and their compassion.

NEW PATHWAYS TO GOLD SOCIETY

Hon. Vivienne Poy: Honourable senators, on April 18, Senator Lillian Dyck and I were invited by the New Pathways to Gold Society to visit the historic Fraser Canyon, as mentioned in Senator Dyck's statement three weeks ago.

The board of the society consists of British Columbians who work towards reviving the historic sites and promoting heritage tourism in order to bring prosperity back to the region. Visitors can experience the 10,000 year-old history of the First Nations peoples, appreciate the tenacity of the European explorers and the trials and errors of the Hudson's Bay Company.

During the gold rush era, the canyon was flooded with American gold miners, and it also marked the beginning of Chinese settlement in the colony of British Columbia.

We toured historic Yale, where the history of the early gold mining days came to life — in the museum, the church, the graveyard, and among the ruins. The church kept a great record of the life of the town, which boasted a population of tens of thousands in its heyday, and had the best school for girls in the vicinity.

Having the opportunity to visit Tuckkwiowhum Heritage Interpretive Village, crossing the Fraser River in Hell's Gate Airtram, walking through Alexandra Bridge Provincial Park, meeting Chief Jim Hobart, and speaking to a number of the First Nations people from Spuzzum during lunch at their office were all eye-opening experiences for me.

We crossed the Fraser River on a two-car ferry attached by cables in Lytton, guided by a descendant of early settlers who showed us the area where the Chinese worked in the orchards, the farms and the gold tailings. There were Chinese characters, dating back more than a century, written on the rocks on the edge of the river.

The highlight of our heritage tour took place on April 20 when Senator Dyck and I had the honour of taking part in the cedar rope-cutting ceremony at the opening of the Tikwalus Trail.

The New Pathways to Gold Society was very fortunate that a satellite television company agreed to send a crew to film the visit. The program was aired for the first time two weeks ago.

I wish the society great success in bringing prosperity back to the people of the Fraser Canyon.

TIANANMEN SQUARE MASSACRE

TWENTY-THIRD ANNIVERSARY

Hon. Consiglio Di Nino: Honourable senators, yesterday, the twenty-third anniversary of the Tiananmen Square massacre, I was honoured to be present at the rededication of the Goddess of Democracy statue at York University in Toronto. This statute is a replica of the Goddess of Democracy erected in Tiananmen Square as a symbol of the struggle of tens of thousands of students who were peacefully demonstrating for democratic rights and freedoms in China.

On June 4, 1989, the Chinese government sent in the army to brutally put down this demonstration. During that night of infamy, not only did the People's Liberation Army — a misnomer for sure — tear down and trample the Goddess, they also massacred thousands of students.

This is what Minister Jason Kenney said, in part, in his message, which I read yesterday at the ceremony:

> But just as the men responsible for the violence of that day grow older and weaker by the year, there are also signs that the Communist regime they supported is beginning to crack and show its age. Hope for a peaceful, democratic China is stronger than ever, and the dream of the students of Tiananmen Square may be closer than ever to becoming reality. I hope that the Goddess of Democracy will continue to inspire the "young heroes" of today, who refuse to accept that the proud Chinese people should continue to serve a bankrupt ideology, and who refuse to accept that the Chinese people do not deserve the fundamental rights that we take for granted here, in Canada.

In 1989, then Prime Minister Brian Mulroney hailed the students as "young heroes," saying to them:

> Do not despair, victory must eventually be yours because liberty cannot be denied. . . . indiscriminate shooting has snuffed out precious human lives, but they can never snuff out the fundamental urge of human beings for freedom and democracy.

Honourable senators, the spirit of Tiananmen Square is alive and well in China, and I am convinced more than ever that the hopes and dreams of those "young heroes" will, indeed, be achieved.

Hon. Jim Munson: I thank Senator Di Nino for that statement. As he mentioned, yesterday was the twenty-third anniversary of the massacre in Tiananmen Square. As many of you know, I was there as a correspondent for CTV News. I witnessed the deaths of many young people. I will never forget that hot and muggy night, nor the heady days that led up to the horrible events on June 3 and 4 in 1989. History does not show that Beijing felt like a liberated city in those days. There were millions in the streets and they were not just students; there were doctors, teachers and everyday people from Beijing.

Today in China it is forbidden to speak about what really happened in and around the square, but I can speak and I will never stop speaking about an ugly footprint or tank marks on Chinese history. The images of dying students being placed on makeshift trishaws is etched in my memory. Sometimes in my dreams it does not seem real, but it was real. It was very real.

No one knows the number who were killed, but personally, honourable senators, I saw many die, dozens of bodies in city morgues. At that time the Red Cross believed a few thousand were killed. Recently, the former mayor of Beijing said in his memoirs that it is time for China to open the Tiananmen classified closed file.

We all know, and China knows, its leaders know, that time is long overdue. What is China afraid of? Is it afraid of the truth? I owe it to the families of those dead demonstrators. I owe it to those who are still living but who cannot speak. I owe it to those who survived. I owe it to those dissidents who in recent months have chosen to speak and are now in prison.

I have looked inside a Chinese prison. In fact, I spent a few days in a Chinese jail. It is not a very nice place. I owe it to a couple who, in fear, walked up to me on Beijing's main thoroughfare, Chang'an Avenue. As I raced into the square that evening, on June 3, as we did every evening, I was with my crew, and they said at that time — I will never forget their faces — "We want our voices heard. Please tell the world what is happening here."

It is not easy watching someone get crushed to death by a tank, and moments after, as the crowd moved back, the crowd looking at you. They all rose up as one and began to shout, "Long live democracy."

I will never forget, and, honourable senators, never should you.

[*Translation*]

NATIONAL MONUMENT OF NOTRE-DAME DE L'ASSOMPTION

ONE-HUNDREDTH ANNIVERSARY

Hon. Fernand Robichaud: Honourable senators, this year marks the 100th anniversary of the Notre-Dame de l'Assomption national monument in Rogersville, New Brunswick.

This provincial historic site is made up of an entrance arch, which commemorates the bicentennial of the deportation of the Acadians; an outdoor Stations of the Cross; a grotto; and a main building that houses a chapel.

It is also the resting place of the remains of Msgr. Marcel-François Richard, who was the strength and inspiration behind the construction of this monument. Msgr. Richard played a very important role in the Acadian Renaissance. He was an educator, a builder, a colonizer and a strong defender of the Acadian people.

He played a key role in the choice of the Acadian flag and Acadian national anthem.

• (1420)

Msgr. Richard also participated in the choice of August 15 as the national Acadian holiday and in the designation of Our Lady of the Assumption as the patron saint of Acadians.

It should come as no surprise that his zeal once again manifested itself in the construction of the national monument in 1912 in order to house a magnificent statue of the Virgin Mary that was donated by the Eucharistic Congress of Montreal two years earlier.

Msgr. Richard wanted to create a place of worship and memory for the Acadian people. Even today, thousands of pilgrims from our region and elsewhere continue to assemble there.

I would like to offer my sincere congratulations to the organizers of this event, the mayor and councillors of Rogersville and all the staff and volunteers at the national monument — all those who worked together to mark the 100th anniversary of this Acadian meeting and gathering place.

May the 100th anniversary celebration of the monument on June 10 be a great success and serve as another testimony to the strength and pride of the Acadian people.

ROUTINE PROCEEDINGS

PRIVACY COMMISSIONER

PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT— 2011 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the Annual Report of the Office of the Privacy Commissioner of Canada for the period from January 1 to December 31, 2011, pursuant to the Personal Information Protection and Electronic Documents Act.

STUDY ON EMERGING ISSUES RELATED TO CANADIAN AIRLINE INDUSTRY

FIFTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE TABLED

Hon. Dennis Dawson: Honourable senators, I have the honour to table the fifth report, interim, of the Standing Senate Committee on Transport and Communications, entitled *The Future of Canadian Air Travel: Toll Booth or Spark Plug?*

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

SENATE REFORM

NOTICE OF INQUIRY

Hon. Hugh Segal: Honourable senators, I give notice that two days hence:

> I will call the attention of the Senate to the reasons that democratic reform of the Senate is:
>
> (*a*) essential to Canada's future as a robust and effective federal state, with respect for fundamental freedoms and the supremacy of the rule of law;

(*b*) reflective of the values of fairness, cooperation and confederation; and

(*c*) consistent with the objective of providing pan-Canadian public policy at the federal level.

[*English*]

QUESTION PERIOD

ENVIRONMENT

ACCESS TO SAFE DRINKING WATER AND SANITATION

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

In mid-June, world leaders, along with thousands of participants from governments, the private sector, NGOs and other groups, will come together at the United Nations Conference on Sustainable Development in Rio de Janeiro in order to shape how we can reduce poverty, advance social equity and ensure environmental protection.

With preparations for the conference under way, and after years of opposition, the Minister of the Environment has finally taken a long-awaited position in support of recognizing water as a basic, fundamental human right. While this policy shift is certainly welcome — in light of recent figures showing that 2.5 billion people do not have access to basic sanitation, causing more than 1.5 million deaths per year, and given the UN resolution declaring access to clean water as a human right — many observers still have strong reservations. They fear that these words will not necessarily be followed by action.

Will the government align itself with the international community and respect its legal obligations by formally recognizing water as a basic human right?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. I will go back to the original conference in Rio: Our government has consistently had a record that is second to none when it comes to the environment and protecting the environment, including water.

I will not at this point in time seek to speak to the minister with regard to all of the policy areas that the minister will advance on behalf of Canada at the upcoming conference. I will take the question as notice and seek to receive from the minister a statement of intent.

As should be the case, the actions of the government will be as a result of the deliberations in which the minister participates in Rio, on behalf of the Government of Canada.

Senator Tardif: Am I to understand, then, that the Leader of the Government in the Senate is not willing or able to confirm at this point the minister's statement that Canada will recognize the right to safe drinking water and to basic sanitation? Is that correct?

Senator LeBreton: That is not correct, honourable senators. I just offered to provide for Senator Tardif a detailed statement of Minister Kent's position on behalf of the government as he prepares to represent the country at the summit in Rio. It will include Canada's position on water and sanitation.

Senator Tardif: I would certainly hope that our government will be moving forward on this. Canada is being criticized because our country has not been supportive of the right to water. Many nations are publicly condemning Canada's stance, and that was done on World Water Day. Therefore, I would hope that we will be moving forward on this.

Senator LeBreton: I thank the honourable senator for her comments. Conservative governments are very used to various people in this field criticizing the government. I remember that, when I was part of the Mulroney government, hardly a day went by that Mr. Mulroney and the government were not being roundly criticized for the various policy positions taken on the environment. After the fact, when Mr. Mulroney was no longer in office, he was honoured as the greenest prime minister this country has ever had.

ENVIRONMENTAL RESEARCH AND PROTECTION

Hon. Mac Harb: Honourable senators, my question is for the Leader of the Government in the Senate.

The government is closing the world-renowned Experimental Lakes Area in northern Ontario. For 55 years, the ELA has been the only facility in the world conducting ecosystem experiments into the effects of environmental change and pollution on aquatic ecosystems. For example, scientists led by David Schindler, discovered that phosphate in household products was causing algae blooms. This discovery led to worldwide changes in ingredients for these products and transformed the water quality in the Great Lakes.

Why is the government throwing away a critical tool for finding the most cost-effective solutions to national and international environmental issues? Also, will the leader tell the government to reverse its position and reinstate funding for the ELA?

Hon. Marjory LeBreton (Leader of the Government): The government absolutely will not.

As the honourable senator quite rightly points out, successive governments in the area of the environment have taken positive steps to improve the quality of our air and our water. With regard to the changes the government is making now to all of these various aspects, the ministers have appeared before the committee. All of the changes that the government is making are to improve the situation, not to make it worse. Obviously, honourable senators, we believe all the things that we are doing are in the best interests of the country, our economy and our growth. Certainly, the changes we are making are long overdue. As in every area of the government, policies that may have been set 30, 40 or 50 years ago may no longer be relevant to the needs of today. Some of these aspects have been in place for many decades.

• (1430)

Senator Harb: Honourable senators, good try.

There appears to be a widespread, ideologically driven effort by this government to undermine the environmental regulatory regime in Canada, paving the way, in the opinions of many, for unfettered resource exploitation. It is believed that pushing scientific fact out of the way is a necessary part of this larger plan.

The plan includes killing the National Round Table on the Environment and the Economy; gutting the Canadian Environmental Assessment Act; shutting down Canada's team of smokestack pollution specialists; ending funding for, among other things, the United Nations Environment Programme and the Canadian environmental technology centres; and shutting down the urban wastewater technology research program, the air pollution and air quality research programs and the environmental research and management elements of the Fisheries Act.

Senator Tardif: Shame!

Senator Harb: If that is the record the Leader of the Government in the Senate is trying to defend, will she stand up for the interests of Canadians and defend the interests of the Canadian public?

Some Hon. Senators: Hear, hear!

Senator LeBreton: The honourable senator did a good job of reading the opposition day motion in the other place.

First, on the National Round Table on the Environment and the Economy, I think I have explained this in the Senate before. I was there when we set this body up in 1988. It has lived long past its usefulness. At the time it was set up there were limited sources of policy advice on the environment. Today, of course, there is no shortage of advice, and we have many organizations, in our universities in particular, providing advice and research. Therefore it is no longer necessary to have a body such as the National Round Table on the Environment and the Economy.

With regard to the others areas that the honourable senator mentioned, we have made historic investments in science, technology and research. Obviously, all of those contribute to creating jobs, growing our economy and improving the quality of life for Canadians.

Canada leads the G7 when it comes to investments in post-secondary research. Canada's Economic Action Plan 2012 invests in independent science and research, including funding for the Canadian Foundation for Innovation (CFI), Genome Canada and the Canadian Institute for Advanced Research (CIFAR).

Unfortunately, over in the other place, although the opposition has a motion to this effect today, the opposition has consistently chosen to vote against all of those measures as they have been presented in various budgets.

Senator Harb: Honourable senators, I understand that the leader is reading the talking points of the government. It is almost like turning the Senate into the mockingbird of the government.

The truth is that this government is planning to wipe out 50 years of environmental protection, moving from simply ignoring environmental concerns to an outright assault on them. This government, honourable senators, has taken the approach of being anti-science because it believes that by pushing science away, it can get away with just about anything.

Honourable senators, in the budget that the leader spoke about, the government slashed funding for environmental protection programs and weakened environmental laws without any consideration whatsoever for discussion, for science or even for reaction from the public.

Senator Stratton: Louder. A little louder.

Senator Harb: In light of the outcry of the scientific community that unanimously calls on this government to do the right thing, can the Leader of the Government in the Senate tell us whether the government is acting out of ignorance, malice, general dislike for science or all of the above?

Some Hon. Senators: Hear, hear!

Senator LeBreton: Honourable senators, it could have been worse. Instead of Senator Harb, we could have had Maude Barlow. He actually did defeat her for a Liberal nomination.

The fact of the matter is the honourable senator's comments are inappropriate, out of order and insulting. All of the things that the honourable senator accuses the government of are totally false. We have an outstanding record on the environment.

We are committed to the various scientific research projects that we committed to. As a matter of fact, honourable senators, programs that were established decades ago obviously need to be reassessed, and any government would do that, no matter who is in government. Many of the programs have outlived their usefulness. Technology has changed; needs change; and different people contribute to the pool of information and data that we get as a government. Just because a program was set up years ago does not necessarily mean that it is serving a purpose now.

To move to other sources for scientific research, including our universities, and expending the amount of money that we do would not indicate anything other than a strong support for all of the work we are doing in scientific research and on the environment.

Senator Harb: Honourable senators, I want to take the leader at her own words, that an assessment was done. Would the leader undertake today, in this chamber, to table in the Senate the assessment that was undertaken by the government with regard to the ELA? Would she undertake to do that?

Senator Stratton: Louder.

Senator Harb: If that is true, and if not, well, she had better stand up for what is right.

Senator LeBreton: Honourable senators, there is no need for the honourable senator to shout and make baseless accusations.

I will put on the record again, if the honourable senator would care to check the facts instead of getting involved in overblown rhetoric, that our government has made important new investments in science and technology in Economic Action Plan 2012. Obviously, our goal in everything we do in science and technology and the environment is to assist the economy, create jobs and improve the quality of life for Canadians.

As I pointed out, this included new funding for Genome Canada, the Industrial Research Assistance Program, the National Research Council, the Canadian Foundation for Innovation and many more.

In fact, honourable senators, I would hardly accuse this body of being ideologically driven: The Association of Universities and Colleges of Canada said that it welcomed the "smart, strategic investments in research and innovation" in our budget.

The honourable senator should take his cue from the universities and colleges of Canada and support these wonderful initiatives.

Some Hon. Senators: Hear, hear!

HUMAN RESOURCES AND SKILLS DEVELOPMENT

EMPLOYMENT INSURANCE—BOARDS OF APPEAL

Hon. Jane Cordy: Honourable senators, hidden in Bill C-38 we find the government's plan to eliminate the regional Employment Insurance Board of Referees and umpires and replace them with a 74-member tribunal. This new Ottawa-based tribunal will be charged with hearing Employment Insurance, Canada Pension Plan and Old Age Security appeals.

Of the 74 members of the tribunal, only half, 37 members, will be dedicated to deal with Employment Insurance disputes.

Last year, nearly 26,000 Employment Insurance appeals were heard. This government claims that the current appeal system is costly, slow and inefficient. How is the new Ottawa-based system going to make the appeal system faster and more efficient?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the honourable senator answered the question and gave the reason why the government changed this particular structure.

• (1440)

Senator Mitchell: Finally you got an answer to this.

Senator LeBreton: This applies to a whole host of other areas, but we live in an era of new technologies. The old system, which has been in place for quite some time, is costly, inefficient and does not provide the services that are required. Therefore, in this new age of technology, where people have a whole new way of communicating with the government, it was felt that this particular body had outlived its usefulness, like so many other government programs. The recipients of Employment Insurance, the government and the taxpayer, most importantly, who pays for all of this, will be much better served by this new regime.

Senator Cordy: Honourable senators, on the one hand, we have changed it now so that people have to use computers more, but, on the other hand, the government is closing the Community Access Program sites. We know that 54 per cent of those who are of low income have access to computers. However, many low-income people have no access to computers, CAP sites are closing and yet we are making everything supposedly more efficient.

I ask the leader this: How will it be faster and more efficient? To date, it is taking 30 days from the time a person applies for an appeal until the appeal is heard, and they receive their response to the appeal in less than a week.

Is the leader telling me that with 26,000 EI appeals being heard per year, that 37 people will be able to hear those appeals within 30 days and have an answer within one week?

Senator LeBreton: Honourable senators, like all of the changes that are being made, obviously the government is not making these changes to cause any difficulty for people. There are still offices and systems in place to deal with people who do not have access to a computer.

As with a lot of things in the budget, much of what we are trying to do with this budget and with the budget implementation bill is to streamline the process, make it more efficient and provide better services. The government wants to ensure that those people who are in need of services of the government have them readily available. We would not do anything to cause difficulty for anyone who wants to access the services they require.

Honourable senators, like many other changes we are making, I know there is resistance; people want to leave the same program in place year after year, inefficient as it may be. We, however, are trying to provide good service at reasonable cost and with timely access. I believe that once these changes have been implemented, people will realize this, just like they realized it about the census, for instance. For all the squawking and screaming about it, we received good data from the census. It turned out to be a very good move. We received good information from the long-form census.

Senator Cowan: Who says that?

Senator LeBreton: Like a lot of these things, there is a lot of squawking in advance. Let it work and I think honourable senators will find when we are back in the fall that some of these things people were anticipating as disaster will be anything but.

Senator Cordy: Honourable senators, I would have to say that the jury is still out on whether or not the census information is as accurate as it had been in previous years.

The minister said the government is making changes and not causing any difficulty for people. I would say that those people from whom I am hearing relating to the changes in Employment Insurance are very concerned. They will have great difficulty with what will happen.

The current system allows for appeals to be heard by three-person panels. One person on the panel represents the workers; one person represents business or employers; and one person represents the

government. They are familiar with regional circumstances and with members of the community. By cutting the board of referees and relocating all the decisions to Ottawa, the government is ignoring the regional expertise of these panels in favour of a more technical and formal process.

Those who want to appeal their decisions now come before the board of referees and do not need a lawyer. In fact, the board of referees prefers that they do not have a lawyer. They just want to hear the person's story: What happened? What are the circumstances involved? Why do they feel that they should be receiving Employment Insurance benefits that have been denied to them?

Will persons who wish to appeal their Employment Insurance claims under this new system be required to hire a lawyer to handle their appeals?

Senator LeBreton: I think that is not the case. For every 100 people who will be well-served by the new system, Senator Cordy points out the one or two that may not be. I will be happy, honourable senators, to outline the scenario that Senator Cordy outlined as to what programs are in place to assist such an individual.

Senator Cordy: Would the leader also check if currently, as I said earlier, appeals are being handled within 30 days from the time of the request made for the appeal? The decisions are then brought back to people within one week. I know the decisions are actually made on the day of the hearing by the board of referees and are mailed out either that day or the next day.

Would the leader also ensure that these decisions and responses to the decisions will be delivered in, hopefully, less than 30 days and less than one week? If the suggestion is that the decision has been made to make the system faster and more efficient, that would mean appeals would be heard in less than 30 days and the decision will get back to the claimant in less than one week.

Senator LeBreton: First, honourable senators, let us hope that through the changes we put into place in our efforts to provide more information to people who are unemployed, that they will have access to a lot more information with regard to where they may find employment. Let us hope that these changes will be for the benefit of the vast majority of Canadians who have need for access to the Employment Insurance program, and I have every confidence in that.

I would be happy to get any further details that may be available for the honourable senator.

ROYAL CANADIAN MOUNTED POLICE

STAFF SERGEANT DONALD RAY

Hon. Grant Mitchell: Honourable senators, Staff Sergeant Donald Ray of the RCMP was recently — this has just become public — convicted by an RCMP tribunal of exposing himself while wearing an RCMP uniform in an RCMP office to women under his command, RCMP personnel.

This is, by any other definition, a criminal sex offence and he is a criminal sex offender, and common criminal sex offenders are put on a registered sex offender list. Has this tough-on-crime government given any thought of putting Staff Sergeant Donald Ray on a criminal sex offenders list so the public can be protected from him?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, obviously, I cannot comment on this particular individual case. The honourable senator is aware that the government has taken steps. We have a new Commissioner of the RCMP who has warned us that there are probably quite a number of unpleasant events and stories yet to be reported.

The government is seeking to change the law so that the Commissioner of the RCMP has much greater leverage in dealing with situations such as the one the honourable senator just cited.

Senator Mitchell: Honourable senators, it strikes me that with a little creativity the Commissioner of the RCMP could be encouraged by the minister — or even by Mr. Harper, the tough-on-crime Prime Minister of Canada — to draw some restrictions perhaps on what this sex offender Sergeant Ray can do. For example, has anyone given any thought to restricting him perhaps from approaching within a certain distance of playgrounds where children play? Has anyone suggested there be restrictions on whether or not he can have women under his command? He is still a sergeant and he still has authority over personnel, one would presume. Can the leader confirm that maybe they will take some steps to restrict his behaviour a little bit?

Senator Munson: Anyone else would be fired.

Senator LeBreton: Honourable senators, if the government were ever to interfere directly with the operations of the RCMP, or if the government were to call the commissioner and make suggestions such as Senator Mitchell just made, the senator would be the first one on his feet accusing the government of interfering with the independence of the RCMP.

• (1450)

I say again, I think RCMP Commissioner Paulson is a responsible individual. In appearances before parliamentary committees, he has made it clear that he must deal with some serious issues within the RCMP. I pointed out that the government is bringing forward legislation to give the commissioner more powers. We know that Commissioner Paulson put out a letter outlining many of his concerns. I dare say that it would be in the interest of us all to support RCMP Commissioner Paulson as he works his way through what is obviously a difficult time for the RCMP.

Senator Mitchell: It would be in the interest of all of us, particularly women who were harassed in that organization, that the minister and the Prime Minister at least show some interest in this and perhaps ask a few questions.

For example, has anyone asked the question of Commissioner Paulson why Sergeant Ray was not charged criminally in the first place so that he could have appeared before a criminal court, could have been convicted and been relieved of his job in the

RCMP, or did they not charge him criminally because they did not want the choice of firing him? They wanted to keep him no matter what?

You can do something; you have power; why not do something?

Senator LeBreton: The statements from the honourable senator in this chamber show his strongly-held views. The honourable senator would understand that the RCMP operates independent of government.

The actions and work that the commissioner and the RCMP have done thus far clearly indicate that he is well seized of the problem. He has warned us all that many such stories are yet to come. It would be prudent if we all supported the Commissioner of the RCMP in implementing what will be a difficult task.

Senator Mitchell: If one commits a criminal offence in the RCMP, one is sent to B.C., but we do not know where. Has the government taken any steps to warn the people of the communities in which he serves that they have a criminal sex offender in the police, in uniform, in RCMP cars, in their communities. How much security can they have when he walks up to their car to say maybe they have been speeding or doing something they should not have? How much protection can they feel they will get from that guy, and why will they not be told?

Senator LeBreton: Again, I rather suspect I know where the honourable senator's line of questioning is going. The Commissioner of the RCMP has absolutely indicated that the RCMP must have the confidence of the public it is supposed to protect.

Senator Mitchell: Well, they do not.

Senator D. Smith: Why should they in this case?

Senator LeBreton: Obviously this conduct by members of the RCMP must be dealt with by the commissioner.

Senator Mitchell: Suspend him with pay if you have to. It is an embarrassment.

Senator LeBreton: I would suggest that the RCMP commissioner is doing everything he can to improve the situation in the force.

Senator D. Smith: We are suggesting it should be fixed.

Senator LeBreton: The very day he was named Commissioner of the RCMP, Mr. Paulson acknowledged the significant difficulties and many challenges he faces in restoring public confidence in the RCMP. I do believe, honourable senators, it is in the interest of us all to let Commissioner Paulson do his job.

[*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 Mitchell on March 13, 2012, concerning discipline in the RCMP.

PUBLIC SAFETY

ROYAL CANADIAN MOUNTED POLICE

(*Response to question raised by Hon. Grant Mitchell on March 13, 2012*)

Pursuant to the Royal Canadian Mounted Police Act, an Adjudication Board is a quasi-judicial body that is appointed to hear cases relating to formal discipline. The Adjudication Board is comprised of three commissioned officers, at least one of which must be a graduate of a school of law recognized by the law society of any province. An Adjudication Board hearing is conducted in public, and parties to the hearing are afforded a full and ample opportunity, in person or by counsel, to cross-examine witnesses and to make representations at the hearing.

In the particular case referred by the Honourable Senator, while an oral decision has been rendered, the Adjudication Board's full written decision has not been issued. Depending on the length and complexity of the case, written decisions are normally released within three to four months upon conclusion of the hearing. As the written decision has not been released, it would be inappropriate to comment further.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

ENVIRONMENT—ECONOMIC MODELING OF CLIMATE CHANGE IMPACTS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the response to Question No. 31on the Order Paper — by Senator Mitchell.

TRANSPORT—INCREASED NUMBER OF CRUISE SHIPS IN THE CANADIAN ATLANTIC

Hon. Claude Carignan (Deputy Leader of the Government) tabled the response to Question No. 32 on the Order Paper — by Senator Downe.

[*English*]

ORDERS OF THE DAY

SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, on May 31, 2012, the Honourable Senator Ringuette raised the question about the fact that the National Finance Committee had met at the same time as the Committee of the Whole considering Bill C-39. A similar objection was raised on March 14, 2012, when a Committee of the Whole was considering Bill C-33 at the same time a meeting of the Banking, Trade and Commerce Committee was scheduled.

[*Translation*]

This complaint involves conflicting priorities, obligations, and preferences, a feature that often confronts us as parliamentarians. In this case, for this matter to have merit, it would be necessary to establish that the sitting of the Senate, the Committee of the Whole, or the standing committee was in any way irregular.

[*English*]

In the normal course of events, the standing and special committees are not permitted to sit when the Senate is sitting, according to rule 95(4). Rule 4(j)(ii) clearly defines a sitting as starting after prayers and ending with adjournment, so this prohibition holds when the Senate is sitting, when a Committee of the Whole is meeting, or when the Senate is suspended for the dinner break. Exceptions to rule 95(4) occur, however, when committees are given permission to meet even though the Senate may be sitting.

[*Translation*]

With respect to the concern raised on March 14, that day was a Wednesday, and under the order adopted by the Senate on October 18, 2011, committees scheduled to meet after 4 p.m. on a Wednesday can do so, even if the Senate is sitting. The more recent incident of May 31 related to a meeting of the National Finance Committee dealing with the subject-matter of Bill C-38. The order of the Senate of May 3, specifically authorized the National Finance Committee to meet while the Senate was sitting, also suspending the application of rule 95(4).

[*English*]

Without the special permissions granted by these motions and authorizing a suspension of rule 95(4), Senator Ringuette's objection would be well-founded. The Senate had, however, adopted such motions, leaving it to the discretion of the committees involved as to how and when the power to sit despite rule 95(4) would be used. That is, if the committee involved preferred not to sit while the Senate is sitting — including when a Committee of the Whole is meeting — they had the right not to sit. If, however, the committee chose to sit, they were allowed to do so. In such circumstances, it is a matter for individual senators whether they wish to attend the committee or the proceedings in the Senate Chamber.

[*Translation*]

The committees in question exercised powers granted to them by the Senate.

• (1500)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FIRST REPORT OF COMMITTEE— CONSIDERATION IN COMMITTEE OF THE WHOLE

On the Order:

> The Senate in Committee of the Whole on the consideration of the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament (*Revised* Rules of the Senate), presented in the Senate on November 16, 2011.

[The Hon. the Speaker]

(The Senate was accordingly adjourned during pleasure and put into Committee of the Whole, the Honourable Donald H. Oliver in the chair.)

The Chair: Honourable senators, pursuant to the order adopted by the Senate on May 17, 2012, the Senate is resolved into a Committee of the Whole to consider the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament.

The pages can give you copies of the *Journals* containing the report.

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

> During the initial portion of the 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.
>
> During the second portion of the meeting, the committee shall consider chapters ten, eleven and twelve for a maximum of one hour.

Honourable senators, rule 83 states that:

> When the Senate is put into Committee of the Whole every Senator shall sit in the place assigned to that Senator. A Senator who desires to speak shall rise and address the Chair.

Is it agreed, honourable senators, that rule 83 be waived?

Hon. Senators: Agreed.

The Chair: As I did last week, I would ask senators who intend to propose amendments to any of these chapters to do so now, if they wish.

[*English*]

The final consideration of the amendments will be suspended until we are disposing of the appropriate chapter. This will ensure that the committee is seized of the amendments should we run out of time.

After receiving the amendments, we will then proceed to debate the chapters. After having debated the chapters, we will deal with the motions necessary to dispose of them.

Honourable senators, are there any amendments, and is there any debate on Chapters Five to Nine?

Senator Tardif: I wish to propose an amendment to chapter 9, and I would like to ask the pages to distribute the amendment to all senators.

Based on discussions I have had with colleagues on both sides, I believe there to be a general sense of agreement with respect to this amendment. I would refer my honourable colleagues to Chapter Nine, which addresses voting.

Proposed new rule 9-6(2) is an attempt to clarify the final portion of present rule 66(3), which provides for a 15-minute bell for most non-debatable motions. New rule 9-6(2) specifies that when a standing vote is to be held on a non-debatable motion, the bells shall ring for 30 minutes.

At present, the normal practice of the Senate is to have a 60-minute bell if a standing vote is requested on a motion, regardless of its nature, debatable or non-debatable, unless the two caucus whips otherwise agree and then the Senate gives leave accordingly.

Since the changes to the voting rules were brought in, in 1991, it has been the unbroken practice in the Senate for the bells to ring for 60 minutes on all standing votes, even on non-debatable motions, unless otherwise agreed to. In fact, this practice has never been appealed to the Speaker and the Speaker has never made a ruling concerning the possibility of there being only 15-minute bells for non-debatable motions.

I think what has happened here is that, instead of changing the rules to reflect existing practice, the opposite has taken place. Existing practice is being replaced by a new-found interpretation of a rule that has never been applied.

In its report, the Rules Committee stated that the objective of the revision was to clarify the rules while avoiding significant changes in content. I would argue that proposed new rule 9-6(2) represents a substantive change.

For the reasons I have stated, I move:

> That chapter nine of the First Appendix of the report be not now adopted but that it be amended by:
>
> (*a*) renumbering rule 9-6(1) as rule 9-6, at page 74 of the Appendix (page 490 of the *Journals of the Senate*);
>
> (*b*) deleting rule 9-6(2), at page 75 of the Appendix (page 491 of the *Journals of the Senate*); and
>
> (*c*) updating any cross-references in the report and its appendices, including the lists of exceptions, accordingly.

The Chair: Honourable senators, it has been moved by Honourable Senator Tardif, seconded by Honourable Senator Carignan, that Chapter Nine of the First Appendix of the report be not now adopted but that it be amended by — shall I dispense?

Some Hon. Senators: Dispense.

The Chair: Honourable senators, this matter is this now lawfully before the Committee of the Whole. Is there debate?

Senator Stratton: Question.

Senator Joyal: Could the honourable senator provide additional explanation as to why she feels it is appropriate to propose the amendment, so that we know why we are accepting it?

Senator Tardif: Honourable senators, I think I have stated that. However, certainly I can again say that the standing practice has been to have a 60-minute bell. That has been the case since 1991. No distinctions have been made on that for debatable motions and non-debatable motions, except, of course, for a deferred vote, which has been a 15-minute bell. I think we should maintain the existing practice. This is not a technical change, but it is a fairly substantive change, and I think we should maintain the 60-minute bell. The whips can always agree that it will be a lesser amount of time.

Senator Joyal: That was going to be my second comment. The whips can always agree that it be a shorter period. It is the maximum period that we are maintaining in the rules.

Senator Tardif: That is correct.

Senator Kenny: Honourable senators, it seems to me that one of the important considerations on the length of any bell is whether senators can get here. If one goes back to 1991, there were relatively few senators in the Victoria Building then. To get from there to here is sometimes difficult if one does not allow a fair amount of time. Honourable senators might want to reflect on whether all of their members could arrive here in time to exercise their right to vote.

Senator Stratton: I think we just did that.

The Chair: Is there further debate?

Honourable Joan Fraser, Senator, The Senate of Canada: In response to Senator Kenny's point, which is a real one, the difficulties of getting here, particularly in winter, from the Victoria Building are well known and have created problems in the past. However, as written, this proposed amendment would allow the whips to determine a duration of the bells that would allow for people to get here from the Victoria Building. This may not explicitly address that question, but it certainly allows for the whips to make that determination.

Senator Robichaud: Question.

The Chair: Honourable senators, in this first hour, we are dealing with Chapters Five, Six, Seven, Eight and Nine. Is there any more debate on these chapters?

Senator Cools: Mr. Chairman, I have an amendment to make on rule 5-7.

• (1510)

I move:

> That the First Report of the Standing Committee on Rules, Procedures and the Rights of Parliament be not now adopted, but that it be amended, in Appendix I, chapter 5, section 5-7,

(*a*) on page 47, by adding the following after paragraph (i):

"(j) raising a question of privilege"; and

(*b*) on pages 47 and 48, by re-lettering paragraphs (j) through (p), and any cross-references thereto, as paragraphs (k) through (q) accordingly.

The Chair: It is moved by the Honourable Senator Cools, seconded by the Honourable Senator Moore, that the First Report of the Standing Committee on Rules, Procedures and the Rights of Parliament be not now adopted — shall I dispense?

Some Hon. Senators: Dispense.

The Chair: This motion is now before the Committee of the Whole.

Senator Cools: Mr. Chairman, this amendment will repeal rule 59(10). Perhaps we should put on the record what 59(10) is. Rule 59 is a classification of all those motions that require no notice to be moved. In other words, they may be moved forthwith. Rule 59(10) — and if I may connect it — is the most important and highest of our rights in respect of our privileges.

Perhaps I could begin by citing the last clause of rule 59. The point I am trying to make here is that this rule has been in our rules for well over 100 years, and it takes some thought to simply repeal it. If we look to the last item in that rule 59(18), it says:

(18) Other motions of a merely formal or uncontentious character.

To make the point, I would like to cite Arthur Beauchesne in his 1927 annotations *Parliamentary Rules and Forms of the House of Commons of Canada* at page 117:

As a general rule every motion proposed in the House requires notice unless it is of a formal or uncontentious character, or raises a question of privilege.

Mr. Chairman, I am saying that until recently, genuine and valid motions of privilege were viewed as of an uncontentious character and were always supposed to be moved without notice.

Mr. Chairman, I would like to give a bit of what I call the pedigree of this motion. This is a rarely, almost never-used rule, and rightly so. It represents the ancient law and ancient privilege which commands that the first duty of senators is to uphold their privilege, that urgent motions for questions of privilege take priority, and that in certain defined and appropriate circumstances senators have an inalienable right and privilege to move such motions immediately without Notice of Motion.

Mr. Chairman, that rule, as it is articulated now, was first classified in 1906 when, as a result of a special committee on the operation of the rules, colleagues decided to classify all motions by notice; in other words, those requiring two days' notice, those requiring one day's notice and those requiring no notice. As you can see, rule 59(10) has been deleted from the new equivalent rule, which is 5-7. I believe it has been deleted in a most unfortunate way. In a very serious way, I want to call the attention of honourable senators to the fact that our privilege, that privilege, cannot be repealed by any Senate rule. That is a privilege granted to us, and by us by our Letters Patent. It is an inalienable privilege.

It seems that many people do not even understand that rule 59(10) is about a motion to put a question of privilege before the house. In actual fact, there has not been a debate on a question of privilege in this house for many years, that is a debate on a motion in respect of privilege. I lay that out by way of introduction.

Let us understand that the House of Commons' equivalent still stands in the very same language as it did 150 years ago and as it did in the legislative assembly. House of Commons Standing Order 48(1) states:

Whenever any matter of privilege arises, it shall be taken into consideration immediately.

The Senate also had such a rule in our rules since pre-Confederation, and did so in the old Legislative Council of the United Province of Canada.

Honourable senators, I am talking about the need for a motion on privilege in very rare circumstances. However, I would submit that those circumstances were present at the last Throne Speech when that young page unfortunately engaged in the most unfortunate and regrettable behaviour. Rule 59(10) is the motion to address those kinds of circumstances. I will repeat the circumstances for using rule 59(10): They are, affecting the Senate or senators directly, recently or suddenly arising, and needing an urgent Senate motion to take action to remedy, correct or resolve.

Rule 59(10) is not well known to senators. It has been invoked twice here in the last many years and on both occasions neither senator seemed to be really aware of or understand the rule that they were relying upon not knowing that they needed to move a motion.

Let us understand what rule 59(10) is all about. This rule is about that full phenomenon of this house being able to defend itself. It is all about this power — the contempt power as well — which defines Senate independence. That motion, in the appropriate circumstances, engages the plenitude of the Senate's inquisitorial, penal and judicial powers. It is a motion to be invoked rarely, but when those circumstances are there, there must be a rule that allows for it.

Mr. Chairman, it broke my heart when I sat and watched those circumstances at the last Throne Speech. Fortunately, they turned out to be benign, but similar circumstances could have been much more malevolent. I understood clearly that if I rose to move a motion, for example to authorize His Honour to take whatever action he had to take in respect of the matter, that no one would have understood what I was doing.

I sincerely believe that the proponents of this repeal of rule 59(10) misunderstand the rule. This is the fifth time in five years that a Rules Committee report has come to this Senate to repeal this very

same rule 59(10). Four times I stopped it. Each time a report would come back and, without explanation, it would just reappear, and each time no senator debated it or understood it.

The Chair: I must tell the honourable senator that her 10 minutes is up on this motion and I have other senators who wish to debate this motion.

Honourable senators, I would like to advise you that for the discussion of numbers 5, 6, 7, 8 and 9, where the Senate has allocated an hour for us to be heard, we have until 3:58 p.m. to deal with 5, 6, 7, 8 and 9.

I now call on Honourable Senator Carignan, followed by Honourable Senator Tardif.

• (1520)

[*Translation*]

Honourable Claude Carignan, Senator, The Senate of Canada: I am glad that Senator Cools raised that point. We too are aware of the importance of questions of privilege. They are so important that we have suggested devoting an entire chapter to them, Chapter 13, wherein we propose a clear way to deal with questions of privilege. Questions of privilege must be raised at the earliest opportunity. Some situations, including those listed in Chapter 13-5, which states that:

> If a Senator becomes aware of a matter giving rise to a question of privilege either after the time for giving a written notice or during the sitting, the Senator may either:
>
> (a) raise it during the sitting without written notice . . .

Or delay raising it and give notice, as described in paragraph (b).

We are having discussions about this specific rule with the opposition, regarding when to raise a question of privilege. We are now discussing the possibility of amending parts of this rule to better reflect the importance of questions of privilege.

I would suggest that we reject this amendment for now and talk about it again next Tuesday when we study Chapter 13 and questions of privilege to consider whether the amendment proposed by Senator Cools is valid.

I therefore suggest that we reject this amendment for now and take it up again when we study Chapter 13 next Tuesday. We get the idea behind her amendment, so that will no doubt fuel our discussions with a view to achieving a formulation for Chapter 13 that I hope will satisfy all senators.

Senator Tardif: I was about to say much the same thing as Senator Carignan. Given that Chapter 13 is about questions of privilege and that Senator Cools' proposed amendment is about questions of privilege, I suggest we take it up again next week.

[*English*]

The Chair: Honourable senators, we are back on Chapters Five, Six, Seven, Eight and Nine.

Senator Cools: I did not realize we could raise other chapters that are outside those prescribed chapters. I thought we were confined to chapters right up to Chapter Nine. I did not realize we could step outside to speak to later chapters.

The Chair: I said several times that we are now dealing with Chapters Five, Six, Seven, Eight and Nine.

Senator Cools: Is Chapter Thirteen before us? Can we speak to it now? I do not know. Is it before us?

Some Hon. Senators: No.

The Chair: What is before us are Chapters Five, Six, Seven, Eight and Nine. Our time for debating them will expire at 3:58 this afternoon.

Senator Cools: Mr. Chairman, I was not speaking to Chapter Thirteen. I am quite aware of and very well studied on Chapter Thirteen. I am sorry to say this, but Senator Carignan has fallen into the trap that many senators have.

Rule 59(10) is a totally different proposition from those in Chapter Thirteen. The rule I am proposing for reinstatement is this ancient rule. I would like to put some more authorities on the floor. I can wait until another time. I am sure I can do it, but Chapter Thirteen is all about what we call the Senate Speaker's prima facie role. I would like to say — I might as well say it now, as then — that rule 59(10) is about moving motions, which is how one puts a question before the house for full debate. Rule 59(10) is based on each and every senator's powers and individual privileges to move such a motion directly before the house.

Chapter Thirteen is not about that at all. Chapter Thirteen is about the process of prima facie. Someone has confused — and we know who it is, and I can cite the committee meeting where it happened — the meanings of the word "notice." The term "notice" in this rule 59 is about notice for a motion. The term "notice" in Chapter Thirteen is not about moving a motion directly; it is all about a prima facie process.

Let us understand, Mr. Chairman, and if I can just provide an example of this, during the time of a Speaker's prima facie ruling there is no question before the house. The prima facie process and notice is from an individual senator to the Speaker for a private supplication by which the senator is asking the Senate Speaker as a suppliant to rule on prima facie. Let us understand the difference in the two. It is an entirely different process. During that process, colleagues, senators have no right in respect of their own privileges to speak as of right in that exchange. In fact, senators are all supplicants to the Senate Speaker. This particular Senate Speaker, Senator Kinsella, the incumbent, has been very fair and just in granting senators the ability to speak. This comes from his own natural proclivity for justice and fairness in human affairs.

My point is that Senate Speakers have no duty to allow senators to speak in that exchange. There is no duty to do so. Senators speak by the indulgence of the Senate Speaker. Some Senate Speakers have not been as generous as Senator Kinsella has been, and there is no duty to do so.

> I will read one of the annotations from our 1994 *Companion to the Rules of the Senate of Canada* — on the prima facie process at page 123: . . . the Speaker will determine whether

a *prima facie* case of privilege has been made out. In doing so, arguments from other senators may be received. In accordance with rule 18(3), the Speaker shall determine when sufficient argument has been adduced to decide the matter and shall so indicate to the Senate, but may reserve a decision.

Let us understand clearly there is no contradiction in the two rules. They are two different propositions and two different meanings of notice. Someone has confused them. The no notice in rule 59(10) means that a senator can rise and move a question, move a motion by saying: "I move that." You cannot do that under rule 43. It is a different proposition. I regret and I am sorry that the honourable senator has misunderstood me and made me take up a fair amount of time to explain it.

I would like to put some more authority on the floor, if I may, remembering that these rules like 59(10) predated, as I said before, Confederation and that these items have been in the rules for a long time. Their pedigree needs to be examined.

I would like to cite two references, one from the House of Commons and one from the Senate. I will begin with the Senate to confirm what had been the practice of the Senate.

• (1530)

The debate was on a report from the old committee of all the senators called the Senate *Committee to Consider the Orders and Customs of this House and Privileges of Parliament*.

I will offer the following to Senator Tardif because it was a Liberal senator whom I will quote who was the speaker. His name is David Christie. In order that we can know who these people are, Senator David Christie, like Senator Wilmot, who spoke in that debate — he was from New Brunswick — are all those senators who were named in the proclamation of the British North America Act, 1867. I would like honourable senators to understand our high place in the constitution of this country.

The name of Senator David Christie, from Ontario, was on that list.

The debate was on the vacating of a seat of a senator. This is what Senate Speaker David Christie had to say on April 11, 1876:

> My opinion has been asked whether a resolution proposed as a question of privilege, and therefore not requiring notice, is in order. . . . The point has since been raised whether the resolution is not one affecting the privileges of the House. It is a resolution of that character, and I find on reference to May that questions of privileges and other matters suddenly arising may be considered without previous notice, so that as a question of privilege it is in order to propose the resolution.

— which is to say the motion.

Another one is Sir Wilfrid Laurier. The year is 1892. What I am trying to show here, Mr. Chairman, is that there has always been a rule in both houses that, in certain circumstances, a motion may be moved directly, appealing to every member, engaging each and every senator's ability.

Senator Moore: What did he say?

Senator Cools: Wilfrid Laurier, then Leader of the Opposition, said:

> The first question to be looked into is whether this is a matter of privilege. I submit that anything affecting the character or standing of a member of this House is a matter of privilege. All the books are unanimous on this subject. If this is a matter affecting the character and independence of a member of this House, it is a matter of privilege, and it is of no consequence whether notice was given or not. I will call attention to the words of May, page 291:
>
> > It has been said that a question of privilege is, properly, one not admitting of notice: but where the circumstances have been such as to enable the member to give notice, and the matter was, nevertheless, *boná fide*, a question of privilege, precedence has still been conceded to it.
>
> We have had a series of precedents on this question since the year 1873, showing that similar questions have been treated as a matter of privilege, without any notice, and it is in the interests of all that this motion should be heard at the earliest opportunity.

Mr. Chairman, there is an issue with the senators who have been the proponents of this rule change — and I can cite some interesting testimony from a particular committee. I can even quote here from the committee some fascinating, interesting insights as well. The confusion seems to be around the meanings of the word "motion," the meaning of the words "a question of privilege" and when a question of privilege is actually before the house for a decision. Rule 59(10) puts a question of privilege before the house, meaning a motion for action or something before the house, immediately —

The Chair: I must bring to the attention of the Honourable Senator Cools that each honourable senator has up to 10 minutes to make an intervention, and the 10 minutes on her second intervention has just expired.

Honourable senators, we are back to general debate on Chapters Five, Six, Seven, Eight and Nine.

Honourable Senator Fraser?

Senator Fraser: I simply wish to reiterate the point made earlier by the Deputy Leader of the Government and the Deputy Leader of the Opposition. We will have an opportunity to consider the whole and complex matter of questions of privilege when the time comes to address the chapter of this report that is devoted entirely to questions of privilege.

In the meantime, I believe it is appropriate not to address a single element of the matter of questions of privilege now via this amendment but to do so more fully in the context, as I say, of the whole matter of questions of privilege when we get to that stage by order of the Senate next week.

The Chair: Thank you, Honourable Senator Fraser.

Honourable senators, we are now —

Senator Cools: — motion to postpone consideration of rule 5-7 until later. If we accept the propositions of Senator Carignan and Senator Fraser, it will not be in order to defeat this or to vote on it. I understand that they are saying — and maybe I am wrong and Senator Carignan can correct me — to postpone consideration of rule 5-7 to another day.

If not, what are the honourable senators proposing?

The Chair: The Honourable Senator Fraser has the floor.

Senator Fraser: Chair, if in consideration of the matter of questions of privilege we decided that in that chapter there should be a section equivalent to what Senator Cools is suggesting, then the way this report is structured would simply mean, not that we had to go back and amend the actual wording in Chapter Five, but that we would add an exception to the lists of many, many exceptions, which honourable senators are aware appear throughout this report. I do not think that would be a matter of anything more than clerical responsibility.

The Chair: Honourable Senator Carignan?

[*Translation*]

Senator Carignan: Honourable senators, with all due respect for Senator Cools, her proposal to postpone the consideration of the chapter or part of a chapter would be contrary to an order of the Senate that was adopted and given to the Committee of the Whole. I do not believe that this proposal would be in order.

We are aware of the importance of questions of privilege and for that reason the revised rules were structured in chapters. We are aware that the concept of notice, here, deals with several motions and subjects. When we examine rule 46, however, when we identify exceptions, questions of privilege are identified as exceptions. Rule 5-5 deals with various other exceptions that, in some cases, do not require notice and, in others, require a different notice. That is how we decided to make the link with the questions of privilege for that section. But the complete code is found in Chapter 13, which deals with questions of privilege.

[*English*]

The Chair: Honourable Senator Carignan is correct. The order of May 17, section (*c*) said "after which the chair shall interrupt proceedings to put all questions necessary to dispose of these chapters successively . . ."

Therefore, the chapters I will be dealing with successively are Five, Six, Seven, Eight and Nine. I will be starting that in about five minutes, because we have two amendments before us already.

Senator Cools: I am sorry, Mr. Chairman, forgive me, but I did not hear a lot of what Senator Carignan had to say. I missed it in the translation because my ear piece was disconnected.

I would like to know what process we are now following to bump the discussion on rule 5-7, because it would have to move by motion.

• (1540)

You just cannot hold it in the air; something has to be decided today. We would have to agree to postpone the consideration of rule 5-7.

Senator Moore: Withdraw it.

Senator Cools: I am not withdrawing it.

The Chair: Honourable Senator Cools, you do not have to withdraw. In the debate that we are having at present, there are two amendments that are properly before the Committee of the Whole. There is room for others in Chapters Five, Six, Seven, Eight and Nine, but right now, there are two amendments that are properly before this committee.

Senator Cools: I am aware of that, but there has been dispute expressed. Some opinion has to be expressed here of the intention not to express an opinion then my motion and that it be postponed. Other than that, I do not find it very satisfactory.

I have a quotation before me where these very issues were discussed in a committee. I have Senator Fraser saying: I was going to support the option of just ditching, dumping, cutting, getting rid of rule 59(10).

The opinions are already established and clear.

What you are asking me to do is to argue the same thing again next week. That is not really fair because senators here have taken very firm positions on the repeal of rule 59(10).

I do not understand what we are doing. How are we temporarily suspending my motion? Opinion has been expressed. The honourable senator has been asked for an opinion. Should my motion go forward; should it not go forward?

I do not understand the process. It is quite novel to me; I do not understand it.

[*Translation*]

Senator Carignan: My understanding is that we must examine each of the chapters in accordance with the order of the Senate. We are discussing Chapters Five, Six, Seven, Eight and Nine. We cannot postpone this examination, as proposed by Senator Cools, since that would go against an order of the Senate. Either way, as I already explained, when we discuss Chapter Thirteen next week, Senator Cools' interesting suggestion will be part of the debate.

Senator Nolin: I do not see the confusion, and I think that Senator Cools is trying to sow confusion. The question is very simple. The senator has proposed an amendment. It will be voted on shortly and can be rejected.

When we examine Chapter Thirteen later next week, we will look at the question of privilege. I do not see why there is confusion.

Senator Robichaud: I support Senator Nolin's entirely appropriate remarks.

[*English*]

Senator Fraser: On a point of clarification, honourable senators, Senator Cools has the advantage over me; I do not have the transcript of the committee hearings before me. The extract that she read from remarks I made at a committee hearing begins by saying, "I was going to support . . ." It seems pretty clear to me, on the basis of that, that what I proceeded to say was what, in fact, happened to the evolution of my opinion, which was that I was going to support position A, but after debate, reflection and consideration, I changed my mind.

Senator Stratton: Thank you.

The Chair: Honourable senators, is there further debate on Chapters Five, Six, Seven, Eight or Nine?

Senator Cools: Mr. Chairman, I would like to respond to Senator Nolin.

I deeply regret that Senator Nolin would impute negative motives to me. I deeply regret that.

I would submit that I was sowing no confusion here. My intention is to bring some clarification on a question that has been greatly not only confused but totally confounded. That is my intention.

I do not appreciate it, and I do not think it is worthy of the honourable senator to attribute malicious or unpleasant motivations. I strongly object, and I want to put that on the record.

[*Translation*]

Senator Nolin: I retract my comments if they offended Senator Cools. I will get back to the heart of the issue. What we have before us is an amendment—maybe two, but specifically the one that came from Senator Cools. This amendment will be voted on shortly and majority will decide.

At the next sitting, as we examine each of the chapters in chronological order, we will examine all of the rules regarding questions of privilege. That will be the time to address subsection 10 of section 59 of the current rules.

Again, I apologize to Senator Cools. If my comments offended her, I retract them.

Senator Robichaud: I supported what Senator Nolin said, and certainly the last part of his speech. Like him, I meant no ill will to Senator Cools. I think he gave a good explanation of the procedure to follow: amendments have been presented and we will vote. Chapters will be examined during another sitting, and we will examine the question that is presented as a question of privilege.

[*English*]

Senator Cools: I was trying to make the point that what is before us is rule 5-7. As far as I am concerned, that is the question to be resolved today. Some senators cannot just say, "Well, we can consider it in two weeks' time."

If that is the case, I can start on each motion and say let us consider it the following week. The honourable senator's own motion, the order of reference, says that we only have one more meeting to go. The honourable senator cannot go around creating new privileges for himself and for his favourites. The honourable senator simply cannot do it. That is especially out of order.

We have been told by his motion that we must proceed in this way. The motion is extremely rigid. The order of reference is extremely rigid, and I have complained about it. However, since it is the honourable senator's motion and we voted on it, he has some duty to follow it. He cannot make exceptions now. If he were making a different proposition, I would look at it very favourably, but I do not like being dismissed summarily.

The Chair: Honourable senators, is there further debate on Chapters Five, Six, Seven, Eight or Nine?

Some Hon. Senators: No.

The Chair: There being none, honourable senators, we are now disposing of Chapter Five of the First Appendix of the report.

The Honourable Senator Cools moved, seconded by the Honourable Senator Moore:

> That the First Report of the Standing Committee on Rules, Procedures and the Rights of Parliament be not now adopted, but that it be amended, in Appendix I, chapter 5, section 5-7,
>
> (*a*) on page 47, by adding the following after paragraph (i):
>
> "(j) raising a question of privilege"; and
>
> (*b*) on pages 47 and 48, by re-lettering paragraphs (j) through (p), and any cross-references thereto, as paragraphs (k) through (q) accordingly.

Is it your pleasure, honourable senators, that the amendment carry?

Some Hon. Senators: No.

Senator Cools: Yes.

The Chair: The amendment is rejected and negatived.

Honourable senators, shall Chapter Five carry?

Some Hon. Senators: Agreed.

Senator Cools: Abstain.

The Chair: Carried.

Honourable senators, we are now dealing with Chapter Six. Shall Chapter Six carry?

Some Hon. Senators: Agreed.

Senator Cools: Abstain.

The Chair: Carried.

We are now dealing with Chapter Seven. Shall Chapter Seven carry?

Some Hon. Senators: Agreed.

Senator Cools: Abstain.

The Chair: Carried.

The Chair: We are now dealing with Chapter Eight. Shall Chapter Eight carry?

Some Hon. Senators: Agreed.

Senator Cools: Abstain.

The Chair: Carried.

Honourable senators, on Chapter Nine, it has been moved by Honourable Senator Tardif, seconded by Honourable Senator Carignan:

> That chapter nine of the First Appendix of the report be not now adopted but that it be amended by:
>
> (*a*) renumbering rule 9-6(1) —

Some Hon. Senators: Dispense.

The Chair: Shall I dispense, honourable senators?

• (1550)

Some Hon. Senators: Dispense.

The Chair: Is it your pleasure, honourable senators, to adopt the motion, as amended?

Some Hon. Senators: Agreed.

Senator Cools: Abstain.

The Chair: Carried.

Senator Cools: Chair —

The Chair: Honourable senators, shall Chapter Nine, as amended, carry?

Some Hon. Senators: Agreed.

The Chair: Carried.

Senator Cools: I abstain. I hope someone is recording that. I abstain.

The Chair: It is duly noted that the Honourable Senator Cools has abstained.

Senator Cools: On a whole series of them.

The Chair: Honourable senators, we are now starting the second portion of the meeting to consider Chapters Ten, Eleven and Twelve. I would ask honourable senators who intend to propose amendments to these chapters to do so now, if they wish to do so.

The final consideration of the amendments will be suspended until we are disposing of the appropriate chapter according to the order from the Senate.

After receiving the amendments, we will then proceed to debate the chapters. After having debated the chapters, we will deal with the motions necessary to dispose of them. Are there any amendments?

Senator Tardif: I would like to propose an amendment to Chapter Twelve, if I could have the pages circulate the amendment, please.

I would refer honourable senators to Chapter Twelve, which pertains to Senate committees. I wish to draw your attention to proposed new rule 12-4, which states:

> The number of Senators appointed to the following standing joint committees shall be as recommended by the Committee of Selection:
>
> (a) the Standing Joint Committee on the Library of Parliament; and
>
> (b) the Standing Joint Committee for the Scrutiny of Regulations.

There is issue of wording here that is of concern, specifically the phrase "shall be as recommended by the Committee of Selection." It appears that there is an imperative tied to the Selection Committee's recommendation. I do not imagine this to have been the intent of this rule change. I believe we still want all decisions of the Selection Committee to be ratified by the Senate, a public forum.

Unfortunately, the proposed rule 12-4 seems to imply that the Selection Committee would make a recommendation to the Senate and the Senate could do nothing but read it into the record. This is because of the use of the word "shall." The terminology appendix of the proposed new *Rules of the Senate* says that the expression "shall" is to be construed as imperative.

I remind my colleagues that this phrase of the revision of the *Rules of the Senate* was not intended to be a substantive one. I believe that simply removing the word "as" from proposed rule 12-4 would make it clear that it is the Senate, and not the committee, who has the final say.

For the reasons I have stated, I move:

[*Translation*]

That Chapter 12 of the First Appendix to the report be not now adopted but that it be amended by replacing rule 12-4, at page 93 of the Appendix (page 509 of the *Journals of the Senate*) with the following:

"Standing joint committees

12-4. The number of Senators appointed to the following standing joint committees shall be recommended by the Committee of Selection:

(*a*) the Standing Joint Committee on the Library of Parliament; and

(*b*) the Standing Joint Committee for the Scrutiny of Regulations.

REFERENCES

Parliament of Canada Act, *sections 74 and 78*

Statutory Instruments Act, *sections 19 and 19.1*".

[*English*]

The Chair: It has been moved by the Honourable Senator Tardif, seconded by the Honourable Senator Carignan, that Chapter Twelve of the First Appendix of the report be not now adopted but that it be amended by replacing rule 12-4 at page 93 of the appendix — shall I dispense?

Some Hon. Senators: Dispense.

The Chair: Debate, honourable senators, on Chapters Ten, Eleven or Twelve?

Senator Fraser: Senator Carignan is the seconder of this, and he may wish to speak to this, but I know that he is busy for the moment.

As a member of the subcommittee, I would like to stress that the point Senator Tardif makes is entirely justified. This was a slip of the pen in English, which was then faithfully translated even more strongly into French. In fact, there was never any thought in the work of the subcommittee or, I am sure, in the work of the Rules Committee that any committee could tell the Senate what to do.

Always in our mind what we were thinking was that the Selection Committee would make a recommendation to the Senate. The substance that we are actually addressing here with this proposed wording was the fact that the present rules prescribe the numbers of senators who shall be named to these two joint committees and those numbers have not been respected, in many cases, for many years. For example, the present rule 86(1)(a) says that 17 senators shall be appointed to the Joint Committee on the Library of Parliament.

What we were trying to do was reflect, by now, long-established practice, which was that the Senate would decide with each session how many senators it would send to these joint committees. That was all we were trying to do. There was no question ever of suggesting that a mere committee should instruct the Senate or, indeed, should overrule the Senate in telling it what to do.

[*Translation*]

Senator Carignan: We agree with the proposed amendment and the reasons for it, which have been clearly expressed by Senators Tardif and Fraser. The amendment is in perfect alignment with the deliberations of the rules subcommittee. I support it and strongly encourage others to do so as well.

[*English*]

Senator Comeau: I just want to be absolutely sure that what we are doing is adding after "shall be" "as recommended." Is that my understanding?

Senator Tardif: No, we were removing the word "as."

Senator Comeau: Taking the word "as" out?

Senator Tardif: Yes, and it would just read "shall be recommended."

Senator Comeau: Got it. Thank you.

The Chair: Further debate, honourable senators, on Chapters Ten, Eleven or Twelve?

Senator Carignan: Question.

Senator Stratton: Question.

Senator Robichaud: Question.

The Chair: The question has been called. Honourable senators, we are now disposing of Chapter Ten of the First Appendix of the report. There are no amendments. Shall Chapter Ten carry?

Hon. Senators: Agreed.

The Chair: Carried.

We are now dealing with Chapter Eleven. Honourable senators, there are no amendments. Shall Chapter Eleven carry?

Hon. Senators: Agreed.

The Chair: Carried.

We are now dealing with Chapter Twelve. Honourable senators will know that the Honourable Senator Tardif has moved, seconded by the Honourable Senator Carignan, that Chapter Twelve of the First Appendix of the report —

Senator Stratton: Dispense.

The Chair: Shall I dispense?

Some Hon. Senators: Dispense.

The Chair: Is it your pleasure, honourable senators, that the amendment carry?

Hon. Senators: Agreed.

The Chair: Carried. Honourable senators, shall Chapter Twelve, as amended, carry?

Hon. Senators: Agreed.

The Chair: Carried.

Honourable senators, pursuant to order of the Senate of May 17, 2012, I declare the committee adjourned until its next meeting, which will be on the next Tuesday the Senate sits at the end of government business.

Under the order of the Senate, the committee is not required to seek leave to sit again. Honourable senators can return their copies of the *Journals* to the pages, if they wish to do so, so that they can be used at future sittings.

Honourable senators, this matter is adjourned.

(The committee adjourned.)

• (1600)

The Hon. the Speaker: Honourable senators, the sitting is resumed.

[*Translation*]

EMPLOYMENT INSURANCE ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Pierre-Hugues Boisvenu moved second reading of Bill C-316, An Act to amend the Employment Insurance Act (incarceration).

He said: Honourable senators, I am honoured to speak today in this chamber to second reading of an important bill: Bill C-316, An Act to amend the Employment Insurance Act (incarceration).

I want to commend the initiative of a Conservative MP, Richard M. Harris from Cariboo—Prince-George, who sponsored this fair and equitable bill that corrects two glaring deficiencies in the Employment Insurance Act. I also want to thank the Minister of Human Resources for her sense of responsibility and leadership in supporting this private members' bill.

From a legislative point of view, this bill would amend the provisions of the Employment Insurance Act that allow for qualifying periods and benefit periods to be extended as the result of time spent by the claimant in a jail, penitentiary or other similar institution.

Specifically, Bill C-316 would eliminate two advantages unfairly given to criminals that most hard-working Canadians do not get: the extension of the qualifying period and employment insurance benefit period for people in prison.

These are two injustices to hard-working Canadians who are looking for employment. They are also two injustices for victims of crime who see their attackers enjoy a benefit given by law that few Canadians even realize exists. Bill C-316 would eliminate the extended qualifying period and benefit period of a claimant who has spent time in jail.

I would first like to speak about two changes that Bill C-316 would make. Then, I will discuss the amendments adopted by the House of Commons. Finally, I will address the underlying principles of this bill.

The first change made by this bill concerns the qualifying period, that is, the period in which the worker accumulates hours of employment in order to be eligible for employment insurance benefits. In Canada, under the terms of the Employment Insurance Act, the hours of insurable employment used to calculate the benefit period must have been accumulated during a qualifying period.

When an unemployed person files an employment insurance claim, he or she must have accumulated sufficient hours during this period in order to be eligible for benefits. The usual reference period is 52 weeks for ordinary Canadians. In some circumstances, the qualifying period may be extended to a maximum of 104 weeks.

Those circumstances are as follows. First, the qualifying period may be extended to 104 weeks in cases where continuing to work would entail danger to the person or the person's unborn child. This exception is justified and will be retained. This is the case, for example, of women who cannot work more than a certain number of hours per day without causing harm to their child.

Second, the qualifying period may be extended to a maximum of 104 weeks for Canadians who are unable to return to work by reason of illness, injury, pregnancy, or quarantine. Once again, this exception helps Canadians avoid difficult situations, and we will keep this exception for these workers.

Honourable senators, the examples of extensions that I just gave, which may extend the qualifying period up to 104 weeks, are justified and fair. The Canadians to whom these exceptions apply are honest workers who unfortunately have not asked to be put in positions that would put them at a disadvantage if their benefits were determined based on a 52-week qualifying period.

There is one final exception in the current legislation that is unfair and unacceptable, since it gives prisoners this privilege. The bill I am introducing today at second reading eliminates the 104-week qualifying period for criminals. Right now, and until this bill passes, receives royal assent and comes into effect, convicted criminals can have their qualifying periods extended to a maximum of 104 weeks, even though they are not looking for work, while honest Canadians who are looking for work are entitled only to the regular period of 52 weeks.

In other words, by applying the current legislation, someone convicted of a crime could be in prison for a year, get out of prison and apply for employment insurance benefits based on the hours he worked during the two previous years. That person would be eligible for employment insurance. In contrast, a Canadian who loses his job for any of the various reasons recognized by the act has only a 52-week qualifying period. In short, the criminal is given preferential treatment, and that is unfair.

The law, as it currently applies, is not only unfair to honest Canadians, but it is also insulting to the victims of crime. Thus, a criminal has the right to apply for employment insurance benefits when he is released from prison, and those benefits are based on a maximum qualifying period of 104 weeks. Meanwhile, if a victim of crime loses his or her job, a scenario that is rather common, he or she would have a qualifying period of only 52 weeks to be eligible for employment insurance.

An honest worker who files a claim for employment insurance benefits the same day as a convicted criminal can only count the hours worked over the previous 52 weeks, while the criminal can count the hours of work accumulated over the previous 104 weeks.

It is as though the time spent in prison simply does not count. However, a person who takes a year of leave for family reasons or to pursue other activities is entitled to receive benefits only if he or she qualified during the 52 previous weeks. It is not fair. It senses not logical.

The second change made by this bill concerns the benefit period of claimants who are incarcerated for less than two years. We are talking here about the period during which the ex-convict receives benefits.

Right now, in general, a person can receive employment insurance benefits for a maximum of 52 weeks after filing a claim. The benefit period can be extended to a maximum of 104 weeks in certain situations.

These situations are as follows. First, when a person is temporarily receiving compensation payments for a work accident, illness, or injury; second, when a person is receiving severance pay from his or her former employer; third, when a mother's newborn or newly adopted child is hospitalized; or fourth, when a woman is pregnant or breastfeeding and has stopped working because her health or her child's health would otherwise be in danger.

And right now, a person who was confined to a provincial jail or federal penitentiary can have his or her benefit period extended like honest Canadian workers.

A person who gets out of prison today can receive employment insurance benefits for up to 104 weeks. It is as though the time spent in prison did not happen. The convict can thus begin his return to freedom by benefitting from more employment insurance benefits than those received by honest workers. That is not acceptable in a society that considers itself fair and seeks to rehabilitate individuals who must take accountability for their actions. The creation of privileges such as these has a negative impact on the rehabilitation process.

It is even more unfair that any claim for employment insurance benefits filed by a law-abiding citizen that is not paid within a maximum of 52 weeks following date the claim was filed will expire at the end of that 52-week period. On the contrary, a convicted criminal can receive benefits within a period of 104 weeks.

• (1610)

Right now, citizens who abide by the law lose these benefits once the 52-week period is up. The system maintains this privilege for convicted criminals. It is simply unfair.

I would like to speak about two amendments proposed by the Minister of Human Resources, the honourable Diane Finley, which were adopted by the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities. The Minister of Human Resources proposed two amendments to improve the merits of this fair and logical measure.

The first amendment would ensure that eliminating the extension of the qualifying and benefit periods applies only to people who have been convicted of a crime and are sent to prison. The people who are in preventive custody during their trial and who are found not guilty would not be subject to the proposed legislative change.

The second amendment would have the act come into force on a Sunday, which would connect the new measures with the employment insurance calendar that is based on two-week periods beginning on Sundays.

I would also like to speak about some principles that are at the heart of this bill.

In terms of principles, this bill would ensure that a convicted criminal would not have an advantage over honest Canadian workers with respect to employment insurance.

In other words, this bill would restore the principle that everyone is equal under the law. Someone found guilty of a crime should not receive preferential treatment regarding access to employment insurance benefits. Criminals make a choice. It is unfair that someone who committed a crime can benefit from up to 104 qualifying weeks and 104 benefit weeks instead of the 52 weeks for Canadian workers who abide by the law.

Honourable senators, this is not a punishment. A person who wishes to return to society must earn his freedom. Social reintegration should be his primary concern. Giving a criminal privileges will not encourage him to change behaviour that is destructive to himself and to society. According to Dr. Bergeron, a psychologist specializing in rehabilitation, such privileges can be counterproductive in terms of rehabilitation.

This bill is not about crime. This government measure is about the premiums paid by honest Canadian workers and employers. To maintain the credibility of our employment insurance system, these measures must come into force as quickly as possible.

What this bill will do is encourage convicted criminals to change their behaviour and agree to live and earn their living as honest citizens. No sensible Canadian would support any measure that

grants privileges to criminals released from jail. Canadians who receive employment insurance receive those benefits because they have been forced to leave their jobs through no choice of their own. Criminals made the choice to go to prison, so they should suffer the consequences.

As Richard M. Harris, the member for the British Columbia riding of Cariboo—Prince George, who sponsored the bill, said:

[*English*]

> The bill is about fundamental fairness when it comes to accessing employment insurance benefits. Canada probably has the most generous and most helpful employment insurance programs than any other country in the world. We only have to look at the last couple of years when we were going through the recession. One only has to look at the bills our government brought in, such as the extended work benefits and job sharing. We have done everything we can, something unheard of in most other countries. This government believes in fairness. We are being fair to the law-abiding people who work our country. As I said before, the issue is fairness.

[*Translation*]

Should we encourage criminals to rehabilitate themselves by working and getting their lives back on track? The answer is yes. That is what we will continue to do by making major investments in our programs.

Should we offer criminals privileges they do not deserve so that they can leave jail without taking the trouble to make the same effort that other people make every day? For our government, the answer is no. Honest Canadians who work hard every day and who choose to obey the law agree.

Accordingly, I am asking honourable senators to support this bill at second reading. This bill offers logical change for those who contribute to employment insurance, comfort and equity for the victims of crime, and fairness for all law-abiding Canadian workers.

Hon. Suzanne Fortin-Duplessis (The Hon. the Acting Speaker): Does Senator Boisvenu agree to take a question?

Senator Boisvenu: Yes.

[*English*]

Hon. Hugh Segal: My question to the honourable senator relates to the status of people who are living in prison, leaving prison. I accept, as we all do, that people do not end up in prison in this country without due process and without the nature of their deeds being considered, not only with respect to guilt but also with respect to an appropriate sentence. Submissions are possible from the defence and others with respect to sentencing prior to someone actually being sent to be a guest of Her Majesty in one of our federal or provincial prisons.

The honourable senator will understand, and has spoken about, the difficulties with people who either get out of prison or who are not held in prison for an appropriate period of time. I understand and respect his deep engagement and commitment on this issue, and understand why it is that deep and fundamental. I offer him my total support and encouragement on that front.

Having said that, he will be aware of the recidivist problem; people who leave prison and end up back in prison for various reasons. Of course, we know that the cost of keeping someone in Canada's prisons will be somewhere between $60,000 and $140,000 a year, whether it is in a provincial jurisdiction or a federal jurisdiction, high security, and the rest.

That is substantially more than the amount of Employment Insurance for which that individual might have been eligible before he ended up in prison. In that circumstance, the cost to Her Majesty and to the state of the recidivist numbers, which are high, are actually quite substantial. My view of the way in which Employment Insurance had operated in the past was that to the extent any credits were built up prior to someone entering prison, those credits could be used afterwards to assist in that individual leaving prison after having done his duty, having paid his debt to society and reintegrating into society.

Can I ask the honourable senator whether, in his support of this bill and the bill in the other place, anyone has done an analysis of the costs to the system? What are the savings of not paying Employment Insurance to these people, which is the purpose of this bill, which I understand and respect, and the costs of the recidivist numbers? They may in fact substantially increase if some of the transitional numbers are done away with by virtue of the purport of this legislation. If that costing has taken place and if he is aware, can he share it with us? If not, would he undertake to obtain some of that costing so we might look at that matter before the bill reaches third reading or is examined in committee?

[*Translation*]

Senator Boisvenu: Honourable senators, thank you for that question. As I said in my speech, this is not about economics, it is about social justice. We would be giving honest citizens the same privileges that are being given to criminals.

This bill simply seeks to eliminate certain privileges. This exercise began two years ago with the bill on eliminating pardons. In 2010 alone, more than 800 sex offenders in Canada were granted a pardon; even some who reoffended up to four times. We know that once a pardon is given, the person's record drops off the police radar. We have eliminated that privilege for criminals who reoffend, sex offenders, in order make our communities safer. That information was no longer available to police officers who were on patrol.

• (1620)

This bill seeks to put our house in order when it comes to privileges. For example, at present, when criminals go to prison, they receive a phonecard and a calling card, paid for by taxpayers. Are we making rules that instil a sense of responsibility in people?

It is not right that a criminal entering prison is given a television, a cable hookup for his cell and a calling card on the very first day without having done anything to deserve it. Our approach is to give inmates certain rights and privileges in prison on condition that they deserve them.

This is not a bill that will necessarily save money. The intent of the bill is to put all Canadians on an equal social footing. This is a social justice bill for honest citizens who, quite simply, do not have the same privileges as criminals. This is not a cost-saving measure. It sends the message that criminals will not be given the same privileges as, for example, a pregnant woman or a worker who is injured on the job. These people did not make a choice; the criminal made a choice.

Senator Segal: Does the honourable senator believe that it would be worthwhile making a distinction between people who are in prison for violent crimes, sex crimes, and those in prison for committing other crimes, perhaps offences under the Criminal Code that do not pose the same danger to society? Is it worthwhile to make a distinction between these two groups of prisoners when enforcing the law in the bill that is before us this afternoon?

Senator Boisvenu: Indeed, this bill makes a distinction regarding people who are serving long-term sentences, because the 52-week qualifying period would be exceeded. Here we are referring to people who are serving short sentences, often in provincial jails, and who have committed relatively minor crimes. The bill makes that distinction. For instance, an individual who is sentenced to seven years in prison will not be affected by this bill, because during those seven years, he would not be able to accumulate time to qualify for employment insurance.

Canada spends more than any other country per capita, per criminal, on rehabilitation programs. Canada spends the most per capita on social reintegration programs for former prisoners, including transition houses, detox programs and programs for pedophiles. Canada spends more than any other country on rehabilitation measures. And yet we are one of the worst performers in terms of results.

In Canada, 70 per cent of criminals return to federal penitentiaries. One in three criminals participates in rehabilitation programs. That is why we are doing a major about-face in federal penitentiaries and centering our rehabilitation programs on two main areas: education or instruction and work. We will concentrate our post-sentence social reintegration programs on substance abuse, since 80 per cent of criminals incarcerated in federal penitentiaries have substance abuse problems of all kinds. We will focus our efforts on post-sentence treatment, by having effective detox programs. Substance abuse is often what leads these people to crime. We will focus our programs inside the walls on work and education in order to give criminals the tools they need to succeed in life.

Too many criminals spend time in prison, and prison becomes a revolving door for them, as we say. That must stop. What is very costly to our system is the fact that 70 per cent of criminals return to prison. That is what costs so much. There is a lot of work to be done there.

Hon. Fernand Robichaud: I have some problems with what the honourable Senator Boisvenu is saying about how this is a social justice bill and how these people are not entitled to such privileges. Workers who contributed to the employment insurance fund are entitled, pursuant to the act. It is not a privilege, but a right to receive what they are entitled to under the act.

Of course, if these people are in prison, they cannot be on the labour market. However, when they are serving a sentence, we are the ones who decide to remove them from the market and to send them to prison. If we refuse them their right to employment insurance benefits once they are released, as Senator Segal mentioned, during that period of reintegration and return to life outside prison, I think we are simply encouraging them to return to what they were doing before. We have to at least give them a chance.

The senator said that it is a matter of social justice, but I think it is more a matter of a double punishment.

The person is being sent to prison. When judges send someone to prison, they impose a penalty based on the charges and not on whether the accused is entitled to employment insurance. In my opinion, this is a vested right that must be respected. We would give the person a better chance to return to being a member of society and to benefit from a program that will help him and also his family. We must remember that these people are not alone. They may be fathers or mothers. They may have children to support in some way.

Therefore, I do not completely agree that this is a matter of social justice.

Senator Boisvenu: I would like to thank the honourable senator for his comment, which seemed to be more an opinion than a question.

However, I do not share his opinion that we are taking these people out of the job market. They took themselves out of the job market by committing a crime. The responsibility should not be put back on us. The person who committed the crime and shut himself out of the job market is responsible.

We are not taking away the right to employment insurance. We are taking away a privilege that is granted to three categories of people: pregnant women, injured workers and people who have to remove themselves from the job market for other reasons. These people did not act by choice. The criminal made a decision and committed a crime, so why should he have the same privileges as upstanding citizens?

I do not share the honourable senator's opinion in that respect.

Senator Robichaud: Despite the applause, I am not convinced by what the honourable senator is saying.

Hon. Claude Carignan (Deputy Leader of the Government): If I understand correctly, under the bill, a person who is in prison is not available for work and thus cannot use the fact that he is in prison as a reason to justify why he could not work the number of weeks needed to receive employment insurance benefits. Contrary to the other cases, for example those mentioned in subsection 8.2, where it talks about people who are incapable of work because of a prescribed illness, injury, quarantine or pregnancy, it is a person's intentional criminal behaviour that makes him unavailable for work. The person was found guilty. The bill does not target those who are found not guilty. Do I understand that correctly?

Senator Boisvenu: Yes. You understand correctly. People who are excluded from the job market for involuntary reasons deserve this privilege. Criminals have excluded themselves from the job market voluntarily, unless we maintain that the actions committed by criminals do not have any effect on society or justice. However, that is not the case at all.

• (1630)

Your definition, your understanding is correct.

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

[*English*]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

ELEVENTH REPORT OF COMMITTEE ADOPTED

On the Order:

> Resuming debate on the motion of the Honourable Senator Tkachuk, seconded by the Honourable Senator Nolin, for the adoption of the eleventh report of the Standing Committee on Internal Economy, Budgets and Administration (*Senators' Travel Policy*), tabled in the Senate on May 17, 2012.

Hon. Wilfred P. Moore: Honourable senators, this item has been adjourned in the name of the Senator Kenny. He has asked me to advise that he has spoken with the deputy chair of the committee, Senator Furey. Senator Kenny's concerns are now satisfied, and he does not wish to speak further on the matter.

Some Hon. Senators: Question.

[*Translation*]

The Hon. the Acting Speaker: It is moved by Senator Moore, for Senator Kenny, that further debate be adjourned to the next sitting of the Senate.

Hon. Fernand Robichaud: Honourable senators, we are told that Senator Kenny received answers to his questions when he spoke to the Deputy Chair of the Standing Committee on Internal Economy and that he no longer intends to speak to this committee report. I believe that the question should be put now.

Hon. Senators: Question!

The Hon. the Acting Speaker: Do any other honourable senators wish to speak? Are honourable senators ready for the question?

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

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. Maria Chaput: Honourable senators, with Honourable Senator Comeau's permission, I will participate in today's inquiry with the understanding that the debate remain adjourned in Senator Comeau's name.

A little while ago, my honourable colleague from New Brunswick told us about her province's successes in the area of French education, and I would like to thank her for her remarks. I must say that the VIP list she was proud to share — and rightly so — was impressive and inspiring. She showed that Canada's French-speaking community outside Quebec is doing very well and can be proud of its achievements in all areas.

Today I would like to draw from the works of two authors from my home province and share with you a bit of the history of education in French Manitoba. The first, Gabrielle Roy, opened her autobiography, *Enchantment and Sorrow*, with the words:

> When did I first realize that I was destined to be treated like an inferior in my own country?

Gabrielle Roy was born in 1909 and grew up at a time when the ban on French education in Manitoba was at its worst.

The second author, Daniel Lavoie, born exactly 40 years later, wrote in his song *Jours de plaine*, that he "hears our grandfathers' words carried in the wind" and "the plaintive cries of his mother tongue," and that sometimes "he hears nothing at all because of the wind." I am sure the wind takes many forms.

Both authors felt what many generations have felt in the Manitoba where I was born: a sense of injustice and the desire to reject oppression. Unlike many provinces, Manitoba took a long time to make things right. It was only a generation ago that we achieved educational equity. Many generations have been influenced by what they experienced.

The classroom, the school, the books, and the teachers: that whole environment during our childhood shapes us forever. Society makes no mistakes. What happens at school is guided by principles and identity. What happens when a society decides to change things and impose a new environment, with other values and principles? History shows that these new elements may oppress and offend at first, but, in time, things sort themselves out.

As you know, the Franco-Manitoban community did not comply. We collectively chose to ignore the laws that prevented us from passing on our values, culture and language. We did it in broad daylight, with the complicity of our religious and political leaders. And we did so for more than 50 years. It is for that reason that I can speak to you in my mother tongue today and understand you in the other official language of this country.

You know as well as I do that, when it was founded in 1870, Manitoba was a one-of-a-kind province. One generation later, the constitutional capital of its founder, Louis Riel, had been dissipated by the winds of intolerance. In 1890, the Greenway government abolished the two cultural pillars of Catholics and francophones: the denominational school system and the province's bilingual status.

The Catholic community chose to seize the constitutional bull by the horns and immediately submitted a request for disallowance to the federal government, which refused to listen. Prime Minister John A. Macdonald, together with the Liberal opposition, decided that the matter was political and had to be dealt with by the courts. That is how the Manitoba Schools Question was born and remained in the headlines for six years. It was brought before the Privy Council in London on a number of occasions, and finally had a major influence on the outcome of a federal election. The winner, Wilfrid Laurier, brought legal proceedings to a close with a political compromise, the Laurier-Greenway Compromise.

He closed the doors of the courts, but opened the door to the concept of "where numbers warrant." This complex agreement referred for the first time to the number of children in a classroom. It gave the right to education, bilingual or not, and to catechism after 3:30 p.m. It was a formula detested by the person who had to apply it daily, Msgr. Adélard Langevin, Archbishop of Saint-Boniface. But a bird in the hand is worth two in the bush, and the prelate got down to work.

Section 10 of the agreement would have unintended consequences. Indeed, francophone Catholics could benefit from this, but so could all immigrants who came to live in Manitoba. These minorities with a secular heritage — the Germans, Hungarians, Mennonites, Polish, Ukrainians and Ruthenians, who today are considered the cultural mosaic in Manitoba — took advantage of the situation. Public opinion, which was conveyed primarily by the *Winnipeg Free Press*, strongly condemned the fact that the children, and sometimes the teachers, could not speak English. People were afraid of seeing Manitoba become a Tower of Babel.

Then again, Manitoba did not have compulsory schooling. Illiteracy rates were very high, giving Manitoba the unenviable distinction of being the Canadian province that was furthest behind.

The events of 1916 remain in the collective memory of Franco-Manitobans as one of the most difficult periods in their history. When Tobias C. Norris's Liberal government came to power, it brought in a series of reforms. It gave women the right to vote, introduced a number of laws regarding social issues, and most importantly, it abolished the Laurier-Greenway Agreement. Schooling became compulsory and English the only language in schools. Social integration in Manitoban society was achieved by force.

French Canadians lost the last remaining vestige of that which had allowed them to pass on their values, identity and cultural heritage. They found themselves outnumbered in the province that they helped found. They believed that their only choice was civil disobedience.

• (1640)

The plan was simple: do not obey, hire teachers who are able to teach in French but speak English when the inspector comes to visit the schools, and elect commissioners and political representatives who will close their eyes. People had to work together and set up an association to coordinate everything — the Association d'éducation des Canadiens français du Manitoba, in which my grandfather participated for many years.

The Archdiocese of Saint-Boniface set the tone. Although total discretion was advised, the front page of *La Liberté* advertised fundraisers and the results of French competitions. We had to hide our books and speak English when the inspector arrived. Disobeying the law was normal and acceptable and I did not feel guilty about it at all.

As I grew older, however, I realized that something was not right. On one hand, I was being told to be proud of my community, but on the other, I had to be silent before the school board representative as though my language were something to be ashamed of. It was a humiliating yet stimulating paradox. This cover-up in broad daylight went on until the early 1960s.

The first ray of hope came from the Premier, Duff Roblin, later a senator for Manitoba. He implemented legislation to create large school districts. He asked a francophone, Justice Alfred Monnin, to set out the school boundaries in such a way as to take all cultural sensitivities into consideration. Then, he authorized a program in which French would be taught 50 per cent of the time. His successor, Ed Schreyer, granted the requests of a member who crossed the floor, Laurent Desjardins, who passed away just recently, to give the francophone community of Manitoba the tools for development, in education among other areas.

Bill 113 was passed and francophones were thrilled. Nevertheless, this legislation contained disturbing shortcomings. Parents who wanted their children to be educated in French had to ask the school board's permission. Bill 113 was quickly labelled the permissions bill and caused a great deal of contention in the community.

This is the fight in which I had to engage as a mother so that my children could go to school in their mother tongue. I have to admit that, as parents, we did not always succeed in maintaining the community cohesion that was our strength from 1916 to 1968. In some cases, the situation motivated parents to become members of school boards, thereby ensuring that there were French schools placed where they were needed. Sometimes, new schools had to be built. Provincial officials criticized these board members' plans and called these future French schools "white elephants." However, rest assured that these schools are still filled to overflowing; French Manitoba has yet to see any elephants.

End of story, right? Far from it. Merely having French schools scattered throughout the community does not guarantee coherent identity and culture. That is why the Bureau de l'éducation française suggested creating a network of French schools. The proposal foundered on the shores of government indifference. Administrators, parents, and advocacy groups called for a French school board, but full and complete school management by and for francophones seemed an impossible goal, given the involvement of political players.

Finally, in 1982, the Canadian Charter of Rights and Freedoms renewed our hope for our own school board. But the political players were reluctant to give in. As we all know, legal proceedings cost money. As a community, we survived thanks to AECFM funding, but we wanted to achieve more than mere survival. The federal government created the court challenges program. My honourable colleagues from Alberta, Ontario and Acadia know this program well. It enabled us to claim our constitutional rights as founding communities under section 23 of the Canadian Charter of Rights and Freedoms. At long last, in 1994, the Division scolaire franco-manitobaine opened its doors.

Now, in 2012, the DSFM has 24 schools, an adult learning centre, 10 early childhood education and family centres, and a $69.5 million budget. Our schools are everywhere from Saint-Boniface to CFB Shilo to Thompson in the north. Students can take International Baccalaureate courses, receive funding for education studies and take advantage of the francisation program, an essential tool that supports our identity as a community in tandem with the program to support non-francophone parents.

My grandchildren currently go to one of those DSFM French schools and their parents think it is quite normal. My grandchildren speak French freely and without reservations. They are learning to read Gabrielle Roy's books and to sing Daniel Lavoie's songs. When the time comes, they will study at the Université de Saint-Boniface. They will take courses in the arts, sciences or professional studies, in business administration, social services or translation and, if they so choose, pursue opportunities at the University of Manitoba. They can train as teachers at the educational institute or study at the technical and professional school. The range of programs offered could only have been dreamed of in 1916. They will study alongside foreign students from around the world. What counts, however, is that they will study in French.

Just like Gabrielle Roy and Daniel Lavoie, they represent the ideal that was imagined in 1916 — an ideal based on the values we identify with and the cultures that reflect us. Since then, there have been many figures of whom we have been just as proud. The list is shorter than that of my colleague from New Brunswick, but our institutions are solid, and our youth are free from the complexes of former generations and prepared to face the future.

Canada in 2012 is not as perfect as we would like it to be, but it is certainly enriched by all of the Gabrielle Roys, Daniel Lavoies, Étienne Gabourys, Roger Léveillés and Roland Mahés, and all the other creators who have carried the torch for my culture and mother tongue.

Yes, sometimes the future seems bleak. Assimilation is ravaging our communities. Will it succeed where legislators have failed? Is it not our role as legislators to preserve this environment and ensure that the weakest among us are protected first? Their voices count as much as those of the majority that holds the key to the future.

The Hon. the Speaker: Are we in agreement, honourable senators, that the debate will be adjourned in Senator Comeau's name?

Hon. Senators: Agreed.

(On motion of Senator Comeau, debate adjourned.)

[*English*]

MULTIPLE SCLEROSIS AND CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Cordy, calling the attention of the Senate to those Canadians living with multiple sclerosis (MS) and chronic cerebrospinal venous insufficiency (CCSVI), who lack access to the "liberation" procedure.

Hon. Jane Cordy: Honourable senators, I am pleased to speak on my inquiry and to bring to your attention the thousands of Canadians living with multiple sclerosis and chronic cerebrospinal venous insufficiency, or CCSVI. These Canadians and their families continue to plead with this government to move ahead with supporting the CCSVI treatment procedure within the Canadian health care system.

I would like to take a moment to thank Dr. Kirsty Duncan, the Liberal Member of Parliament for Etobicoke North, for the tremendous work she has done for those with MS. In addition to being a Nobel Prize winner, as part of a panel on climate change with Al Gore, she was recently awarded the Pioneer in Healthcare Policy Award by the Society for Brain Mapping and Therapeutics. She was recognized as being one of the best advocates of brain research in Canada.

Honourable senators, 75,000 Canadians live with the progressively debilitating disease multiple sclerosis; another 1,000 are diagnosed with the disease each year. Canada's prevalence rate of MS is among the highest in the world, at 240 per 100,000 people.

The suicide rate for MS patients is a staggering seven times higher than the national average. This is a shocking statistic and indicative of the hopelessness many MS sufferers feel toward finding relief from their symptoms.

Honourable senators, I believe passionately that those Canadians with CCSVI should have access to our medical system. One of the five principles of the Canada Health Act is accessibility. Yet many Canadians with MS have been treated badly by our health care system, and some have even been refused treatment.

• (1650)

Venous angioplasty for those with CCSVI is taking place in over 60 countries around the world. As honourable senators know, Canadians with CCSVI must travel outside Canada to have the procedure done. We are promoting medical tourism here in Canada.

I would like to thank Premier Brad Wall of Saskatchewan who announced on January 12 of this year that his government would support clinical trials for residents of his province. My understanding is that 80 patients have already been selected to go to Albany, New York, which has the largest CCSVI treatment clinical trial of its type. Many Canadians who have travelled to other countries have done so at great financial hardship. One

gentleman I met remortgaged his home, others have had community fundraisers, and others have used their savings. This is Canada, where medicare was brought in so that Canadians should not suffer undue hardships as a result of an illness. Unfortunately, some Canadians with CCSVI are suffering financial hardship. Even worse, when they return to Canada, some are refused follow-up care.

Does venous angioplasty work miracles for everyone who has the procedure? From what I have read, one third of patients have tremendous improvement. They would be the so-called "miracles," the ones who go from being bedridden to walking. One third have some improvement, and one third have little to no improvement. If we had our registry in place, which was announced over a year ago, we would have better made-in-Canada data.

Health Canada should support clinical trials in Canada and provide follow-up care to ensure the safety and well-being of those Canadians who choose to have the procedure done, whether here in Canada or abroad. It is shameful how many Canadian MS patients who had the procedure done abroad are denied follow-up care by our health care system. These are Canadians who want and deserve the opportunity to get back some semblance of a regular life, to regain some quality of life.

I am concerned about the CIHR's expert working group set up to study CCSVI. I have spoken in this chamber before regarding this working group. According to the CIHR website, the working group's mandate is:

> The scientific expert working group will make recommendations on further studies including, if appropriate, a pan-Canadian interventional clinical trial that would evaluate the safety and efficacy of venous angioplasty in patients with MS, and will provide advice on the protocols to expedite such a trial (e.g. inclusion/exclusion criteria).

Honourable senators, this is a very important mandate, an important mandate for those members of the expert working group. All Canadians would assume that those on the expert group would be independent and, equally important, would be seen to be independent. We, as politicians, understand the importance of public perception. In fact, honourable senators, Dr. Sandy MacDonald, Dr. Haacke and Dr. Zamboni were not included in the August 26, 2010 joint CIHR-MS Society meeting. The explanation given was that their work would be discussed and including them might bias the discussion. In fact, Dr. Sandy MacDonald, who has performed venous angioplasty on MS patients, and who has a diagnostic imaging clinic in Barrie, Ontario, and whose office trained the imaging diagnostic team in Saskatchewan, was not included as part of the diagnostic imaging meeting held by CIHR last fall. One of the country's leading experts was not invited to be there.

Honourable senators, Dr. Barry Rubin is a member of the CIHR expert working group. He is also the third author of an article called "The 'Liberation Procedure' for Multiple Sclerosis: Sacrificing Science at the Altar of Consumer Demand" in the May 2012 *Journal of the American College of Radiology*, volume 9, issue 5.

Honourable senators, I am not questioning any doctor's right to their opinion on multiple sclerosis or CCSVI, and I am not questioning their right to publish medical articles on CCSVI. What I am questioning is that a supposedly unbiased, independent member of the expert panel would publish such an article.

One has to question whether this will prejudice the ethical board reviews for CCSVI trials.

This is clearly a conflict of interest and I would hope that Dr. Rubin would step down from the panel of experts. The fear among members of the CCSVI community that have been in contact with me is that the expert panel can no longer be seen as independent, and they fear that perhaps the government's announcement of phase I clinical trials is not meant to proceed but is, in fact, being set up for failure. That would truly be unfortunate. The study should be open, transparent and, above all, should be conducted without bias. This is what Canadians deserve. This is what the CCSVI community in Canada deserves.

Honourable senators, there is a great concern with the CCSVI community that while the government fast-tracked Tysabri and Gilenya for use by MS patients, the government has been reticent about clinical trials for venous angioplasty. Tysabri is known to cause PML, or progressive multifocal leukoencephalitis, which is a rare and usually fatal viral disease. This drug, which was fast-tracked by Health Canada for use by MS patients, has now infected 232 people with PML and killed 49 others worldwide. Gilenya, the other drug fast-tracked by Health Canada for MS patients, has now killed 11 people and is currently under review in Canada.

Unfortunately in Canada, when a drug is under review, we, as Canadians, receive little or no information about the whys or, indeed, about the process of the review. By the way, Gilenya is not supposed to be given to people with a vascular condition, so it should not even be taken by those with CCSVI.

So you see, honourable senators, the drugs Gilenya and Tysabri have been fast-tracked for MS patients, but the venous angioplasty clinical trials for MS patients with CCSVI continues to move at a snail's pace. In fact, we still have not begun to keep records of those who have undergone the procedure. The establishment of a registry was announced in March 2011. The registry is supposed to start in September 2012. We will have lost a year and half of evidence related to venous angioplasty. We could have been tracking and collecting data for those who have had the procedure. We would have had some data on the results one month, three months, nine months and a year after the procedure has been done. Honourable senators, we cannot get this time back.

Honourable senators, on May 10 of this year the FDA issued an alert on the potential dangers of the liberation procedure to treat CCSVI. The FDA regularly issues warnings for pharmaceuticals or medical procedures. These warnings are a positive thing. The more informed a patient is about a drug or procedure, the more informed their decision will be about what course of treatment they wish to follow. These types of warnings provide greater patient safety and transparency. In fact, our Social Affairs Committee has heard over and over again the need for openness and transparency for clinical trials in Canada. The FDA does say, "There is no clear scientific evidence that the treatment of internal jugular or Azygos venous stenosis is safe in MS patients." In fact, this is incorrect as there have been four published studies which conclude otherwise.

As Dr. Bill Code, an anesthesiologist from British Columbia, and a CCSVI patient who has had venous angioplasty, stated:

> It's important to take it in perspective. If there has been one direct death, perhaps two, in say 12,000 cases, that's still much less than we're getting from some of the drugs used every day in multiple sclerosis.

• (1700)

Dr. Rob Zivadinov, a neurologist and lead researcher in the largest CCSVI study taking place in Buffalo, New York, concluded that CCSVI does exist, and it is not unique to MS.

Honourable senators, I had the pleasure of hosting a breakfast on CCSVI with Dr. Kirsty Duncan. One of the presenters was Dr. Joseph Hewett, an interventional radiologist and phelbologist. Dr. Hewett was born in Manitoba, but works in the United States. He jokingly said that he works in the United States, but treats a lot of Canadians.

Dr. Hewett currently diagnoses and treats patients with multiple sclerosis and other neurodegenerative disorders using MRI, ultrasound and venous angioplasty, and he has been doing so for over 15 years. The techniques being used to treat blood vessel abnormalities in MS patients are the same techniques that have been used for decades. There is a large and increasing amount of research showing an association between diseases like MS and the blood vessels. As Dr. Hewett said, with a blockage it may take decades for the problems to accumulate, but over the course of years the results of these blockages in the outflow compound themselves. We know that blood vessels play a major role in neurological disease.

Honourable senators, even if you doubt that venous angioplasty for those with CCSVI works, should you not at least get as much information as you can?

As Dr. Hewett said:

> The overwhelming number of patients with MS who have had an improvement in their health as a result of changing the plumbing from their brain should be proof enough that we need to look at this closer — that we need to figure out what is valid and what is not regarding our understanding of the subject. We owe this to the hundreds of thousands of Canadians who are afflicted by neurodegenerative diseases and to the millions of Canadians who care for them.

Honourable senators, I am certain that most of us know someone with MS. Should they have travel to Mexico. Poland or the United States for venous angioplasty? This is a procedure that has been done for decades in Canada. It is performed for Budd-Chiari Syndrome and May-Thurner Syndrome across Canada.

The practice of medicine is continuously changing and evolving. As patients, we must always weigh the benefit-risk ratio of a medical procedure or a medication. Do I take the medication with its risks, or do I not? Do I have the medical procedure with its risks, or do I not?

Honourable senators, I will leave you with these thoughts from Christopher from Nova Scotia:

> As an MS patient I have always been willing to take the risks of increased liver damage, possibility of developing leukemia, increased risk of cardio toxicity . . . and these are with the drugs. I took the "risk" of venous angioplasty. And I won that gamble . . . more than I can say about the risks of the drugs where I came out short-changed.

(On motion of Senator Cordy, for Senator Harb, debate adjourned.)

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF CURRENT STATE AND FUTURE OF ENERGY SECTOR AND TO DEPOSIT REPORT WITH THE CLERK DURING ADJOURNMENT OF THE SENATE

Hon. W. David Angus, pursuant to notice of May 29, 2012, moved:

> That notwithstanding the Order of the Senate adopted on Thursday, June 16, 2011, the date for the tabling of the final report by the Standing Senate Committee on Energy, the Environment and Natural Resources on the current state and future of Canada's energy sector (including alternative energy), be extended from June 29, 2012 to September 28, 2012; and
>
> That, notwithstanding usual practices, the committee be permitted to deposit with the Clerk of the Senate the above mentioned report if the Senate is not then sitting and that the report be deemed to have been tabled in the Chamber.

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

Hon. Senators: Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. W. David Angus, pursuant to notice of May 29, 2012, moved:

> That, pursuant to Rule 95(3)(a), the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to sit for two days this summer, on dates to be determined after consultation with the committee members, for the purpose of considering a draft report, even though the Senate may then be adjourned for a period exceeding one week.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Wednesday, June 6, 2012, at 1:30 p.m.)

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

THE SPEAKER

The Honourable Noël A. Kinsella

THE LEADER OF THE GOVERNMENT

The Honourable Marjory LeBreton, P.C.

THE LEADER OF THE OPPOSITION

The Honourable James S. Cowan

OFFICERS OF THE SENATE

CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Gary W. O'Brien

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

Kevin MacLeod

THE MINISTRY

(In order of precedence)

(June 5, 2012)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Minister of Justice and Attorney General of Canada
The Hon. Marjory LeBreton	Leader of the Government in the Senate
The Hon. Peter Gordon MacKay	Minister of National Defence
The Hon. Vic Toews	Minister of Public Safety
The Hon. Rona Ambrose	Minister of Public Works and Government Services Minister of State (Status of Women)
The Hon. Diane Finley	Minister of Human Resources and Skills Development
The Hon. Beverley J. Oda	Minister of International Cooperation
The Hon. John Baird	Minister of Foreign Affairs
The Hon. Tony Clement	President of the Treasury Board Minister for the Federal Economic Development Initiative for Northern Ontario
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Peter Van Loan	Leader of the Government in the House of Commons
The Hon. Jason Kenney	Minister of Citizenship, Immigration and Multiculturalism
The Hon. Gerry Ritz	Minister of Agriculture and Agri-Food Minister for the Canadian Wheat Board
The Hon. Christian Paradis	Minister of Industry and Minister of State (Agriculture)
The Hon. James Moore	Minister of Canadian Heritage and Official Languages
The Hon. Denis Lebel	Minister of Transport, Infrastructure and Communities Minister of the Economic Development Agency of Canada for the Regions of Quebec
The Hon. Leona Aglukkaq	Minister of Health Minister of the Canadian Northern Economic Development Agency
The Hon. Keith Ashfield	Minister of Fisheries and Oceans and Minister for the Atlantic Gateway
The Hon. Peter Kent	Minister of the Environment
The Hon. Lisa Raitt	Minister of Labour
The Hon. Gail Shea	Minister of National Revenue
The Hon. John Duncan	Minister of Aboriginal Affairs and Northern Development
The Hon. Steven Blaney	Minister of Veterans Affairs
The Hon. Edward Fast	Minister of International Trade Minister for the Asia-Pacific Gateway
The Hon. Joe Oliver	Minister of Natural Resources
The Hon. Peter Penashue	Minister of Intergovernmental Affairs President of the Queen's Privy Council for Canada
The Hon. Julian Fantino	Associate Minister of National Defence
The Hon. Bernard Valcourt	Minister of State (Atlantic Canada Opportunities Agency) (La Francophonie)
The Hon. Gordon O'Connor	Minister of State and Chief Government Whip
The Hon. Maxime Bernier	Minister of State (Small Business and Tourism)
The Hon. Diane Ablonczy	Minister of State of Foreign Affairs (Americas and Consular Affairs)
The Hon. Lynne Yelich	Minister of State (Western Economic Diversification)
The Hon. Steven John Fletcher	Minister of State (Transport)
The Hon. Gary Goodyear	Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario)
The Hon. Ted Menzies	Minister of State (Finance)
The Hon. Tim Uppal	Minister of State (Democratic Reform)
The Hon. Alice Wong	Minister of State (Seniors)
The Hon. Bal Gosal	Minister of State (Sport)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(June 5, 2012)

Senator	Designation	Post Office Address
The Honourable		
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujjuaq, Que.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	South Shore	Halifax, N.S.
Noël A. Kinsella, *Speaker*	Fredericton-York-Sunbury	Fredericton, N.B.
Janis G. Johnson	Manitoba	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Rose-Marie Losier-Cool	Tracadie	Tracadie-Sheila, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
Marie-P. Charette-Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Vivienne Poy	Toronto	Toronto, Ont.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.

Senator	Designation	Post Office Address
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A. A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Bert Brown	Alberta	Kathyrn, Alta.
Stephen Greene	Halifax-The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Michael Duffy	Prince Edward Island	Cavendish, P.E.I.
Percy Mockler	New Brunswick	St. Leonard, N.B.
John D. Wallace	New Brunswick	Rothesay, N.B.
Michel Rivard	The Laurentides	Quebec, Que.
Nicole Eaton	Ontario	Caledon, Ont.
Irving Gerstein	Ontario	Toronto, Ont.
Pamela Wallin	Saskatchewan	Wadena, Sask.
Nancy Greene Raine	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.
Yonah Martin	British Columbia	Vancouver, B.C.
Richard Neufeld	British Columbia	Fort St. John, B.C.
Daniel Lang	Yukon	Whitehorse, Yukon
Patrick Brazeau	Repentigny	Maniwaki, Que.
Leo Housakos	Wellington	Laval, Que.
Suzanne Fortin-Duplessis	Rougemont	Quebec, Que.
Donald Neil Plett	Landmark	Landmark, Man.
Michael Douglas Finley	Ontario—South Coast	Simcoe, Ont.
Linda Frum	Ontario	Toronto, Ont.
Claude Carignan	Mille Isles	Saint-Eustache, Que.
Jacques Demers	Rigaud	Hudson, Que.
Judith G. Seidman (Ripley)	De la Durantaye	Saint-Raphaël, Que.
Carolyn Stewart Olsen	New Brunswick	Sackville, N.B.
Kelvin Kenneth Ogilvie	Annapolis Valley - Hants	Canning, N.S.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville, Ont.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Elizabeth (Beth) Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
David Braley	Ontario	Burlington, Ont.
Salma Ataullahjan	Toronto—Ontario	Toronto, Ont.
Don Meredith	Ontario	Richmond Hill, Ont.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Larry W. Smith	Saurel	Hudson, Que.
Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.
Betty E. Unger	Alberta	Edmonton, Alta.
JoAnne L. Buth	Manitoba	Winnipeg, Man.
Norman E. Doyle	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Asha Seth	Ontario	Toronto, Ont.
Ghislain Maltais	Shawinegan	Quebec City, Que.
Jean-Guy Dagenais	Victoria	Blainville, Que.
Vernon White	Ontario	Ottawa, Ont.

SENATORS OF CANADA

ALPHABETICAL LIST

(June 5, 2012)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Ataullahjan, Salma	Toronto—Ontario	Toronto, Ont.	Conservative
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative
Braley, David	Ontario	Burlington, Ont.	Conservative
Brazeau, Patrick	Repentigny	Maniwaki, Que.	Conservative
Brown, Bert	Alberta	Kathyrn, Alta.	Conservative
Buth, JoAnne L.	Manitoba	Winnipeg, Man.	Conservative
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carignan, Claude	Mille Isles	Saint-Eustache, Que.	Conservative
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Charette-Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	Independent
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dagenais, Jean-Guy	Victoria	Blainville, Que.	Conservative
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Demers, Jacques	Rigaud	Hudson, Que.	Conservative
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Liberal
Doyle, Norman E.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative
Duffy, Michael	Prince Edward Island	Cavendish, P.E.I.	Conservative
Dyck, Lillian Eva	Saskatchewan.	Saskatoon, Sask.	Liberal
Eaton, Nicole	Ontario	Caledon, Ont.	Conservative
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Finley, Michael Douglas	Ontario—South Coast	Simcoe, Ont.	Conservative
Fortin-Duplessis, Suzanne	Rougemont	Quebec, Que.	Conservative
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Frum, Linda	Ontario	Toronto, Ont.	Conservative
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gerstein, Irving	Ontario	Toronto, Ont.	Conservative
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Conservative
Harb, Mac.	Ontario	Ottawa, Ont.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Housakos, Leo	Wellington	Laval, Que.	Conservative
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal
Johnson, Janis G.	Manitoba	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Kinsella, Noël A., *Speaker*	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative

Senator	Designation	Post Office Address	Political Affiliation
Lang, Daniel	Yukon	Whitehorse, Yukon	Conservative
LeBreton, Marjory, P.C.	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Tracadie-Sheila, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Maltais, Ghislain	Shawinegan	Quebec City, Que.	Conservative
Manning, Fabian	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.	Conservative
Marshall, Elizabeth (Beth).	Newfoundland and Labrador	Paradise, Nfld. & Lab.	Conservative
Martin, Yonah	British Columbia	Vancouver, B.C.	Conservative
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Meredith, Don	Ontario	Richmond Hill, Ont.	Conservative
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Mockler, Percy	New Brunswick	St. Leonard, N.B.	Conservative
Moore, Wilfred P.	Stanhope St./South Shore	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Neufeld, Richard	British Columbia	Fort St. John, B.C.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Ogilvie, Kelvin Kenneth	Annapolis Valley - Hants	Canning, N.S.	Conservative
Oliver, Donald H.	South Shore	Halifax, N.S.	Conservative
Patterson, Dennis Glen	Nunavut	Iqaluit, Nunavut	Conservative
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Plett, Donald Neil	Landmark	Landmark, Man.	Conservative
Poirier, Rose-May	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.	Conservative
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Raine, Nancy Greene	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.	Conservative
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivard, Michel	The Laurentides	Quebec, Que.	Conservative
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Runciman, Bob	Ontario—Thousand Islands and Rideau Lakes	Brockville, Ont.	Conservative
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Seth, Asha	Ontario	Toronto, Ont.	Conservative
Seidman (Ripley), Judith G.	De la Durantaye	Saint-Raphaël, Que.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Smith, Larry W.	Saurel	Hudson, Que.	Conservative
Stewart Olsen, Carolyn	New Brunswick	Sackville, N.B.	Conservative
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Unger, Betty E.	Alberta	Edmonton, Alta.	Conservative
Verner, Josée, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.	Conservative
Wallace, John D.	New Brunswick	Rothesay, N.B.	Conservative
Wallin, Pamela	Saskatchewan	Wadena, Sask.	Conservative
Watt, Charlie	Inkerman	Kuujjuaq, Que.	Liberal
White, Vernon	Ontario	Ottawa, Ont.	Conservative
Zimmer, Rod A. A.	Manitoba	Winnipeg, Man.	Liberal

SENATORS OF CANADA

BY PROVINCE AND TERRITORY

(June 5, 2012)

ONTARIO—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Anne C. Cools	Toronto Centre-York	Toronto
2	Colin Kenny	Rideau	Ottawa
3	Consiglio Di Nino	Ontario	Downsview
4	Marjory LeBreton, P.C.	Ontario	Manotick
5	Marie-P. Charette-Poulin	Northern Ontario	Ottawa
6	Francis William Mahovlich	Toronto	Toronto
7	Vivienne Poy	Toronto	Toronto
8	David P. Smith, P.C.	Cobourg	Toronto
9	Mac Harb	Ontario	Ottawa
10	Jim Munson	Ottawa/Rideau Canal	Ottawa
11	Art Eggleton, P.C.	Ontario	Toronto
12	Nancy Ruth	Cluny	Toronto
13	Hugh Segal	Kingston-Frontenac-Leeds	Kingston
14	Nicole Eaton	Ontario	Caledon
15	Irving Gerstein	Ontario	Toronto
16	Michael Douglas Finley	Ontario—South Coast	Simcoe
17	Linda Frum	Ontario	Toronto
18	Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville
19	David Braley	Ontario	Burlington
20	Salma Ataullahjan	Toronto—Ontario	Toronto
21	Don Meredith	Ontario	Richmond Hill
22	Asha Seth	Ontario	Toronto
23	Vernon White	Ontario	Ottawa
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SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Charlie Watt	Inkerman	Kuujjuaq
2	Pierre De Bané, P.C.	De la Vallière	Montreal
3	Jean-Claude Rivest	Stadacona	Quebec
4	W. David Angus	Alma	Montreal
5	Pierre Claude Nolin	De Salaberry	Quebec
6	Céline Hervieux-Payette, P.C.	Bedford	Montreal
7	Serge Joyal, P.C.	Kennebec	Montreal
8	Joan Thorne Fraser	De Lorimier	Montreal
9	Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
10	Roméo Antonius Dallaire	Gulf	Sainte-Foy
11	Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
12	Dennis Dawson	Lauzon	Ste-Foy
13	Michel Rivard	The Laurentides	Quebec
14	Patrick Brazeau	Repentigny	Maniwaki
15	Leo Housakos	Wellington	Laval
16	Suzanne Fortin-Duplessis	Rougemont	Quebec
17	Claude Carignan	Mille Isles	Saint-Eustache
18	Jacques Demers	Rigaud	Hudson
19	Judith G. Seidman (Ripley)	De la Durantaye	Saint-Raphaël
20	Pierre-Hugues Boisvenu	La Salle	Sherbrooke
21	Larry W. Smith	Saurel	Hudson
22	Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures
23	Ghislain Maltais	Shawinegan	Quebec City
24	Jean-Guy Dagenais	Victoria	Blainville

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Gerald J. Comeau	Nova Scotia	Saulnierville
2	Donald H. Oliver	South Shore	Halifax
3	Wilfred P. Moore	Stanhope St./South Shore	Chester
4	Jane Cordy	Nova Scotia	Dartmouth
5	Terry M. Mercer	Northend Halifax	Caribou River
6	James S. Cowan	Nova Scotia	Halifax
7	Stephen Greene	Halifax - The Citadel	Halifax
8	Michael L. MacDonald	Cape Breton	Dartmouth
9	Kelvin Kenneth Ogilvie	Annapolis Valley - Hants	Canning
10			

NEW BRUNSWICK—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Noël A. Kinsella, *Speaker*	Fredericton-York-Sunbury	Fredericton
2	Rose-Marie Losier-Cool	Tracadie	Tracadie-Sheila
3	Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
4	Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
5	Pierrette Ringuette	New Brunswick	Edmundston
6	Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
7	Percy Mockler	New Brunswick	St. Leonard
8	John D. Wallace	New Brunswick	Rothesay
9	Carolyn Stewart Olsen	New Brunswick	Sackville
10	Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent

PRINCE EDWARD ISLAND—4

	Senator	Designation	Post Office Address
	The Honourable		
1	Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2	Elizabeth M. Hubley	Prince Edward Island	Kensington
3	Percy E. Downe	Charlottetown	Charlottetown
4	Michael Duffy	Prince Edward Island	Cavendish

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Janis G. Johnson	Manitoba	Gimli
2	Terrance R. Stratton	Red River	St. Norbert
3	Maria Chaput	Manitoba	Sainte-Anne
4	Rod A. A. Zimmer	Manitoba	Winnipeg
5	Donald Neil Plett	Landmark	Landmark
6	JoAnne L. Buth	Manitoba	Winnipeg

BRITISH COLUMBIA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
2	Mobina S. B. Jaffer	British Columbia	North Vancouver
3	Larry W. Campbell	British Columbia	Vancouver
4	Nancy Greene Raine	Thompson-Okanagan-Kootenay	Sun Peaks
5	Yonah Martin	British Columbia	Vancouver
6	Richard Neufeld	British Columbia	Fort St. John

SASKATCHEWAN—6

	Senator	Designation	Post Office Address
	The Honourable		
1	A. Raynell Andreychuk	Saskatchewan	Regina
2	David Tkachuk	Saskatchewan	Saskatoon
3	Pana Merchant	Saskatchewan	Regina
4	Robert W. Peterson	Saskatchewan	Regina
5	Lillian Eva Dyck	Saskatchewan	Saskatoon
6	Pamela Wallin	Saskatchewan	Wadena

ALBERTA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
2	Claudette Tardif	Alberta	Edmonton
3	Grant Mitchell	Alberta	Edmonton
4	Elaine McCoy	Alberta	Calgary
5	Bert Brown	Alberta	Kathyrn
6	Betty E. Unger	Alberta	Edmonton

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Ethel Cochrane	Newfoundland and Labrador	Port-au-Port
2	George Furey	Newfoundland and Labrador	St. John's
3	George S. Baker, P.C.	Newfoundland and Labrador	Gander
4	Elizabeth (Beth) Marshall	Newfoundland and Labrador	Paradise
5	Fabian Manning	Newfoundland and Labrador	St. Bride's
6	Norman E. Doyle	Newfoundland and Labrador	St. John's

NORTHWEST TERRITORIES—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Dennis Glen Patterson	Nunavut	Iqaluit

YUKON—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Daniel Lang	Yukon	Whitehorse

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Tuesday, June 5, 2012

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