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Tuesday, February 12, 2013

The Honourable NOËL A. KINSELLA
Speaker

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THE SENATE

Tuesday, February 12, 2013

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

Prayers.

[Translation]

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE JOYCE FAIRBAIRN, P.C.

The Hon. the Speaker: Honourable senators, I received a notice from the Leader of the Opposition, who requests, pursuant to rule 4-3.(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Fairbairn, who resigned on January 18, 2013. I would remind honourable senators that, pursuant to our rules, each senator will be allowed three minutes and may speak only once.

[English]

Is it agreed that we will continue our tributes to Senator Fairbairn under Senators' Statements?

Hon. Senators: Agreed.

The Hon. the Speaker: We will, therefore, have the balance of the 30 minutes for these tributes. Any time remaining after tributes would be used for other statements.

Hon. Senators: Agreed.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, it is with real regret that I rise today to pay tribute to our esteemed colleague Senator Joyce Fairbairn who, following a remarkable career has, for reasons of health, stepped down from the Senate almost two years before her mandatory retirement date.

Since she cannot respond to our tributes, as is our tradition, I seek your indulgence as I attempt to tell at least part of the story I believe she would have told us today.

Joyce's story is truly remarkable. It is the story of a young girl from Lethbridge who travelled a fascinating path to the corridors of power before finally returning home again. I know that Joyce would want her story to start in Alberta with her grandfather, who drove stagecoaches, fought in the Riel Rebellion and, when Alberta became a province in 1905, became Sheriff of Lethbridge.

It continues with her father, a judge in Lethbridge, who unfortunately died in an accident when Joyce was six years old, but not before making a profound impact on his young daughter. Joyce has written:

My father instructed me with love and talked about serious matters which most little girls did not hear in those days... I learned of tolerance and honesty and the confidence of working your principles and talents when I was younger than six. I learned it trudging through the mountains, riding frightened but proud on a real horse, and occasionally in the corner of dusty robing rooms of the district courtrooms where he served as a judge... He had the true qualities that fill a child with wonder and prompt them to ponder thoughts well beyond their years... I doubt that I have learned any more important things than I did in those early years. The continuing fascination with living is to adapt around those lessons as circumstances shift and experience grows.

The lessons Senator Fairbairn learned from her father informed her entire life, whether it was her respect for Aboriginal peoples, her empathy for the disadvantaged, or even her well-known love of horses — although it was a riding accident that killed her father.

At the age of nine, Joyce decided that she wanted to be a journalist. As a high school student she worked summers for the *Lethbridge Herald*. After receiving a BA in English at the University of Alberta, where she was a classmate of Joe Clark's — as I was myself a year or two later at Dalhousie — she went to Toronto for a summer job at *The Globe and Mail*, and then to Carleton University here in Ottawa where she earned a degree in journalism. It was here that she met Mike Gillan, who became her husband and lifelong partner.

Upon graduation from Carleton, she joined the *Ottawa Journal* and then United Press International. Her assignment: to cover Parliament Hill.

The Ottawa Press Gallery was a very different place in 1962, and a 22-year-old woman really stood out. Most people were a lot older and there were no other women. For example, as a member of the Press Gallery, she was allowed to buy tickets to the Press Gallery dinner, but as a woman, she was not allowed to attend.

Early in 1970, after several years in the Press Gallery, she was invited to work in the office of Prime Minister Pierre Elliott Trudeau as a mid-level assistant. Shortly thereafter, Joyce was offered a promotion to serve as Legislative Assistant to the Prime Minister. Allow me to read from her own words her description of what happened on her first day as she prepared to brief Mr. Trudeau for the very first time for Question Period:

So there I was... sitting quietly in my office on the morning of October 5, faintly nervous... There was no committee of briefers; you put it together. You added your advice to the advice of others, and then you went and communicated it to him orally and always in writing...

That day I was somewhat apprehensive about our first one-on-one session. Around 11 a.m. Marc Lalonde came rushing into my office, just grey in the face. He told me that a British diplomat had been kidnapped in Montreal by some terrorist group and I had to sit down right then and think about what the Prime Minister should say when he went into the House that afternoon... That was day one.

Joyce made it through that first day, and then through the next 14 years as Mr. Trudeau's legislative assistant until summoned to the Senate on June 29, 1984. I would note in passing that Senators De Bané and Kenny were among those also named that day.

When Prime Minister Trudeau first suggested in early 1984 that Joyce enter the Senate, she sent him a long letter, saying:

With great regret and sadness, I cannot accept the Alberta post. I have considered it from every angle and believe I am not the right choice.

• (1410)

Obviously the Prime Minister persuaded her to reconsider—and she was the right choice. From the very start her priority was, in her words, “to take quite seriously the whole part of regional representation... and to spend a great deal of time in Alberta and my area of Alberta, being involved in its issues.”

How well Joyce performed that representational role is perhaps best illustrated by what took place when she attended the opening ceremonies of the new Fort Macleod RCMP detachment early last year. The Honourable Ted Menzies, Minister of State for Finance, was the keynote speaker. He was a great friend of Joyce Fairbairn's. He thanked Joyce for all she had done for the people and communities of southwestern Alberta, referring to her as “our senator.” That is who she was and still is for everyone there. She is Joyce — their senator — their senator in red.

Her dedication to and tireless work in Alberta did not mean that she neglected her duties in this chamber. In addition to breaking ground as the first woman to serve as Leader of the Government in the Senate, Joyce was a member of 18 different committees, including serving as Chair of the Special Senate Committee on Bill C-36, Parliament's first proposed anti-terrorism legislation drafted in the immediate aftermath of 9/11; Chair of the Standing Senate Committee on Agriculture and Forestry; and a founding member of the Standing Senate Committee on Aboriginal Peoples. As if this were not enough, during her time with us Joyce was inducted into the Kainai Chieftainship of the Blood Nation, served as Honorary Colonel of the 18th Air Defence Regiment, RCA, was instrumental in bringing to Parliament Hill the much-beloved monument honoring the Famous Five, served on the Board of the John G. Diefenbaker Memorial Foundation and was Chair of the Canadian Paralympic Foundation. An entire book could be written about her work in the literacy community.

I would like to conclude my remarks about my friend Joyce with the words of the late Father Sean O'Sullivan, former Progressive Conservative MP from Hamilton-Wentworth, for whom our meditation room in the East Block is named. When Joyce was appointed to the Senate, he wrote to her, saying:

You should be tremendously proud of your contribution to the House and to Prime Minister Trudeau.... I hope you will always be able to maintain your extraordinary ability to be a committed partisan while still appreciating the qualities in people from other parties.

To paraphrase Father O'Sullivan, Joyce should be tremendously proud of her contribution to the Senate and to the people of Alberta. I know that we are all grateful for having had the opportunity to get to know someone who so appreciated the qualities, and made allowance for the frailties, in each one of us, regardless of our political affiliation. Parliament Hill, in particular the Senate, was Joyce's home for so many years, and we were her family.

Joyce, we thank you for all you have done for the Senate, for Alberta and for Canada, and we wish you the very best on this next part of your journey.

Hon. Marjory LeBreton (Leader of the Government): I thank the Honourable Senator Cowan for those fine words in honour of Joyce.

Honourable senators, I would like to say a few words in tribute to someone I have known most of my political life, our former colleague, the Honourable Joyce Fairbairn. As all honourable senators are aware, Senator Fairbairn took leave of the Senate last month. As I said in December when we made a brief tribute to her, although this news was not unexpected it was still very sad. For over 28 years, she was a proud representative of her home province of Alberta and hometown of Lethbridge. She was a pioneer in her own right and a thoroughly warm and engaging person. Definitely Parliament Hill will be a different place without her.

I have known Joyce Fairbairn for 48 years. We travelled together on the 1965 federal election campaign, when she was a journalist for United Press International and a member of the Parliamentary Press Gallery and I was a member of the staff of former Prime Minister John George Diefenbaker. We were both young women working in these fields at a time when there were few others of our gender. We were pretty tough and had to put up with a lot of verbal abuse. I am sure that Joyce would agree that one of the best and most welcome changes over the past 48 years has been the involvement of more and more women on Parliament Hill — women directly involved in the political process and women who cover all of us in the media.

Neither of us could have guessed back then that someday we would both be so fortunate as to serve in the Senate of Canada, and not only that, but to hold the position of Leader of the Government in the Senate. Only three women have held this position — our former colleague Sharon Carstairs, Joyce Fairbairn, who was the first, and I. Seven years ago, when I was appointed to cabinet by our Prime Minister, the Right Honourable Stephen Harper, Senator Fairbairn was one of the first to offer kind words of encouragement. Those words could have come only from someone who had walked the same path.

In addition to her work as government leader, Joyce Fairbairn was a member of numerous Senate committees over the years, including being one of the first members of the Senate Standing Committee on Aboriginal Peoples and Chair of the Senate Standing Committee on Agriculture and Forestry. As she pointed out, she was very proud of her agricultural roots, as am I. She was a western agricultural gal and I was an eastern agricultural gal. She took her work very seriously, and she took her responsibility to Canadians and to her fellow Parliamentarians seriously. Her contributions to Canada, her province, her beloved Liberal party and the Senate of Canada will never be forgotten.

Joyce and I are of different political colours — with Joyce literally wearing her bright red every day. I used to tease her about wearing red all the time, so she said to me “Well, you could wear blue all the time,” and I said, “But I like red and like to wear it the odd time.” Senator Fairbairn and I have shared similar interests over the years, such as our support for the farmers of our country. She has been a strong advocate for the sugar beet industry in her home province, for example. Senator Fairbairn has been a determined voice for many causes over the years, most notably in her support for Canada’s Paralympians, having served as a former chair of the Canadian Paralympic Foundation. She has also been a champion for the importance of literacy skills. As we know, when she was named to the federal cabinet in 1993 by former Prime Minister Chrétien, Senator Fairbairn was also made Minister with Special Responsibility for Literacy. As Senator Cowan mentioned, she sponsored the motion recommending the monument to the Famous Five on Parliament Hill, and I had the honour of seconding the motion.

Honourable senators, I very much wish that Joyce Fairbairn could have been with us today to hear how much her former colleagues respect and admire her, and how sorry we are to see her leave. She will be missed by senators on all sides. The battle she is now fighting is private, and through our own personal experiences with family and friends, we appreciate how difficult this path will be for her.

On behalf of all Conservative senators, I wish to send our best wishes now and always to Senator Joyce Fairbairn and her family. We will continue to keep her and them in our thoughts.

Hon. Jim Munson: Honourable senators, this is emotional. I have learned so much from Senator Joyce Fairbairn and the contributions she has made to this country throughout her more than 40-year career on Parliament Hill. She is a special human being whose actions and decisions are rooted in and inseparable from who she is at heart: hard working, determined, strategic and strong. Joyce owns these qualities and, evidently, always has.

She was just a young woman when she decided to become a journalist. That was in the 1950s when women journalists were almost unheard of, but this did not discourage her. Whatever challenges she encountered while following her dream, they were no match for her. After graduating from journalism at Carleton University in 1961, she worked for the *Ottawa Journal*. In 1968, she moved on to United Press International to report on parliamentary affairs.

[Senator LeBreton]

Joyce likes to say that she was Canada’s first female newsman. She always liked to say that. It is a treat to hear her talk about all of those wonderful days in the tiny cramped office she worked out of right here in the Centre Block and her escapades with *Vancouver Sun* political reporter Marjorie Nichols. Who of my generation can forget Marjorie? Together, they were the “two musketeers.”

• (1420)

It was a long time ago, but we can easily imagine the kind of experiences Joyce had covering events on the Hill during a decade when Canadians went to the polls four times — historical times with intense emotions.

What she gained and what she demonstrated to some of the decision makers she covered — with Prime Minister Trudeau being one — formed the bridge that eventually brought her to this place.

In a 1993 interview with the *Calgary Herald*, she said:

I’ve always had a real affinity for Parliament. I love Parliament. It always distresses me a great deal when I see it downgraded or in some way disregarded by the public or journalists. It is a very important part of our national life.

Honourable senators, those are wise words, which we need today.

Like all those people and places she believes in and cares about, we too have benefited from her compassion, her sense of duty and her ability to make necessary social changes. I recall just two years ago at the Paralympics in Vancouver/Whistler, at the games at the Thunderbird Arena with the sledge hockey team. There would not be Paralympics without Joyce Fairbairn. There they were with the national anthem. The national anthem finished, and then they turned on their sledges, came over and with sticks raised saluted Joyce Fairbairn. It was a moment when we all cried.

Although Joyce spent many years in Ottawa, she never lost her connection with her roots. I believe she has done more to represent the people and interests of southern Alberta than any elected parliamentarian ever could.

Ever since 1984, when she was appointed to the Senate, Joyce rides in the Lethbridge Exhibition Whoop-Up Days Parade. Last summer she asked me to join her. I do not know why, but I got to join her. I also got to sit in an open convertible, waving to thousands of people who came out to celebrate, and nobody knew me. Everyone seemed to recognize her and waved back like they were greeting a dear friend.

It was an emotional experience for me, seeing Joyce so happy. I watched her enjoy that whole afternoon in Lethbridge and the thousands there, and she did. Joyce was truly in her element.

We had been on the parade route for about an hour when I asked, “Joyce, how long does this parade take?” She looked at me with that familiar certainty and just said, “Never mind how long the parade is, Jim, just keep smiling.”

I think what we all have to do in times of controversial circumstances is to use those words and to just keep on smiling. Joyce, you could not be more right. You have accomplished so much and have given so much. I am grateful to call you a friend.

[*Translation*]

Hon. Andrée Champagne: Honourable senators, when I was appointed to the Senate, the first person who called to congratulate and welcome me was Joyce Fairbairn. How she got my phone number at home in Saint-Hyacinthe, I will never know. It will always be a mystery. But she got it and she called me right away.

During all these years in the Senate, we never really had the chance to sit together on a committee. We were always elsewhere.

I had the opportunity to get to know Senator Fairbairn a little better by sharing her dedication to and love for Paralympic athletes. I started to get to know the Paralympians in Valcartier, where I had the opportunity to speak with and get to know many of our veterans who were getting back in shape in order to join a hockey or curling team.

At that time, Joyce and I tried to join forces. I did not do even a fraction of what she did, but I shared with her a desire to help these athletes and to make it possible for them to participate, no matter what their sport.

I remember one young woman who won a ski competition. She was an amputee, and Joyce took her under her wing.

Senator Fairbairn taught me a lot, and I hope that I will be able to continue the work that she started. One thing is certain: her smile and her laughter will be missed.

[*English*]

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I rise to add my voice to those paying tribute to the Honourable Joyce Fairbairn today.

I wish to associate myself with the comments made by my colleagues in this chamber about Senator Fairbairn's exemplary contributions to Canadian public life. Joyce Fairbairn is a political trailblazer, a dedicated community activist and a proud Albertan. She represented her province with distinction in the Senate of Canada for 28 years.

When I became Deputy Leader of the Opposition in 2007, I looked to Senator Fairbairn for inspiration and courage. She was the first to break the mould in this place by becoming the first woman Leader of the Government in the Senate in 1993. In fact, when I came into this place in 2005, Senator Fairbairn acted as my sponsor. I quickly saw that I was in the company of someone special. In the Senate chamber, in committee hearings, in caucus and at public events, the respect and admiration that others held for her was clear regardless of their political stripe. Senator Fairbairn was a leader in the truest sense of the word.

Back home in Alberta, and in fact across the country, Senator Fairbairn has had an impact on her community just as remarkable as her political accomplishments in Ottawa. Lethbridge Mayor Rajko Dodic recently publicly thanked Senator Fairbairn, saying:

During her distinguished career, Senator Fairbairn earned the admiration and affection of her local community.... As a regional Senate representative, Senator Fairbairn has been a tireless advocate for southern Alberta and Lethbridge in particular. Through her decades of service, she has remained down to earth, accessible and easily able to relate to people from all walks of life. This helps explain why many of us in southern Alberta know her simply as Senator Joyce.

Senator Fairbairn is the kind of individual who truly makes this great place function exactly as it was intended to function — a place where substantive, meaningful examination of issues can take place, especially for voices that go unheard in other arenas.

Perhaps Senator Fairbairn said it best herself:

That is one of the good things about the Senate. If you want to invest the time and you have the energy, you can pick out issues that have fallen through the cracks or have been completely ignored.... Literacy became my cause then, and now, and forever.

I will miss Senator Fairbairn's presence in this building. In our Alberta caucus meetings, in our national caucus, in the Senate chamber, her absence is felt.

Joyce, Canadian politics is better for having had you here on the Hill. In all the ways that you have served our country for half a century, I join my colleagues in saying, "Thank you."

Hon. Asha Seth: Honourable senators, Senator Fairbairn and I met more than 10 years ago at a charity function. She and I had been involved in a variety of charitable organizations, including the Canadian Foundation for Physically Disabled Persons, from which she received the prestigious King Clancy Award in 2002 for her work in improving the lives of those with disability.

During all of the time I have known her, Senator Fairbairn proved to be a kind and generous woman. She is an eminent parliamentarian who has dedicated her career to serving Canadians with utmost devotion and integrity.

• (1430)

Joyce has always been supportive of me and my interests, and I will be forever grateful for her generosity and advice.

Our Senator Fairbairn has been not only a philanthropist but also a trailblazer for female politicians, journalists and professionals throughout her career.

Honourable senators, please join me in wishing my dear friend, Senator Joyce Fairbairn, happiness and love in the years to come.

God bless you, Joyce.

Hon. Jane Cordy: Honourable senators, it is indeed a privilege to speak today about our former colleague, Senator Joyce Fairbairn. I join with others today to honour Joyce in the work that she has done.

Joyce started as a journalist on Parliament Hill in the 1960s, when there were not many women journalists around. I remember hearing her tell many stories about those days and what it was like to be a trailblazer for women as a journalist on Parliament Hill. It was not always easy to be the only woman in the press galley. I see Senator LeBreton smiling.

Joyce has a long history of public service. Joyce served as a legislative assistant to Pierre Trudeau and later served as the communications coordinator in his office.

She was the first woman to be named Leader of the Government in the Senate. She was also the minister with special responsibility for literacy. Later, she became a special adviser for literacy to the Minister of Human Resources Canada.

Those of us in the chamber who served for many years on the Social Affairs, Science and Technology Committee with Joyce — Senator LeBreton, Senator Callbeck and Senator Eggleton — will remember that the subject of literacy was near and dear to her. She continuously promoted literacy programs in Canada, and she ensured that communication about new government programs could reach those with poor literacy skills. When new legislation or policy was brought in by the government, Joyce would view it by how it affected those with low literacy skills.

I served for many years on the Standing Senate Committee on Social Affairs, Science and Technology with Joyce. I have great respect for the contributions she made to the Senate and to Canada.

Of course, we all know about her love of Alberta and especially Lethbridge, her hometown. We also know how hard Joyce worked on agricultural issues and what an asset she was to our Agriculture and Forestry Committee, where she served as chair and, later, deputy chair.

My best wishes to Joyce, and I want to thank her for always having such a positive outlook on life. She has made a tremendous contribution to public life here in Canada.

Hon. Nancy Greene Raine: Honourable senators, it gives me great pleasure to pay tribute today to Senator Joyce Fairbairn. It has been good to hear details on her journey from rural Alberta to the top in the rough-and-tumble world of media and politics. From everything I have heard, Senator Fairbairn is not

only intelligent and a hard worker, but she also has human qualities that have allowed her to make friends — and good ones — all along the way. I miss looking across the chamber and seeing Joyce in her signature red suits, always with a cheery wave.

Honourable senators, though Joyce Fairbairn maintained a beautiful home in Ottawa, there is no denying that she was always an effective and well-respected senator from Alberta.

I would like to read a tribute into the record from someone who knew Joyce much better than I did. The Honourable Vim Kochhar, who retired last September, asked me to read these words.

Greetings, honourable senators. The last time I saw Senator Joyce Fairbairn rise in this chamber was on September 27, 2011, at my retirement tribute. Our true passion for our Paralympic athletes bonded us together for more than 15 years. I have been promoting and supporting Paralympic athletes for the past 30 years, and when Senator Fairbairn got involved in the Paralympics, I gained an instant loyal friend.

Senator Fairburn had never heard of the Paralympics until 1998, when she had the unexpected honour of representing the Canadian government at the Paralympic Games in Nagano, Japan. She considered it to be one of the most inspirational experiences of her life.

When she later learned that the Canadian Paralympic Committee was in financial trouble, she began a fundraising campaign and called on me as the founding chair of the Canadian Foundation for Physically Disabled Persons. Naturally, we helped her cause.

She then put together a volunteer group called Friends of the Paralympics, which later became the Canadian Paralympic Foundation and which she chaired. She has been to every summer and winter Paralympics since 1998, except for the recent London games, which she missed due to health reasons.

Senator Joyce Fairbairn was affectionately called “Paralympic Mom.” The athletes loved her so much that one of them presented his gold medal to her after the 2000 Paralympics Games. That remained her prized possession and was displayed proudly behind her desk.

I will always cherish her friendship and remember her in her elegant red dress. I will always remember her passion, her enthusiasm and her open arms, always ready for a big hug.

When I retired, she sent me a signed photograph of herself, which is hanging in my office in Toronto. When I talked to her last week in Lethbridge, Alberta, I realized how much of an impact she had made on me. I will always cherish her.

Please join me in wishing her well.

Honourable senators, Vim Kochhar's words show what an impact Senator Fairbairn had on the Paralympic movement in Canada. She is a great example of the opportunity to do good that comes to us as we serve in the Senate of Canada. I will never forget the warmth and sincerity of Joyce Fairbairn, and I ask that we all follow her example.

Hon. Terry M. Mercer: Honourable senators, I will not be giving a major tribute to Senator Fairbairn today, but I wanted to draw your attention to the fact that on the Order Paper is an inquiry, moved by Senator Callbeck, on the importance of literacy. I will be speaking to it later this week and will be concentrating on Senator Fairbairn's contribution. I would encourage others to give consideration to that as well. I know that Senator Callbeck, when she closes debate, will be concentrating on Senator Fairbairn's contribution to that cause.

Hon. Lillian Eva Dyck: Honourable senators, I would like to say a few words about our colleague, Senator Joyce Fairbairn. In fact, I am wearing my red jacket today in honour of Joyce because everyone knew that Joyce loved to wear red, and so do I. I feel that in displaying this jacket I am stepping into some big shoes.

I was appointed to the Senate in the spring of 2005, and one of the first people who approached me to do a speech was Joyce Fairbairn. She said, "I have been a lifelong champion of literacy, and I have this inquiry on the paper. Would you be willing to make a speech?" I thought, yes, of course, because in my lifetime, too, literacy and education were two of the important things that got me to where I got to in the work world. I agreed.

I have to admit that that was one of the best things that could have happened to me because it forced me to do a whole lot of research on literacy and education with respect to the Aboriginal population, and now everyone in the world is talking about it. Through that intervention, Joyce put me on the right road, and I will continue to be there.

It was mentioned that she was made an honorary chief of the Blood tribe in Alberta. That, in itself, is an achievement because that is giving her the highest honour in that community, so we know in what high regard she was held.

The last thing I want to say is that Joyce has Alzheimer's disease, but she was in a good place because she had a lot of friends that were like her family here in the Senate. I saw so many people — Senate staff, her staff, other senators — who cared deeply about her and were helping her along in those moments where she might have had some difficulty. The security staff were very concerned, and we do not often give credit to them. A number of times they said to me that they hoped she was okay. All sorts of people were looking after her. That indicates what a great person she was, what great drive she had and how she was working hard to make Canada better for us all.

Hon. Art Eggleton: Honourable senators, I am pleased to join this tribute to Joyce Fairbairn. I met Joyce many times over the years but first got to work with her when we, from day one, were part of the Chrétien cabinet, she as the Leader of the Government in the Senate. I got a much greater understanding of what this institution does — the valuable work that it contributes — through the very solid work that Joyce herself was doing in reporting to cabinet.

• (1440)

Later on, when I became Minister of Defence, I was very impressed with all her community work, including being an honorary colonel of the 18th Air Defence Regiment in her home province, a very valuable contribution, again, in another field.

Finally, when I joined the Social Affairs Committee here in the Senate and became chair of it, I appreciated her counsel very much with respect to a number of the social justice issues we were dealing with, and her contribution to dealing with the poverty, housing and homelessness issue, a great part of a major study that we did. Literacy was one area that was part of that focus and something she made a valuable contribution to.

Overall, Joyce made a very valuable contribution to this country, and I am happy to join my colleagues in paying tribute to her.

Hon. Joan Fraser: Honourable senators, I would like the record to show that not only Senator Dyck and I are wearing red jackets but also Senator LeBreton is wearing a red jacket today, which is entirely fitting. I thank her in particular for her beautiful tribute to our friend.

It is not easy to pay tribute to someone you care about. I first knew Joyce not as a journalist or as a senator but as a family friend. She was a great friend of my uncle, Blair Fraser, back when she was a young journalist, and she adored him, as did we all. He was a man worthy of being adored and he was a great mentor for young journalists, as I later had cause to know myself. Joyce never forgot all that she had learned from him. She was also a very great and loyal friend of my aunt, Marjory Armitage, who pretty well adopted Joyce when she arrived in Ottawa as a young girl, a little bit lost in the big city. Joyce became an extension of my aunt's family, and I think to my cousins, Gordon and Blair and Margaret, she was basically an older sister and much beloved. She was a friend to that family through good times and bad, for many years. She spoke at my aunt's funeral and she gave an immensely moving and beautiful eulogy.

Later, of course, I came to know her as a senator. I was so innocent when I arrived here that I did not realize your sponsor was supposed to be someone from your own province, and I asked Joyce if she would be my sponsor. She blinked and said yes. It was an unorthodox choice, but what a fortunate error it was for me to have made because she, in her turn, was one of the greatest mentors and one of the greatest friends one could possibly have in this place.

Another senator who had lived through the tumultuous debates on free trade and the GST and other high moments of our institutional life said to me once that Joyce restored civility to this place. She did not do it alone, of course, but we know what a force she was for civility and trust and friendship. One of the things I remember most fondly about her is watching her and Senator Lynch-Staunton, once a year, with obvious great mutual affection, exchanging books to celebrate the cause of literacy in this country. It was a small indication of the enormous work that she did for great causes, and it was visible evidence of what she brought to us all, what she gave to us all. We cannot give her now anything other than our most heartfelt good wishes, but those I know we all send.

Hon. David P. Smith: Honourable senators, I am rising to pay tribute to Joyce. I might get a little emotional, too, because I knew her very well for a long time. When Senator LeBreton mentioned 48 years I started doing the math. I do not mean to one-up her, but for me it was at least 49 years because in 1964 I became Keith Davey's right-hand guy in the Liberal headquarters and youth director, and that is when Joyce and I got to know each other and bonded.

There was always that chemistry with Lethbridge; I have heard so many Lethbridge stories. She was just a wonderful, wonderful person. She worked her guts out for this place. I do not mean to be partisan, but for the Liberal Party it is kind of part of making democracy work—and for those who do the same for the Conservatives, I respect that.

In a way she sort of inadvertently conveyed to me in an incident one time the nicest thing that I ever heard from Pierre Trudeau. This goes back to when I was in the House of Commons with Mr. Trudeau and I was in his cabinet for a little while at the end, as Minister of Small Business and Tourism. Joyce was one of the key staffers and she came in with a couple of people to see me. There were all the exchanges, and then she said, "Okay, the Prime Minister is giving a speech." I said, "Okay. What on?" She said, "Peace." I said, "Where?" She replied, "The University of Guelph. He wants to use a verse in the Bible and we cannot find it." I said, "Really? Peace? '... swords into plowshares?'" She said, "Yes." I said, "Isaiah." Senator Fairbairn then said, "No, he does not want the Isaiah one." I said, "Really? Well, what did he say?" She replied, "He said Ecclesiastes." I said "Really?" She went on, "We read Ecclesiastes three times through and we cannot find it. We had another meeting this morning, a third meeting, and he said we were incompetent in terms of research and he could not believe it and he just did not know what to do. I thought I would come and talk to you." I said, "Your problem is you have been using the King James Version of the Bible. You have to go and get a Catholic Bible. There are a number of chapters and several books that are regarded by old Protestant theologians as the apocrypha and they are not included in the Catholic Bible. Go to the last three or four chapters of Ecclesiastes and you will find it." Joyce said, "Oh, thank goodness." Then I could not resist. I asked, "Why did you come to see me?" She said, "The Prime Minister said, 'Well, for Pete's sake, go and see David Smith; he will know where that bloody verse is.'" That was the nicest thing Trudeau ever said about me.

[Senator Fraser]

In any event, this place was her life. Lethbridge was, too, but this place was her life. She used to like to sit beside me and chat. I knew Mike Gillan, but he passed away some years ago. I will miss you, Joyce. I will really miss you. You are a wonderful person. We need more Canadians like you. Thank you.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before moving on to Routine Proceedings, I wish to draw to your attention the presence in the gallery of Sergeant Mathieu Sauvageau, who is here with his wife, Anik, and their daughter, Laurence. They are the guests of our colleague, the Honourable Senator Dagenais.

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

ROUTINE PROCEEDINGS

CANADA NATIONAL PARKS ACT CANADA-NOVA SCOTIA OFFSHORE PETROLEUM RESOURCES ACCORD IMPLEMENTATION ACT CANADA SHIPPING ACT, 2001

BILL TO AMEND—FIRST READING

Hon. Claude Carignan (Deputy Leader of the Government) introduced Bill S-15, An Act to amend the Canada National Parks Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to the Canada Shipping Act, 2001.

(Bill read first time.)

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

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

• (1450)

[English]

THE SENATE

MOTION TO ORDER A LEAVE OF ABSENCE FOR THE HONOURABLE SENATOR BRAZEAU AND FOR THE INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION COMMITTEE TO SUSPEND SENATE RESOURCES AS DEEMED FIT ADOPTED

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move, seconded by the Honourable Senator Cowan:

That, pursuant to rule 15-2(1), in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament, the Senate order a leave of absence for the Honourable Senator Brazeau to last until this order is rescinded pursuant to rule 5-5(i); and

That for the duration of this leave of absence the provisions of rule 15-1(3)(a) apply to the Senator, and the Standing Committee on Internal Economy, Budgets and Administration have authority, as it considers appropriate, to suspend the Senator's right to the use of some or all of the Senate resources otherwise made available for the carrying out of his parliamentary functions, including funds, goods, services, premises, moving, transportation, travel and telecommunication expenses.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

QUESTION PERIOD

HUMAN RESOURCES AND SKILLS DEVELOPMENT

INTEREST ON CANADA STUDENT LOANS

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate and is related to a question raised last week by the Honourable Senator Callbeck on youth unemployment. Senator Callbeck pointed out that the unemployment rate for young Canadians is roughly double that of the general population. I would add the fact that Canada has not recovered the 214,000 jobs lost by young Canadians since 2008.

This is an issue that affects everyone. Young Canadians of today will be the ones paying into the health care system and buying the baby boomers' homes tomorrow, but they cannot even start thinking of a house and starting a family if they cannot find a good job and pay off their student debt. For example, the average debt for university graduates is \$27,000. At today's interest rates for student loans, it would cost a hefty \$530 a month to pay off that debt over five years.

Madam Leader, why not eliminate interest on federal student loans, as some provinces have done, to make the debt that young Canadian graduates are carrying more tolerable?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. As I mentioned last week in my response to Senator Callbeck, since 2006, the government has invested heavily in the issue of Canada's youth, particularly on the unemployment side, in our efforts to assist Canada's young people in finding gainful employment.

In 2011-12, we assisted 50,000 youth to receive training through the Youth Employment Strategy; we made a permanent increase of 36,000 youth jobs per year to the Canada Summer Jobs program; we provided support for the Canadian Youth Business Foundation; Career Focus helps employers provide recent graduates with internships that provide valuable work experience and about 3,000 people benefit from this per year; Pathways to Education, which has a record of success helping vulnerable youth complete post-secondary education, will help an additional 10,000 young people; our Apprenticeship Incentive Grant has helped 283,000 young people; Skills Link helps youth obtain skills and has helped over 17,000 youth; and, of course, the Canada Student Grants Program helped over 320,000 young people in 2011-12 to obtain the loans they need to attend post-secondary education, that is 185,000 more than was the case under the previous government. Unfortunately, most of these important measures have not had the support of the honourable senator's colleagues in the other place.

Senator Tardif: Madam Leader, I appreciate the list of programs that the government has invested in for youth unemployment and for youth generally, and I do have that list before me. I have read the *Debates of the Senate*. However, that does not address the question that I raised here concerning eliminating the interest on student loans. This is something that provinces — and I name P.E.I. and Newfoundland and Labrador — have been doing, and it is something that is widely agreed on in the post-secondary education system.

Why is the government not taking real, practical action when many young Canadians are facing heavy student debt and a weak job outlook? Does not such a measure, which would have a real and broad impact, deserve at least consideration, given the economic situation of young Canadians?

Senator LeBreton: With regard to what the various jurisdictions do in this area, it is important to point out that we provided an increase of 40 per cent through the Canada Social Transfer. That 40 per cent represented \$800 million a year. We have provided a great increase and significant funding to the provinces.

The senator points out that some provinces have initiated policies in their own jurisdictions, but that does not take away from the fact that the federal government increased the transfer to the provinces by 40 per cent, or \$800 million a year.

FISHERIES AND OCEANS

INCREASE IN ALLOWABLE SIZE OF LOBSTER CARAPACE

Hon. Elizabeth Hubley: Honourable senators, my question is for the Leader of the Government in the Senate. Prince Edward Island lobster fishers are concerned about the Department of Fisheries and Oceans' plans for possible changes to the minimum lobster carapace size in Lobster Fishing Area 25. There is an ongoing disagreement between New Brunswick lobstermen and P.E.I. lobstermen about whether the minimum carapace size should be increased, and if so by how many millimetres. P.E.I. lobstermen have some deep concerns about this process and the devastating impact a carapace size increase could have on their industry.

• (1500)

I wonder if the Leader of the Government in the Senate could provide some further details on this process and on DFO's plans. In particular, I would like to know what kind of consultations have already taken place between DFO and the involved stakeholders and whether DFO plans to hold any further follow-up meetings to these consultations. What is DFO's rationale for considering a carapace size increase?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the government is obviously committed to an economically viable fishery that creates jobs and enables prosperity for all Atlantic Canadians. The Department of Fisheries and Oceans continues to work with all involved in Lobster Fishing Area 25 in order to find solutions that work for this very important industry on both sides of the Northumberland Strait.

Senator Hubley: I thank the leader for her answer. I would like to know the rationale, and so certainly would the fishermen, behind the carapace size increase. What was it? Was it additional scientific information that the government has that is behind this change in size? That would be interesting.

I would also like to have an answer as to what decision has been made on the carapace size for this year. What can fishermen expect for next year? Further, is DFO considering options other than a carapace size increase, such as changing the start date of the lobster fishing season in LFA25?

Senator Mercer: You should have that at your fingertips.

Senator LeBreton: Yes, I have those facts just like that.

As I mentioned earlier, honourable senators, the Department of Fisheries and Oceans is working very diligently with industry on both sides of the strait. With regard to the specific questions, of course, as Senator Mercer has already quite readily pointed out, I would not have that information at my fingertips.

Senator Mercer: The card system failed.

Senator LeBreton: I will be happy to take that question and provide a delayed response.

[Translation]

INTERNATIONAL COOPERATION

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Hon. Marie-P. Charette-Poulin: Honourable senators, my question is for the Leader of the Government in the Senate. Many Canadians were surprised to learn that an openly homophobic group had received funding from the Canadian International Development Agency to work in a country that Canada has sharply criticized for persecuting its homosexual citizens.

Could the Leader of the Government in the Senate explain the criteria CIDA uses to choose partners for official development assistance projects?

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for that question. CIDA funds projects based on need and merit. This particular project was funded for those very reasons. This particular organization has been working on projects in Africa and their projects have been funded since 1999.

[Translation]

Senator Charette-Poulin: The leader mentioned that projects are funded based on need and merit. A number of organizations, such as Development and Peace, have had their projects challenged. In the case of Development and Peace, the organization had been involved for years, but funding was abruptly cancelled.

If the criteria are based on need and merit, could the Leader of the Government in the Senate tell us how organizations requesting funding from CIDA are assessed?

[English]

Senator LeBreton: Again, honourable senators, the government funds projects based on the merit and the importance of the project, not the organizations. Projects are delivered without religious content and are non-discriminatory in basis. This particular organization has received funding for meritorious projects since 1999.

ENVIRONMENT

CLIMATE CHANGE

Hon. Grant Mitchell: Honourable senators, after seven years in power, I think it is dawning on the government that they have been incapable and incompetent, actually, to build a pipeline in energy-rich Canada, let alone get approval for Keystone. Now they are getting a little inkling of what they need to do. They have to be stronger on the environment, they are saying. They have to send a stronger message about their environmental responsibility and credibility.

They have launched Minister Joe Oliver, who said recently that he is committed to persuading the American public that Canada is serious about fighting climate change. This from the minister who, when asked in the house, stood up and refused to state clearly that he accepts the science of climate change.

What exactly will Mr. Oliver say when he is in Washington, D.C., and the press come up to him with a microphone and inevitably ask the question: “Mr. Oliver, do you or do you not accept the science of climate change: yes or no?”

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I think what Minister Oliver would say is that our government’s responsible resource development plan will create good, skilled, well-paying jobs in communities across Canada while maintaining comprehensive, science-based environmental reviews.

Our government supports the diversification of our exports. However, we are committed to ensuring that projects only move forward if they are environmentally sustainable. That is what Minister Oliver has said in the past. I am sure he will say that when he goes to Washington and they ask him the question yet again.

Senator Mitchell: Right, but he is not speaking to a right-wing base when he goes to the U.S., a base that might agree with him in his denial of the science of climate change. He will be speaking to a government headed up by President Obama, the President of the United States, who said very clearly in his inaugural address that he accepts the science of climate change. The minister may be able to spin his 35-per-cent base in this country and he may be able to spin his own caucus, but, when he goes to the United States and talks to President Obama and people like President Obama, does anybody really believe that he will be able —“he” being Mr. Oliver or Mr. Harper — to spin those people with the kind of answer the leader just gave us, which skirts the issue of climate change? He must be definitive about it.

It is happening. Human endeavour is causing it. If we do not get the message across that we accept that deeply in our government, we will not get the social licences to build those pipelines and he will make a fool of himself.

Senator LeBreton: The honourable senator should have one of those little repeating recordings, because he says the same thing all the time.

The fact of the matter is that our government is working very closely with the Obama administration. I already told honourable senators what the minister has been saying and what the government has been saying.

We believe in developing our resources. We believe that in doing so we must be mindful of the environment and that it must be based on science.

Any accusations about who our audience is, our message is the same no matter who we are speaking to because we believe it is our responsibility to represent all Canadians in our efforts to protect jobs and our economy and to put this country on footing for a prosperous future.

Senator Mitchell: Honourable senators, why is it that this government cannot understand that if they want to protect jobs in this country then they must deal with climate change? Is it not clear yet that the risk to jobs because of not dealing with climate change is literally infinite, and that dealing with climate change opens up a whole new realm of possibility and inspired a creative, 21st century economy? That is what is at stake here.

Senator LeBreton: I would invite the honourable senator to go back and read Hansard from last week, because I addressed these issues on climate change. I pointed out the cooperation and the varied work we are doing in the United States thanks to the efforts of our government, our ambassador in the United States and many others who represent our government to the various officials in Washington.

• (1510)

We are absolutely proceeding with the development of our resources with a very strong commitment to science and to the environment.

Senator Mitchell: Honourable senators, the government and the leader continually refer to the fact that we are in step with Mr. Obama and the U.S. It is interesting how they can say that in light of the fact that the U.S. and Mr. Obama did not support us in our bid to get the UN Security Council seat because we had offended them largely in Copenhagen with our absence in support of what they were trying to do there.

Now we see we are in danger of losing a battle with the U.S. over cross-border management of polar bears. How is it that this government thinks, if they cannot even get support for the polar bear initiative, they will ever get support, based on their climate change record, for building the Keystone pipeline?

Senator LeBreton: Honourable senators, the fact is we have a very solid record of working with the Obama administration.

With regard to the issues that are in the news about the polar bear, obviously, Canada is in a very unique position with respect to the people who live in the northern part of our country and who rely very much on the polar bear as a part of their culture and their way of life. With regard to the polar bears, we are proceeding and making the point about their importance to our people in the North.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table the answer to the oral question asked by the Honourable Senator Munson on May 16, 2012, concerning the Rio + 20 Summit.

[English]

Honourable senators, I have the honour to table the answer to the oral question asked by the Honourable Senator Cordy on May 2, 2012, concerning Parks Canada.

[Translation]

Honourable senators, I have the honour to table the answer to the oral question asked by the Honourable Senator Mitchell on May 10, 2012, concerning climate change.

ENVIRONMENT

RIO + 20 SUMMIT—OFFICIAL OPPOSITION PARTICIPATION

(Response to question raised by Hon. Jim Munson on May 16, 2012)

The delegation for the Rio + 20 Conference was led by the Honourable Peter Kent, Minister of the Environment and consisted of representatives from the federal government, with representatives from the provinces of Quebec, Manitoba, and Alberta.

While opposition members of Parliament were not included in the delegation, the government was ready to assist in the accreditation of opposition members who might have been interested in participating in the Conference.

Many Canadians from civil society, including youth and non-government organizations representatives were accredited to participate in the Rio + 20 Conference.

[English]

PARKS CANADA

(Response to question raised by Hon. Jane Cordy on May 2, 2012)

Parks Canada is focusing services when and where the majority of visitors use them. When visitation is at its highest during the peak season of operation at national parks and national historic sites, staffing will continue to be at its highest levels and facilities will be fully operational.

Specifically, the length of the operating seasons and hours of operation at the Halifax Citadel and the Fortress of Louisbourg national historic sites will not change during peak season.

[Translation]

CLIMATE CHANGE STRATEGY

(Response to question raised by Hon. Grant Mitchell on May 10, 2012)

The Government of Canada takes the challenges of climate change seriously. For this reason, the Government is actively pursuing a comprehensive climate change agenda domestically and internationally.

We committed to a 17 per cent reduction in greenhouse gas emissions compared to 2005 levels by the year 2020. Canada pledged this target internationally in the context of the Copenhagen Accord, and reaffirmed it through the Cancun Agreements.

Our target matches the United States target. The North American economy is integrated to the point where alignment of certain climate change policies is necessary in order to maintain competitiveness for Canadian industries.

To reach the 2020 target, we have developed a regulatory plan that will systematically address all major sources of emissions starting with the largest emitting sectors (transportation and electricity) first. Our plan is mindful of the need to align with the U.S. where appropriate. Performance standards are being developed to drive investments in new clean energy technologies and industries, while at the same time generating reductions in emissions.

Through Canada's Emissions Trends document, the Government has been very clear about what we are doing to address climate change and the expected impact of our actions. This report presents projections of greenhouse gas emissions in Canada to the year 2020 and indicates that Canada is one half of the way to meeting our target of reducing GHG emissions to 607 megatonnes per year by 2020.

In October 2010, new light duty vehicle regulations for model years 2010-2016, the first ever national GHG regulations in Canada, came into force. These regulations are aligned with those in the U.S., establishing a common North American standard. In April 2012, the Government published proposed GHG regulations for new heavy-duty vehicles in Canada Gazette I. These regulations will apply to 2014 and later model years, and will also be aligned with U.S. national standards. It is expected that final regulations will be published in early 2013.

We are continuing to work with the U.S. to develop harmonized and progressively more stringent standards for the 2017 and later model years of cars and light trucks, and, on November 16th, 2011, released a consultation document on this.

On September 5, 2012, the Government released the final regulations to limit emissions from coal-fired electricity generation. These regulations, which will come into effect in 2015, will impose stringent GHG performance standards on new coal-fired electricity generation units and on units that have reached the end of their economic life, accelerating a transition towards lower- or non-emitting types of generation.

Having begun with transportation and electricity, we are now moving to address emissions in other major-emitting sectors of the economy, including oil and gas. Officials from Environment Canada have already begun engaging with key stakeholders on the development of regulations. Upcoming federal initiatives, in particular oil and gas regulations, along with further provincial measures, will further contribute to the additional emissions reductions required for Canada to meet its target.

Finally, the Government also recognizes that Canada, as a northern country, will be significantly impacted by climate change, regardless of its mitigation efforts. For that reason we are taking important steps to help Canadians adapt to a changing climate.

The federal government is providing \$148.8 million over the next five years to support an improved understanding of climate impacts and promote adaptation by industry and communities. These programs were developed in the context of a new Federal Adaptation Policy Framework which establishes a clear federal role for advancing scientific information, decision-making tools, and knowledge sharing.

With respect to cuts made to jobs and programs at Environment Canada, like other departments and agencies, the department is contributing its share to efforts to return to a balanced budget. However, the key objectives of Environment Canada have not changed — it remains focused on providing Canadians with an environment that is clean, safe, and sustainable.

[English]

ANSWERS TO ORDER PAPER QUESTIONS TABLED

NATIONAL REVENUE—OVERSEAS TAX EVASION

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 58 on the Order Paper by Senator Downe.

ENVIRONMENT—ASBESTOS EXPORTS AND REMOVAL

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 61 on the Order Paper by Senator Jaffer.

ORDERS OF THE DAY

CORRUPTION OF FOREIGN PUBLIC OFFICIALS ACT

BILL TO AMEND—DEBATE ADJOURNED

Hon. Janis G. Johnson moved second reading of Bill S-14, An Act to amend the Corruption of Foreign Public Officials Act.

She said: Honourable senators, I am pleased to begin debate today on second reading on Bill S-14, the fighting foreign corruption act. With recent uprisings in the Middle East, we have seen an increasing amount of international attention being paid to global corruption and, indeed, the Canadian media has taken note of a number of recent high profile cases in our courts. In fact, just weeks ago, a Canadian company, Griffiths Energy International, was charged for paying \$2 million to get an advantage in two exploration blocks in Chad.

Canada has long played a prominent role on the international stage in combatting corruption. Our anti-corruption laws stand as a reminder that corruption is not the Canadian way of doing business. Bill S-14 is an expression of the government's commitment to continued vigilance. It signals our commitment to redouble the fight against bribery and corruption, and it sends a message of our expectation that other countries do the same.

As the Minister of Foreign Affairs reinforced during his announcement last week,

Our government's top priority is securing jobs, growth and long-term prosperity. In our international dealings, this takes many forms.

It involves positioning Canada as a reliable supplier of the resources emerging markets need to grow.

It involves pursuing an aggressive, pro-trade agenda.

It involves creating the conditions for Canadian businesses to succeed.

Honourable senators, in force since 1998, the Corruption of Foreign Public Officials Act, referred to as CFPOA, makes it a crime in Canada to bribe a foreign public official to gain a business advantage abroad. Foreign bribery undermines economic prosperity by corroding the rule of law that is the basis for market freedom. The global fight against foreign bribery is intended to create a level playing field for international business.

A number of federal departments, agencies and Crown corporations play key roles in Canada's two-pronged approach to foreign bribery, that of enforcement and that of prevention. The RCMP enforces the CFPOA and in 2008 the International Anti-Corruption Unit, which is dedicated to the investigation of foreign bribery, was established.

Honourable senators, I am proud to report that our government remains committed to combatting foreign corruption. Bill S-14 reflects what we believe is the will of Canadians, Canadian businesses and stakeholders. In January 2012, over 30 expert stakeholders from Canadian businesses, law firms, academic institutions and non-governmental organizations participated in a consultation organized by the Government of Canada in Ottawa on the issue of corruption and foreign bribery. It provided an opportunity for fulsome discussion and concrete steps that could be taken to improve the enforcement of CFPOA, as well as an opportunity to further encourage Canadian companies to prevent bribery before it happens and to detect it if it occurs.

As a direct response to stakeholders' views, the six proposed amendments tabled last week will help ensure that Canadian companies continue to act in good faith in the pursuit of freer markets and expanded global trade.

Honourable senators, I would like now to give you an overview of the six amendments proposed under Bill S-14.

First, the introduction of a nationality jurisdiction clause would allow Canada to prosecute foreign bribery by Canadians or Canadian companies, regardless of where the bribery takes place in the world. It would eliminate the requirement that currently exists under our law to demonstrate a real and substantial connection between Canadian territory and the offence. This approach is consistent with the practice used throughout OECD jurisdictions.

In 2009, through then Bill C-31, the government tried to amend the CFPOA by introducing a nationality jurisdiction clause. However, that bill died on the Order Paper when Parliament prorogued.

Second, Bill S-14 proposes to clarify which authorities may lay charges under the CFPOA by giving officers of the RCMP, or peace officers employed by the RCMP, the exclusive ability to lay charges. Currently, the CFPOA does not place a limit on who is able to lay charges. I believe this amendment will ensure that a uniform approach is taken across the country. It will also send a clear message to Canadian businesses that they should contact the RCMP if they have a problem with foreign bribery.

The third amendment proposed under Bill S-14 is the elimination of the so-called "facilitation payments" defence. Currently, the act states that payments made to expedite or secure the performance by a foreign public official of any act of a routine nature does not constitute bribes for the purposes of the CFPOA. To provide some context, a facilitation payment is a "grease payment" paid to a foreign public official to do something that he or she is already obligated to do, such as deliver one's mail on time. Conversely, payments that are made to receive a business advantage constitute bribes, which are illegal under the CFPOA, and, as a result, it is our belief that the elimination of the facilitation payments defence will not create a competitive disadvantage for Canadian companies in international markets. Unfortunately, legislation in a few other countries still contains a facilitation payments defence, and we hope that they soon will follow our lead.

[Senator Johnson]

• (1520)

In order not to place Canadian companies at a disadvantage and to allow sufficient time for them to adjust internal controls, this specific amendment will be implemented on a date to be determined by the Governor-in-Council.

Under Bill S-14, the government is also proposing to clarify the scope of the act by eliminating the words "for profit" from the definition of "business." This would ensure that the CFPOA is not limited to bribes paid for "for-profit" enterprises or just in the course of business that is currently profitable.

During the January 2012 consultation session held by the government, Canadian stakeholders unanimously supported increasing CFPOA penalties to deter Canadian companies from engaging in foreign bribery. For this reason, Bill S-14 proposes to increase the maximum jail time from 5 years and unlimited fines to a maximum of 14 years and unlimited fines.

The sixth and final amendment proposed in the fighting foreign corruption bill would create a new books and records offence. Although there are already offences under the Criminal Code that criminalize falsification of books and records, they are not specific to foreign bribery. Therefore, international anti-corruption treaties to which Canada is a party require that measures be put in place to ensure that individuals and companies do not "cook the books."

Honourable senators, Canada is a trading nation. Our economy and future prosperity depend on expanding our trade ties with the world. As we continue to broaden our international trading relationships across the globe, it is essential that our country uphold its integrity with respect to all of our international partners. Canada is determined to pursue its efforts in combatting foreign corruption and supporting a framework conducive to continued vigilance in order to ensure the jobs, growth and economic prosperity that Canadians deserve. We are determined to pursue whatever effort is necessary to combat foreign corruption, and I believe this legislation does just that.

(On motion of Senator D. Smith, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—THIRD READING—DEBATE CONTINUED

On the Order:

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

Hon. Linda Frum: Honourable senators, I stand today to join with honourable senators on both sides of this esteemed chamber to call for the defeat of Bill C-290, An Act to amend the Criminal Code (sports betting).

I confess that before this bill arrived for review in the Standing Senate Committee on Legal and Constitutional Affairs, of which I am pleased to be a member, I had never given the subject of sports betting much thought. However, I did find it highly persuasive that the bill received the rare and unusual blessing of unanimous consent of the House of Commons before reaching us here in the upper chamber. Accordingly, it seemed appropriate that we in the Senate, with suitable deference to the primacy of the other place, would in due course give this bill our own assent.

It was appropriate, that is, until it became painfully apparent that the prime stakeholders affected by Bill C-290, the major sports leagues and other professional and amateur sporting organizations, had not only never been consulted on this legislation, they did not even know it existed. I know this to be a fact because I contacted some of them myself. Representatives of MLB and the NHL expressed to me their disbelief that their input on a bill that is to have a significant negative impact on them was never sought out by the house.

Major league sports in Canada and their spin-off industries contribute billions of dollars annually to the Canadian economy. The Canadian NHL, NBA and MLB franchises alone generated approximately \$1.2 billion in 2010, according to *Forbes*. Spending on sport tourism in Canada that same year reached \$3.6 billion. Even that is far from the whole picture.

To enact a bill that will have, in the estimation of the leagues, a seriously deleterious effect on them, without having consulted them first, would be akin to renegotiating NAFTA without first consulting the auto industry. It was only when the Senate Legal Committee began studying Bill C-290 in a rigorous fashion, which included not only reaching out to the important stakeholders mentioned above but also to experts in the fields of addiction and mental health, that the recklessness that is Bill C-290 became fully exposed.

I would like to take a moment to thank and acknowledge our committee's profoundly fair-minded chair, Senator Runciman, who as we all know is also the sponsor of this bill in the Senate. He, along with his deputy chair, Senator Fraser, ensured that the bill received a fair and thorough hearing in our Senate committee. I would also like to tip my hat to Senator Doyle, Senator White and MP Michael Chong for their vigorous efforts on this issue, as well.

During our committee hearings, the testimony of the representatives of major league sports — and I repeat the testimony of the organizations that are most directly impacted by this bill — was unequivocal: They strongly and vociferously opposed Bill C-290. The submissions we received from the NBA, NHL, NFL, MLB and the NCAA made it abundantly clear that preserving the integrity of sport is a very real and pressing concern for each and every one of them. They consider Bill C-290 to be an attack on their standards and on their industry.

Mr. Tom Ostertag, Senior Vice President of MLB, testified in person that the prohibition on gambling “is the strongest and most important rule that we have when it comes to the integrity of our sport.” Mr. Paul Beeston, President of the Toronto Blue Jays, stated:

...there is a fundamental difference between illegal sports betting, which Major League Baseball tries to monitor and contain, and government-sponsored betting, which confers public approval of a system that is inherently corrupting.

The other big three professional sports leagues, the NBA, NFL, NHL, as well as the NCAA, provided independent submissions to the committee, echoing the idea that they strongly oppose this bill and have grave concerns about its effects.

The brief provided by the NHL states:

If single-game sports betting becomes a publicly fostered and sponsored institution, then the very nature of sports in North America...will change, and we fear it will be changed for the worse.

It went on to say:

This bill jeopardizes the integrity of professional sports and the public's trust and confidence in professional sports in North America.

The NFL submission provided that:

Making single-game sports gambling a widespread legitimized institution will portray an image to our fans, including the youth, that gambling and sports are not only an accepted combination but a natural one, so that if they enjoy sports, they will also enjoy gambling.

These are not hollow, pious words being expressed by the leagues just to enhance their moral image. We know these words to be sincere based on events currently transpiring in New Jersey.

In January 2012, Governor Chris Christie signed legislation to allow single-sport betting in his state. The four major professional sports leagues and the NCAA promptly filed suit against the State of New Jersey under PASPA, the Professional and Amateur Sports Protection Act of 1992. This federal U.S. law prohibits single-sport betting in all states except Nevada.

In December 2012, just two months ago, the leagues were able to move their case forward when a U.S. District Court judge denied the state's request to dismiss the lawsuit by agreeing with the leagues that they have standing to file their suit because, as the judge said, “expanding legal sports betting to New Jersey would negatively affect perception of their games.”

Given the aggressive resistance from the leagues to single-sport betting in New Jersey and the forcefulness of their response, I think we can have no doubt that the leagues' opposition to single-sport betting is real and genuine.

Given this real and genuine opposition, it is not difficult to extrapolate that Bill C-290, if passed, may result in the unintended consequence of preventing the future expansion of professional sports teams into Canada. We know the NFL has been considering an expansion team in Toronto and the NHL has been looking into the possibility of second teams in Ontario, Quebec or British Columbia. However, if single-sport betting does become legalized in those jurisdictions, why will the major sport leagues treat them any differently than they already treat Nevada, which is as an unsavoury, no-expansion zone? What would be the financial and social consequences to Canada of that?

• (1530)

Some in this chamber have questioned the sincerity of the leagues' opposition to gambling. Some say they are just going through the motions, although events in New Jersey strongly suggest otherwise, and others accuse them of hypocrisy, suggesting that their opposition to single-sport betting stems not from a high-minded regard for the purity of sport but from some other, less noble motive.

Let us follow the cynic's logic on this because maybe they do have a point. Maybe the leagues do care about preserving the purity and integrity of sport not because they are principled, not because they are animated by a philosophical attachment to moral excellence, but because the integrity of sport is essential to their business model and indeed to their very survival. The truth is, honourable senators, the day that customers and sports fans stop believing that what is transpiring on the field or the ice is real and genuine, that is the day the sports industry dies.

A 2012 international study titled *Sports Betting and Corruption* produced by the Paris think tank Institut de relations internationales et stratégiques states:

The apparent increase in cases of fraud in sport, in particular those connected with betting activities, is threatening the very essence of sport. The glorious uncertainty of sport and the honest and upright image of athletes... risks being undermined unless serious measures are taken to bring corruption to an end.

In the long term, as has been seen in some Asian and Eastern European countries, sport will die if the public and sports authorities do not take action to combat fraud... the public loses interest in rigged competitions, sponsors refuse to associate their image with those competitions, the media turns its back and clubs die through a lack of resources....

The risk of modern sport falling into decay in the face of repeated scandals is genuine and must not be underestimated.

If modern sport is at risk of falling into decay, what does Bill C-290 do to advance that risk? Well, honourable senators, it advances the risk a great deal. However, to understand fully

how exactly Bill C-290 makes things worse, first one has to understand the way that single-sport betting has evolved in the Internet age. Let us be clear: If this bill is enacted, its primary impact will not be to grow the type of betting envisioned by its sponsors in the NDP, Mr. Comartin and Mr. Masse, who dream that a steady stream of gamblers will journey to the casinos of Windsor and Niagara Falls in order to place their bets in person. That is not how single-sports betting is done in the modern age. Mr. Beeston, currently the president of the Toronto Blue Jays but also previously Chairman of the Board of Trustees for the Centre for Addiction and Mental Health, stated that people prefer to bet on the Internet because "... they receive different betting formulas, greater odds, betting on credit and the ability to hide income."

Since people prefer to bet from their basement computers rather than from inside a casino — that may be hundreds of miles away from their home — we know that the Ontario Lottery and Gaming Corporation and their counterparts in other provinces will have to offer online betting if they really wish to take advantage of Bill C-290, as they are eager to do.

To compete with bet365 and all of the other major international players in the highly competitive Internet market, our government-sponsored gambling organizations will have to offer the same products and compete toe to toe. What are those products? It is important to understand this because it goes to the heart of the connection between single-sport betting and corruption. Here I really am addressing all those in the chamber who, like myself, have never placed an Internet bet in their lives and probably do not understand how it works. This is the key to this issue. Single-sport betting is not actually about betting on a single sport. Single-sport betting is about gambling on up to 70 different contests or outcomes per game.

As the IRIS study explains:

Operators have... progressively refined their offering and now offer the opportunity of betting on certain details or different phases of a match: for example the number of corners, identity of goal scorers, first throw-in, winner of a certain phase of the game, et cetera. Many operators routinely quote odds for at least 30 and up to 70 or more types of wagers on a single match.... Gamblers can follow a match live on the Internet and bet online in realtime, depending how the match develops.... The company *Sportradar* currently estimates that in tennis, 90 per cent of bets are placed live during a match, and 70 per cent in football.

As well, according to the IRIS study:

... sports betting has extended to a wide range of competitions and now covers the whole of professional sport and even some amateur sport. The largest sports betting sites — such as *sbobet* and *bet365* — offer bets, for example, on the Bulgarian Under-19 Football Championship, Turkish Third Division Football matches, darts competitions, ski jumping, junior tennis tournaments etc. Technically, sports betting is possible at any time, 24/7.

Honourable senators, the reason it is important to understand this dynamic is because what we are going to be legalizing here is not betting on the outcome of the Ravens versus the 49ers. Rather, it is about legalizing the betting on which team will win the coin toss, which team will score first, what time the first point will be scored. It is about legalizing betting on 70 different wagers per match, 70 different profit centres per match, 70 different incentives for cheating and corruption per match. These acts of cheating and corruption may be small in and of themselves. That is all they need to be in order to be effective. A field kicker may get paid to miss a kick during the first half of the game, but then will play to the best of his ability for the remaining half. A referee's eyesight may grow cloudy during the first period of the game, but it will improve in the second. A talented forward may score or not, depending on the goal spread at any particular moment.

How can sporting authorities hope to prove these small frauds? How can they hope to monitor them? Again, to quote the IRIS study:

... it is easier to corrupt a detail of a match for two reasons: on the one hand it can involve a single person (player, goal keeper or referee)... on the other hand it does not necessarily have an effect on the final match result.

Honourable senators, I used to write for the *National Post* newspaper, and it remains my favourite newspaper in the world.

Some Hon. Senators: Hear, hear.

Senator Frum: However, I was not pleased to read the editorial December 3, 2012, in which they wrote the following:

Of course it is true that gambling addiction is a scourge on some Canadian families. But we allow lotteries, casinos, racetracks and accumulator betting on sports. Drawing the line on single-match betting would be no less arbitrary than allowing roulette while banning craps.

Honourable senators, drawing the line on single-sport betting is not arbitrary. Single-sport betting is different from all other forms of betting. There is a reason why North American jurisdictions that have otherwise chosen to promote and profit from the spread of gambling in society have agreed historically to make an exception for this one particular type of gambling. That is because while, yes, it is a scourge on families — though sadly we legislators have given up that fight — it is also a scourge on sports. The industry of sports makes a significant financial contribution to our economy. However, the business of gambling is a scourge on the purity of the pursuit of athletic excellence. Unlike team franchises whose fortunes are tied to the good health and success of their athletes, gambling entrepreneurs profit just as easily from a loss as a win. They are entirely amoral with no vested interest in any outcome, good or bad.

This makes me think about every dedicated young athlete in Canada right now who may harbour a dream of competing in the Olympics or one day being drafted by the NHL or recruited by the CFL. Bill C-290 has the potential to pervert those

aspirations. Bill C-290 ensures that some young people's devotion to athletic excellence will become a magnet for other people's desire to make a quick and lazy buck. Honourable senators, that is what makes single-sport betting far, far different from roulette or craps.

The Hon. the Speaker *pro tempore*: I regret to inform the Honourable Senator Frum that her speaking time has expired. Is she prepared to ask the chamber for more time? Is more time granted?

Hon. Senators: Agreed.

Senator Frum: Single-sport betting has the power to destroy the entire credibility of sport and ruin the meaning of what it is to be a champion. Wherever single-sport betting is sanctioned, corruption follows and sport is demeaned. I need only cite the events of last week when European police announced they had discovered up to 700 soccer games suspected of being fixed by a syndicate in Singapore, including perhaps some games in Canada. Last week in Australia, the Australian Crime Commission announced it will be cracking down on match fixing and doping in sport, which it describes as "widespread."

• (1540)

Honourable senators, legalizing single-sport betting in Canada takes us in the wrong direction. As the International Olympic Committee, the European Parliament and the Council of Europe are striking up commissions to urgently prevent the spread of the cancer of corruption in sport, we in Canada are inviting it in. It defies understanding. If we are doing this to capture some amount of lost tax revenue being sheltered offshore or if we are doing this to create a few hundred minimum wage jobs in Windsor or Niagara Falls, then we are being very short-sighted indeed. While economic growth and job creation are the top priorities of the Harper government, it needs to be said that if this bill succeeds in the way that its original sponsor, Mr. Joe Comartin, once boasted it would, and 100 million American citizens start flooding into Canada to place their bets here, how is it imaginable that the governors of Michigan or Ohio or New York State will find this a tolerable state of affairs? Those governors will soon be compelled to follow Canada's lead and will face pressure to legalize single-sport gambling in their jurisdictions to keep that revenue from leaving the United States.

If we force the hand of our U.S. neighbours to adopt policies they do not support because of our own predatory gambling strategy, the windfall to Canada will be short-lived, but the moral stain to our country will be permanent.

This brings me to the one point of agreement I share with the sponsors of this bill: It is absolutely true that government sponsorship of single-sport betting will increase the number of active gamblers in Canada and elsewhere. Mr. Paul Beeston, President and Chief Executive Officer of the Toronto Blue Jays, commented to the committee that "once the moral status of single-event sports betting has been redefined by legalization, many new gamblers will be created." As we learned from Senate committee testimony, many if not most of these new gamblers will be teenage boys who, as the NFL noted, will come to see a love of sport and a love of gambling as inexorably linked.

Dr. Jeffrey Derevensky, Professor of Psychiatry at McGill University, told the committee that between 3 per cent and 4 per cent of teenagers are experiencing significant gambling related problems with another 8 per cent to 10 per cent showing signs of problem gambling. He added that there is little doubt that the ability to wager on single sporting events versus wagering on multiple games simultaneously will increase its popularity, the frequency of wagers and, likely, the number of people wagering on sports, especially young men.

Mr. Tim Rahilly, Associate Vice-president of Students at Simon Fraser University, shared this belief and stated:

I believe that increased availability of single-sport betting might well result in more students gambling. From past experience, particularly with drugs and alcohol, we know that increased availability means increased uptake.

Honourable senators, if voting for a bill that makes gambling more accessible and attractive to teenage boys is something you want to do, then by all means you should go ahead and vote for this measure; but I will not do so. As all honourable senators are aware, and as I mentioned at the beginning of my remarks, Bill C-290 received the unanimous consent of the House of Commons. Many in the public and in the media have suggested that on those grounds alone, we in the Senate have no right to vote it down.

I do not believe that a bill that will inevitably lead to greater corruption in amateur and professional sports reflects the unanimous will of the house. I do not believe that opening up pathways to gambling addictions among teenage males represents the unanimous will of the house. In addition, I do not believe that turning a deaf ear to the strenuous moral and economic objections of major league sports reflects the will of the house. In fact, I am quite convinced it does not.

Honourable senators, I will vote against Bill C-290, and I strongly urge you to do the same.

Hon. John D. Wallace: I thank Senator Frum for those comments. As expected, the honourable senator was thorough. As a member of that committee she heard all of the evidence first-hand and has done a lot of research beyond that.

Senator Frum pointed out clearly the problems that all professional sports teams and associations have with Bill C-290 and the consequences the legislation could have on their sports. We also heard from other speakers about a sense that professional sports have the ability to police and monitor their players. To some extent I suppose they do that and can sanction players if they involve themselves in gambling. How effective the sanctions are is questionable at best, but they have that ability with their resources.

A major concern of mine is beyond professional sports, and Senator Frum touched on this. I want to ensure that my understanding is correct about the potential impact this legislation could have on amateur sports. Like all parents and grandparents who are protective of their children and grandchildren, I feel strongly that we should not expose them to all that gambling on sports can lead to.

[Senator Frum]

Am I correct in my understanding that if Bill C-290 were enacted, it would effectively open up all amateur sports to gambling, such as junior hockey, high school sports and Canada's Olympic teams? It would be unlimited. Effectively, our children could find themselves exposed to all the vices that gambling can bring and the resulting pressures. Would Bill C-290 have the effect of opening that door and exposing them to these dangers?

Senator Frum: Absolutely, there would be no reason not to bet on amateur sports and peewee leagues, et cetera. Such gambling would be perfectly legal, and it is happening now on Internet betting sites. There is an unlimited appetite for gambling. The more gambling grows, the more gamblers seek things to bet on. It will be more than the 70 bets per game because the types of things one will be able to bet on will expand; it will create a monster.

The Hon. the Speaker *pro tempore*: Honourable senators, is there further debate?

Hon. Percy E. Downe: Is there time for questions?

The Hon. the Speaker *pro tempore*: The time for questions has expired.

Honourable senators, Bill C-290 was standing in the name of the Honourable Senator Baker. I understand from the rule that the item should be adjourned in his name, although several other senators rose to take the adjournment. The *Rules of the Senate* permit any honourable senator to speak to the item at any time. The adjournment was moved by the Honourable Senator Fraser, for Senator Baker. Is it agreed, honourable senators?

Hon. Senators: Agreed.

(On motion of Senator Fraser, for Senator Baker, debate adjourned.)

• (1550)

FOOD BANKS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Robichaud, P.C., calling the attention of the Senate to the importance of food banks to families and the working poor.

Hon. Elizabeth Hubley: Honourable senators, today I would like to speak to Senator Robichaud's inquiry into the role that food banks play in the lives of Canadians.

It is a very unfortunate reality that in Canada many people are hungry and often starving each and every day. Because of this, many are forced to use food banks.

Food banks help a variety of people — people who are unemployed, the working poor, people on a fixed income, people with disabilities, children and seniors.

With the recession, the past few years have been particularly challenging times for many and food bank dependency has increased across the country. In a recent study, Food Banks Canada found that each month nearly 900,000 Canadians use food banks and 38 per cent of the users are children and youth. In my home province of Prince Edward Island, food bank usage has gone up 7 per cent since 2008. An astonishing 29 per cent of users in P.E.I. are from working households, compared to the national average of 18 per cent.

Why is usage going up? The reality is that many people do not have enough money to pay a variety of bills, including rent, and put food on the table. All too often this manifests itself with skimping and going without the necessary groceries to feed themselves and their families.

Another contributing factor is that the cost of food and energy is rising, while salaries are stagnant, making it very hard to make ends meet. The cost of shelter, a basic need, is continually cited as a contributor to poverty.

Uncertainty in the economy and the job market also play a large role in food bank usage. Since the recession, more and more people have to turn to part-time work, reducing their overall income and their ability to feed a family. As well, seniors whose life savings were reduced in the recession are turning to food banks in larger numbers.

The fact is that the frequency with which people are going hungry is still growing, both for adults and children. While we are seeing an increase in the use of food banks, we are also seeing a decrease in the food available. Food banks are often scrambling to fill their shelves. That is where the generosity of individuals, families, organized groups and businesses come in.

For the past 25 years in P.E.I., the CBC hosts an annual "Turkey Drive." Year after year Islanders continue to donate turkeys to ensure that every Islander who wants a holiday turkey will receive one. Unfortunately, in recent years the demand has increased. In 2007, the Island's food banks estimated that 2,200 turkeys were needed, while this past holiday season it was estimated that 4,000 turkeys were needed. This example clearly shows that food bank demand is increasing in our society.

Hard-working volunteers, who organize events like this turkey drive, are the lifeblood of our food banks. They devote countless hours of their time to help stock shelves, run food drives, cook, serve and often grow food. These dedicated volunteers, who are often previous food bank users, are working very hard to help others in their community. They see firsthand the need for food banks and the need to further support the people who are using them.

Food Banks Canada also did a thorough study of the 2012 Conservative budget and one thing stood out. There is a current trend that shows that the Harper government is distancing itself from the social programs that help alleviate poverty. Consequently, more Canadians are falling through the cracks and relying on food banks as a last resort.

Food Banks Canada notes that there is absolutely no mention of any federal policy changes that would significantly reduce the need for food banks in Canada. For example, housing affordability is not mentioned in the budget, nor was there any new spending for early learning or child care.

Overall, Food Banks Canada says the recent budget was a step backwards in the fight against poverty and hunger in our country. They found that in order for food bank usage to decrease, social policy in our country needs to be significantly improved. They believe that over the next few years it is crucial that social policy be a priority at both the federal and provincial levels of government.

While governments are cutting jobs and cutting overall spending, social policy is being neglected, meaning that vulnerable Canadians are not receiving the help they need.

It is welcome news that provinces and territories are developing their own poverty reduction strategies, but the federal government is not doing enough. Many Canadians are facing difficult economic times, much like they did in the early 1980s when many food banks first opened.

Sectors like manufacturing, fishing, forestry and farming are going through a period of transformation and jobs are scarce. With the transformation of Employment Insurance, seasonal workers are further stressed and facing the possibility of reduced income and added expenses to meet their new requirements.

When people argue that food banks are an obstacle to fight poverty, I challenge you to go out and talk to food bank users and see how they feel. People are not proud of the fact that they need help putting food on the table, but circumstances force them to continue their use of food banks.

Food banks have become part of our social safety nets, providing for the people by the people. The responsibility is huge, but where is the government's role in ensuring that all Canadians can meet their essential needs?

(On motion of Senator Tardif, debate adjourned.)

[*Translation*]

IMPROVED MENTAL HEALTH FOR INMATES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Runciman calling the attention of the Senate to the need for improved mental health treatment for inmates, especially female inmates, in federal correctional institutions and the viability of providing such treatment through alternative service delivery options.

Hon. Joan Fraser: Honourable senators, first I would like to thank Senator Runciman for initiating this inquiry. The state of mental health treatment in our prisons is scandalous. Senator Runciman is one of the senators and one of the Canadians who has worked the hardest to improve this deplorable situation. We would like to thank him.

[English]

The Ashley Smith case is, of course, the best known tragedy involving someone who is mentally ill in our prisons. I will talk about that case because it is also the best reported. The coroner's inquest continues and we will undoubtedly learn more as it goes on, but we already know quite a lot.

I want to read to honourable senators some extracts from a truly grim report back in 2008 from the Correctional Investigator, Mr. Howard Sapers, on this case. He called it a "preventable death" and he was right. It was a preventable death. Let me read some of what he said, from paragraph 18:

In the space of less than one year, Ms. Smith was moved 17 times amongst and between three federal penitentiaries, two treatment facilities, two external hospitals, and one provincial correctional facility.

• (1600)

Nine of the above 17 moves of Ms. Smith were institutional transfers that occurred across four of the five Correctional Service Canada regions. From paragraph 19:

The majority of these institutional transfers occurred in order to address administrative issues such as cell availability, incompatible inmates and staff fatigue, and had little or nothing to do with Ms. Smith's needs. Each transfer eroded Ms. Smith's trust, escalated her acting out behaviours and made it increasingly more difficult for the Correctional Service to manage her.

From paragraph 30, regarding Grand Valley Institution, where Ashley Smith was being held:

Things went from bad to worse at GVI. Senior managers who had limited mental health expertise drafted, and then redrafted management plans for Ms. Smith. These plans largely excluded the input of those who should have been best suited to provide Ms. Smith with professional assistance, namely, the mental health care staff and physical health care staff. As a result, the plans were largely security-focused, lacked mental health components, and were often devoid of explicit directions for addressing Ms. Smith's on-going self-harming behaviours. In addition, these plans were not properly communicated to front-line staff — the very people who were responsible for monitoring Ms. Smith and for ensuring her safety and well-being.

As a result—

— a completely understandable result, I might observe—

Ms. Smith's mental health status worsened....

In the end, Ms. Smith was identified by an institutional psychologist as being highly suicidal. Staff monitoring Ms. Smith in her cell, some of whom had been only temporarily and recently assigned to Grand Valley Institution for Women, were not formally provided this crucial piece of information in the 48 hours prior to her death. With misinformed and poorly communicated decisions as a backdrop, Ms. Smith died —wearing nothing but a suicide smock, lying on the floor of her segregation cell, with a ligature tied tightly around her neck —under the direct observation of several correctional staff.

No matter how often we hear this story, honourable senators, it is chilling. It is truly chilling, and what is even more chilling is that people knew that Ashley Smith was in terrible trouble. Right up to the top, they knew it. The following is from paragraph 83 of Mr. Sapers' report, which discusses the daily reports that go to senior management in the Correctional Service:

... Ms. Smith's name appeared in these reports on a weekly and often daily basis. It is reasonable to conclude therefore that the most senior staff within the Correctional Service — including the Commissioner of Corrections, the Senior Deputy Commissioner, the Deputy Commissioner for Women, and the Regional Deputy Commissioners — were aware of the challenges presented to the Correctional Service by Ms. Smith's on-going self-injurious behaviour. Yet, there is little evidence that anyone beyond the institutional level effectively intervened before Ms. Smith died.

Indeed, honourable senators, as those of us who have been following this terrible case know, for a while the guards at Grand Valley tried to help Ashley Smith. They would go into her cell when she was starting to harm herself, but then the word came down from on high, "No, no, no, do not go in. Do not go in unless she actually stops breathing because all she is doing is trying to get attention." Well, as a psychologist has explained, yes, she was trying to get attention. She had been in segregation for 11 and a half months, with no review of that ever being conducted, which is strictly against Correctional Service policy. She was alone. She did not have a book to read. She did not have a piece of paper to write on. Sometimes she did not even have a blanket. Yes, she was trying to get attention. Who among us would not? Instead, she was left to die.

I wish I could tell you that hers was the only case, but even in this report on Ashley Smith, Mr. Sapers mentions, to illustrate that her case was not an isolated incident, a couple of others. There was the man who had cut himself and, presumably by accident, severed an artery in his arm. According to paragraph 110:

.... He pressed his emergency call button to which Correctional staff responded; however, staff failed to provide any first aid/life preserving measures or to monitor him while awaiting the arrival of an ambulance. As a result, the offender bled to death, alone in his cell, before ambulance personnel could arrive.

Then there was the case of Mr. Roger Guimond, who died having suffered from an epileptic seizure. He "... had suffocated on his own vomit while under the direct observation of correctional and health care staff."

Honourable senators, these are terrible, terrible things to know about the safety of people who are mentally ill in our prison system. What happened after Ashley Smith died? Did the Correctional Service rush to implement changes to put into practice some of the recommendations from the shelf full of reports about the problems with mental health care in our prisons? No, they did not do anything of the sort. They fired the four prison guards who were on duty that day, and, somehow, they persuaded the Crown prosecutor to lay charges. Yet, somehow, they did not provide the Crown prosecutor with all of the relevant documents, and, when the Crown prosecutor finally got the documents that demonstrated that the guards were acting under orders not to intervene with Ms. Smith, he withdrew the charges.

Then what did Corrections do? We have testimony from the coroner's inquest that is instructive. There was a guard, Blaine Phibbs, who had been fired. Then the Correctional Service reversed the firing. They offered to allow him to resign and to pay him for the hours he would have worked in all of the intervening months at time and a half and double pay. That is a lot of money to offer somebody. They also offered him free career counselling and a bonus of \$25,000 to allow him, they said, to go back to school. What did they ask in exchange for this generous treatment? They asked that he not tell anybody, that he be silent. It was only when the coroner's inquest brought him to the stand and he had to tell the truth that he was able to explain what our glorious prison system had done in the case of Ashley Smith.

Later, as we know, the Correctional Service spent more than \$3.5 million to block the release of information and videos to the coroner's inquest. Think what they could have done with that money if it had been devoted to mental health instead of to stonewalling and cover-ups. Of course, they lost their case.

Where are we now? The incidence of mental health problems and, in particular, of self-mutilation continues to rise in our prisons at alarming rates. Self-mutilation, which is often thought of as something that women do, is also on the rise among men in our prisons. There are thousands of seriously mentally ill people in those institutions, and they are not getting the care they need. Instead, the government has called for the Correctional Service of Canada to slash its budget by about 10 per cent — nearly \$300 million — by next year, at the same time that the prison population is rising and that the incidence of mental health problems is rising even faster.

• (1610)

The CSC closed a pilot project that was dedicated to male prisoners who self-mutilate. Apparently it did not work very well, but it was all there was. Now they have closed it.

As honourable senators know, we learned last week that they are intensifying the use of double-bunking. Double-bunking, by international norms to which Canada had subscribed, is not

considered appropriate for prisoners for anything but the very shortest period of time. Now, they will not even have to get permission to do it for up to 20 per cent of the number of inmates in a prison: double-bunking sometimes for people who are in segregation; double-bunking for people in a cell that may be only five square metres; and double-bunking on a regular, accepted basis of people in federal prison, which is to say for more than two years, in cells that were designed for one inmate and will now be occupied by two.

Senator Tardif: Shame.

Senator Fraser: That, honourable senators, inevitably worsens the mental health situation. Senate committees and inquiries have heard over and over again that the worse the conditions in the prison, the more likely they are to be faced with increased incidence of mental health problems and, indeed, of recidivism once those poor folks get out. I am not saying criminals should not be incarcerated, and I am not saying they should be treated as if they were in the lap of luxury, but, if ever there was a short-sighted policy, this is it.

What should we do? There are undoubtedly various avenues that we could pursue. However, as Senator Runciman has told us, there is one that is way beyond the pilot project stage that has been demonstrated to work and that is the St. Lawrence Valley Correctional and Treatment Centre that he, as a minister in Ontario, established in his hometown of Brockville. Recidivism dropped by 40 per cent. Nobody has ever escaped from the St. Lawrence Valley Correctional and Treatment Centre. However, the couple of hundred of people a year who come out of it tend to have greatly improved mental health situations.

In the St. Lawrence Valley Correctional and Treatment Centre, the staff ratio is 80 per cent therapeutic and 20 per cent correctional. In the prisons, it is 80 per cent correctional, 20 per cent therapeutic. The St. Lawrence Valley Correctional and Treatment Centre is a hospital, not a prison. Prisons are not and cannot be hospitals. Prison guards are not trained in psychological or psychiatric counselling. Some of them get one or two days training, but they are not professionals; that is not their job.

May I have just a couple more minutes, please, honourable senators?

An Hon. Senator: Five minutes.

Hon. Senators: Agreed.

Senator Fraser: It is asking the impossible to ask prison guards to look after people with severe mental health problems. The guards themselves, I am persuaded, are, by and large, people of goodwill and good intent. As long as they were allowed to, for example, they tried hard to help Ashley Smith and then they were told, "No, you cannot do that anymore."

However, it is wrong to think that simply locking up those ill people in a prison will help anyone. It will not even help our financial situation as a country. It costs less to put them in proper hospitals with proper care, and we know that such a system works because it has been working for several years now at the St. Lawrence Valley Correctional and Treatment Centre. If the Government of Canada seriously wants to save money and help the mentally ill so that they do not commit fresh crimes or commit suicide, it has a working model right there to follow.

For the life of me, honourable senators, I cannot understand why we do nothing. The Correctional Service of Canada does have a little more money for mental health than it used to, but it is infinitesimal in comparison to the need. We have to use the resources we have, including the dollars we have, more effectively. The way to do it is to put these people in hospitals, not in prisons.

What on earth are we waiting for?

Some Hon. Senators: Hear, hear.

Hon. Jane Cordy: Would the honourable senator take a question?

Senator Fraser: Yes.

Senator Cordy: That was excellent and I thank the honourable senator very much for her speech.

We also know that there are challenges in keeping mental health professionals in the prison system because they are so short-staffed; they get into the system and then become so frustrated that they leave. It is almost a revolving door in terms of the health care professionals. We also know, as the honourable senator said many times in her speech, that persons who are mentally ill need help while in the prison system or they will reoffend.

The honourable senator talked about double-bunking. I have been reading that double-bunking seems to be becoming more the norm than the exception, and the honourable senator sort of touched on that. When I was doing research for a government crime bill, some sources talked about the effect of those who are mentally ill and who will be double-bunked.

Did the honourable senator do any work or read anything in terms of what the effect will be on those who are mentally ill in the prison system who will be double-bunked?

Senator Fraser: It will make matters worse for them.

Incidentally, Senator Cordy is right about the revolving door for mental health professionals. It becomes a vicious circle — a Catch-22. They cannot do proper work, so they leave. Then, since they are not there, proper work is not being done. It is a terrible, terrible conundrum.

However, the effect of double-bunking on anybody is highly stressful, which is why the international standards say it is not appropriate. In Canada, however, the Correctional Service of Canada has just revised its directives that used to say “not appropriate and only to be used in special situations where really

necessary.” The rule now is that they can double-bunk up to 20 per cent of the prison population, which means that there will be other cases beyond 20 per cent and that they just have to get permission to do it.

If the effect on ordinary people of being shut up is devastating, particularly if one is in segregation for 23 hours a day, the effect of being shut up in a prison cell designed for one but inhabited by two is devastating for most anybody. However, imagine the effect on those already suffering from mental health issues. It will deteriorate their condition, as sure as I stand here, and some of them will find ways to kill themselves.

The Hon. the Speaker: Do other honourable senators wish to speak on this inquiry?

(On motion of Senator Carignan, debate adjourned.)

ROYAL AIR FORCE BOMBER COMMAND MEMORIAL

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools, calling the attention of the Senate to:

- (a) the new monument recognizing the aircrews of World War II Bomber Command, called the Royal Air Force *Bomber Command Memorial*, and to the ceremony for the dedication and unveiling of this monument at Green Park, London, on June 28th, 2012, by Her Majesty the Queen, Elizabeth II, and to the attendance at this ceremony of Marshal of the Royal Air Force His Royal Highness the Duke of Edinburgh; and
- (b) the attendance at this ceremony of several members of the Royal Family being Their Royal Highnesses, Marshal of the Royal Air Force the Prince of Wales, and Air Marshal Prince Michael of Kent, and Air Chief Marshal the Duke of Kent, and Air Marshal the Duke of Gloucester, and Air Commodore the Earl of Wessex, and Air Commodore the Duke of York, and also Their Royal Highnesses, the Duchess of Gloucester and the Countess of Wessex, revealing the closeness of the Royal Family to Britain's Royal Air Force and their dedication to the memory of all of those who fell in the Royal Air Force in the Second World War; and
- (c) Remembrance Day on November 11, 2012, the day for our Canadian veterans and those who served, when we remember, reflect on, and uphold all those who answered the call of duty, and those who fell in active combat, in their assigned theatres of war particularly in the Second World War, in defence of God, King, and Country, the British Commonwealth and the Allied countries; and

- (d) Canadian aircrew in World War II, particularly those who served with Royal Air Force Bomber Command, and who are now celebrated in this new memorial unveiled by Her Majesty on June 28th, 2012, being both those with 6 Group Royal Canadian Air Force, and those with the other Bomber Command Squadrons, including some Canadian senators, who faced many Nazi night fighters and Nazi anti-aircraft guns nightly; and
- (e) a Canadian from Alberta, a retired airline pilot, Karl Kjarsgaard, who is devoted to the memory of the efforts and sacrifices of the aircrews of Bomber Command, and to his special contribution to the construction of the ceiling of the Memorial, being the aluminum used to build it; and
- (f) our own Canadian Bomber Command memorial located at the *Bomber Command Museum of Canada* in Nanton, Alberta, being a wall of remembrance wherein are inscribed the names of the 10,659 fallen Canadian aircrew as a monument to those who fell in Bomber Command, which for many years was the only Allied offensive against Fortress Europe; and

- (g) honour, to celebrate, to uphold and to thank all the remarkable Canadian veterans for their incalculable contributions to humanity during the Second World War and to whom we owe an enormous debt.

Hon. Jim Munson: Honourable senators, I see this is at day 15. It has been pretty busy around here, so I need a bit more time, as they say, to prepare my notes. I would like to reset the clock for the remainder of my time.

The Hon. the Speaker: Honourable senators, there is no rule that provides resetting the clock. However, honourable senators may accept that Senator Munson has begun his debate on this matter and has taken the adjournment for the remainder of his time. That motion being in order, and seconded by the Honourable Senator Hubley, I put the question.

Is it agreed, honourable senators?

Hon. Senators: Agreed.

(On motion of Senator Munson, debate adjourned.)

(The Senate adjourned until Wednesday, February 13, 2013, at 1:30 p.m.)

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