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OFFICIAL REPORT
(HANSARD)

Tuesday, March 5, 2013

The Honourable DONALD H. OLIVER
Speaker pro tempore

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

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THE SENATE

Tuesday, March 5, 2013

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

Prayers.

Honourable senators, the people of Prince Edward Island take great pride in their heritage, history and culture. Please join me in congratulating this year's heritage award recipients, as well as current and former members of the Summerside Fire Department, and wish them well in the future.

SENATORS' STATEMENTS

PRINCE EDWARD ISLAND

SUMMERSIDE—HERITAGE WEEK

Hon. Catherine S. Callbeck: Honourable senators, on February 22, during Heritage Week, I was pleased to attend the Mayor's Heritage Tea in Summerside, Prince Edward Island. Hosted by the city's mayor, Basil Stewart, it was the tenth annual event of its kind, celebrating the role that heritage and culture play in building a vibrant community.

The City of Summerside used this opportunity to honour three outstanding contributors to the city's heritage and culture. Fandango Musical Players Incorporated, a local theatre group, received the Cultural Activity Award for its production of the musical *Beauty and the Beast*. Audiences were impressed by the performance, and the show was a clear demonstration of the flourishing culture to be found in the city.

The Heritage Activity Award went to Trinity United Church, under the leadership of the Reverend Dr. Arthur Davies and the Reverend Dr. Andrew Richardson. For the past four years, the church has hosted the ecumenical Remembrance Day service, which brings together members of the community, the College of Piping and students from Three Oaks High School to honour the great legacy of our veterans and to pay tribute to those who died in service to this country.

Mr. Paul H. Schurman was presented with the Award of Honour. He was called a champion of heritage for his many contributions to heritage and culture in the city of Summerside, as well as serving as P.E.I. Governor with the Heritage Canada Foundation. It has been said that he has been involved in nearly every heritage or museum project in the city and across the province.

The tea also served as a celebration of the one hundred and fiftieth anniversary of the Summerside Fire Department. These volunteer firefighters, past and present, are to be commended for their contributions. They have played a tremendous role in protecting the citizens of Summerside and surrounding areas. To honour that history, Culture Summerside is creating a summer photo exhibit, *Into the Fire*, which chronicles the many fires that have occurred in the city.

ST. LAWRENCE SEAWAY

Hon. Bob Runciman: Honourable senators, three years ago, in one of my first statements in this chamber, I rose to draw attention to a situation that was hobbling small businesses, hindering residents from using and enjoying their property, and severely damaging the struggling tourism industry of Eastern Ontario. I was referring to the regulation of water levels in the Lake Ontario-St. Lawrence River system, specifically the drastic lowering of the level of the river in August of each year, which leaves boaters high and dry. I regret to inform honourable senators that nothing has changed, except that the hopes of residents, tourism operators and environmentalists were raised and have since been dashed.

The International Joint Commission has studied this matter for many years and spent tens of millions of dollars doing it. They have consulted for several years on the results of that study. This is complicated business because it is not easy balancing the interests of shoreline residents on Lake Ontario, tourist operators along the upper St. Lawrence, Seaway shipping companies, the Montreal harbour and the environmental movement.

They came up with what is known as Plan Bv7, a plan that respects the natural flows of the river and that satisfied, for the most part, boaters, tourism operators, residents and, in particular, environmentalists. It is a plan that would extend the tourism season in the Thousand Islands and would not drain the wetlands along the river's banks, and it is a plan that is much more environmentally sound than the 50-year-old approach now in use. Plan Bv7 would not solve everyone's problems, but it would balance their interests. Everyone would have enough water most of the time. We are not likely to do better.

In 2011, we were told by the International Joint Commission that the new plan would be in place by the end of 2012 or in early 2013. Last spring, they held public consultations with the promise that public hearings — the final step before implementation — would follow last fall. Finally, after decades of delays, it seemed that change for the better was coming; but nothing has happened, and a cloak of secrecy has descended over the entire process.

What happened is anyone's guess, but I suspect the IJC has decided to side with a few wealthy property owners who built on the flood plain in the Rochester area of New York State and believe the proposed plan could result in flooding of their property. Thousand Islanders fear that a few powerful interests

could scuttle the good work and millions of dollars spent to develop a plan that the overwhelming majority of people support.

Meanwhile, the optimism and hope that finally the IJC was listening to the people is quickly fading. Today, I call on the International Joint Commission to move forward and fulfill the commitment it has made.

[Translation]

QUESTION OF PRIVILEGE

NOTICE

Hon. Maria Chaput: Honourable senators, earlier today, I gave written notice that I would raise a question of privilege later this day. Pursuant to rule 13-4(4), I now give oral notice that I will raise a question of privilege regarding the words spoken by the Honourable Senator Comeau, who called into question my ability to chair the Standing Senate Committee on Official Languages by insinuating that I did not trust my honourable colleagues who sit on that committee.

• (1410)

Honourable senators, these words undermine the work of the Standing Senate Committee on Official Languages by suggesting a lack of trust between the committee's chair and its honourable members. In so doing, they constitute a breach of the privileges of the committee, senators and the Senate.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of Her Excellency Zhanar Aitzhanova, Minister of Economic Integration of the Republic of Kazakhstan, and His Excellency Konstantin Zhigalov, Ambassador of the Republic of Kazakhstan to Canada.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of Rachel Homan and her team of Alison Kreviazuk, Emma Miskew — a Senate employee — and Lisa Weagle, who are the winners of the Scotties Tournament of Hearts 2013, the Canadian Women's Curling Championship, which took place recently at the K-Rock Centre in Kingston, Ontario.

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

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

CRIMINAL CODE

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE TO STUDY SUBJECT MATTER

Leave having been given to revert to Government Notices of Motions:

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

That, in accordance with rule 10-11(1), the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine the subject matter of Bill C-55, An Act to amend the Criminal Code, introduced in the House of Commons on February 11, 2013, in advance of the said bill coming before the Senate.

[English]

NORTHERN JOBS AND GROWTH BILL

FIRST READING

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from the House of Commons with Bill C-47, An Act to enact the Nunavut Planning and Project Assessment Act and the Northwest Territories Surface Rights Board Act and to make related and consequential amendments to other Acts.

(Bill read first time.)

The Hon. the Speaker *pro tempore*: 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 consideration two days hence.)

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY MATTERS RELATING TO THE LAND AND RESOURCE CO-MANAGEMENT BOARDS ESTABLISHED IN THE FOUR INUIT SETTLEMENT AREAS

Hon. Vernon White: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples be authorized to examine and report on matters relating to the land and resource co-management boards established in the four Inuit settlement areas under their respective comprehensive land claims agreements;

That the Committee submit its final report no later than March 31, 2014, and that the Committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

Tuesday, March 5, 2013

The Standing Committee on Rules, Procedures and the Rights of Parliament has the honour to present its

NATIONAL SECURITY AND DEFENCE

FIFTH REPORT

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

Following the entry into force of the revised *Rules of the Senate* on September 17, 2012, your committee has, pursuant to rule 12-7(2)(a), continued to consider the Rules and now recommends as follows:

Hon. Pamela Wallin: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

1. That rule 4-15 be amended by the addition of the new subsection (3) as follows:

That the Standing Senate Committee on National Security and Defence have the power to sit on Monday, March 25, 2013, at 4 p.m. even though the Senate may then be sitting and that rule 12-18(1) be suspended in relation thereto.

“Limit on adjourning debate in own name after speech started

THE SENATE

NOTICE OF MOTION TO DECLARE THE CANADIAN CANOE MUSEUM A CULTURAL ASSET OF NATIONAL SIGNIFICANCE

4-15. (3) If a Senator has started to speak on an item of Other Business on the Order Paper or any motion or inquiry on the Notice Paper, that debate can be adjourned only once in that Senator’s name for the balance of time remaining.”; and

Hon. Linda Frum: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

2. That all cross references in the Rules, including the lists of exceptions, be updated accordingly.

That the Senate declare the Canadian Canoe Museum and its collection a cultural asset of national significance.

Respectfully submitted,

DAVID SMITH
Chair

YOUTH UNEMPLOYMENT

NOTICE OF INQUIRY

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

Hon. Catherine S. Callbeck: Honourable senators, I give notice that, two days hence:

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

I will draw the attention of the Senate to the need to address the high rate of youth unemployment in Canada which has remained consistently high for more than two years.

[*Translation*]

CRIMINAL CODE

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

BILL TO AMEND—FIRST READING

FIFTH REPORT OF COMMITTEE PRESENTED

Leave having been given to revert to Presenting or Tabling of Reports from Standing or Special Committees:

Leave having been given to revert to Introduction and First Reading of Senate Public Bills:

Hon. David P. Smith, Chair of the Standing Committee on Rules, Procedures and the Rights of Parliament, presented the following report:

Hon. Claude Carignan (Deputy Leader of the Government) introduced Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco).

(Bill read first time.)

The Hon. the Speaker *pro tempore*: 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.)

• (1420)

[English]

QUESTION PERIOD

HUMAN RESOURCES AND SKILLS DEVELOPMENT

EMPLOYMENT INSURANCE—SERVICE CANADA INVESTIGATIONS

Hon. Jane Cordy: Honourable senators, we know that Service Canada investigators have been given quotas of \$485,000 each. They will meet these quotas by denying Employment Insurance benefits to those who are unemployed through no fault of their own.

Which EI claimants will be targeted by the EI investigators who have quotas imposed on them by Minister Finley? Is it a claimant on sick benefits? Is it a claimant who is on maternity or parental benefits? Is it a claimant who is a seasonal worker, or are investigators making random visits to claimants?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, as I pointed out last week, Service Canada has a responsibility to find out about and stop inappropriate claims so that Canadians who have paid into the system can access these benefits when they need them. Service Canada was able to stop hundreds of millions of dollars in ineligible payments last year, but the Employment Insurance Program still lost hundreds of millions of dollars due to fraud and ineligible payments. I want to put on the record a quote:

... checks are run to ensure the integrity of the system, since the best guarantee for the future of a system is integrity.

Who said that, honourable senators? No one other than the former Liberal Minister of Human Resources, Pierre Pettigrew, on February 1, 1999, when a similar program was in place.

Senator Cordy: Honourable senators, Mr. Pettigrew was absolutely right. We do want integrity of the system. What we do not want is people running around making everyone a victim and criminalizing EI claimants. We have had legitimate investigations of claims that have been red flagged, and that is where we can keep the integrity of the system. If one's file has been red flagged and one, perhaps, has done something wrong, then the investigator should definitely be looking at it and getting

the money back from claimants who are not eligible. However, what we are seeing now is deliberate intimidation by the inspectors of those who have lost their jobs through no fault of their own.

I asked the leader last week what the EI inspectors have been asked to do when they go to the home of an EI claimant, but she did not answer my question. On Friday, we saw documents that show that the inspectors must ask questions about the children of the claimants. They are told to check the bank accounts of the claimants. They are even told to comment on the physical appearance of the claimants. These are intrusive questions, and they have nothing to do with eligibility to collect EI.

The unemployed are not criminals. Why is this government treating the unemployed like criminals? Perhaps the leader can answer the question that I asked last week: What are the inspectors being asked to do when they go to the home of an EI claimant?

Senator LeBreton: First, the claims the honourable senator makes about people who work for Service Canada do not reflect the facts. The Employment Insurance system is there, as I have made clear all along, for people who need it. Obviously, the people who are penalized the most by fraudulent and improper claims are the people who actually should be helped by the Employment Insurance fund.

The fact of the matter is that I have seen no examples, as the honourable senator stated, where people have been intimidated, had personal questions asked about their appearance or their children, or had their bank accounts looked into.

Senator Cordy: Honourable senators, no one in this chamber believes that a fraudulent claim should not be inspected. We absolutely agree that the inspector should be going to those who put forward a fraudulent claim and ensuring that the system is there for people who need it. Unfortunately, those in Quebec and Atlantic Canada who have been protesting the EI changes certainly do not feel that the EI system is there for them.

I asked the leader this last week, and I ask her again today: The inspectors have been inspecting in January and February, and will continue until the end of March. Please tell us what an inspector is doing when they are going to the home of an EI claimant.

Senator LeBreton: Honourable senators, my answer will not change. This practice has been in place since 1993. Officials have gone out into the community to find and stop inappropriate claims so that Canadians who have paid into the system can access the benefits when they need them. This is a practice that has gone on, as I mentioned, since 1993. It was a practice under the previous government, as Mr. Pettigrew pointed out.

It is also nice to see a columnist from British Columbia agreeing that this is the proper way to go to eliminate fraudulent claims to the Employment Insurance fund and to rout out those who are making claims that they are not eligible to make.

Senator Cordy: The leader said that this has been going on since 1993. In fact, since 1993, we have had legitimate investigation of claims that have been red flagged. This random investigation of going to people's houses and asking about their children and their bank accounts is something new that was brought in by this minister, Minister Finley. That is a misleading statement that the leader has made to the Senate this afternoon.

Senator LeBreton: Honourable senators, this is a practice, as I have said. The only difference is that it has been moved to Service Canada, so it is Service Canada officials who are charged with the responsibility of seeking out those who make fraudulent and improper claims.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I want to follow up on the discussion that we had last week. The leader repeated again today that EI fraud is costing the Canadian taxpayers hundreds of millions of dollars a year.

I put to the leader last week the quotations from the public accounts for the years 2010, 2011 and 2012, and I indicated that they had recovered, in each of those years, all but .01, .02 and .01 per cent of fraudulent claims.

The leader repeated today that this EI fraud is costing Canadian taxpayers hundreds of millions a year. I asked the leader last week if she would check with the minister's office and come back to this chamber with the gross figures for fraudulent claims, the recoveries that have been made as a result of the existing recovery efforts by the department, and the resulting net loss.

We had an accounting discussion last week. The leader said she did not credit against the EI fraud claims the amounts actually recovered. I asked for those specific things, and the leader undertook to get them. Has she been able to get them?

Senator LeBreton: Honourable senators, Senator Cowan is rather impatient. Of course, I undertook to get an answer, and I will do so.

Senator Cowan: That was a week ago. How long does it take to call the minister's office and ask for supporting documents? The minister was obviously able to say, as the leader has repeated today, hundreds of millions of dollars. This is a slander of people in this country who, through no fault of their own, are claiming Employment Insurance from the Government of Canada. By saying that, the leader is slurring their reputations. I think the leader has a responsibility, when she makes a statement like that, to be able to back it up.

The facts I quoted were from the public accounts of the Government of Canada. I asked the leader which we were to believe, the public accounts of the Government of Canada or the minister. Is the leader, after a week, not in a position to answer that question?

Senator LeBreton: First, honourable senators, I have slandered and smeared no one. Second, I did indicate to the honourable senator that I would seek further information because, as the honourable senator knows, the numbers that are listed in the various estimates and in public accounts are not always exactly the same as the final numbers. In the case of Employment Insurance, when a fraudulent claim is discovered, obviously it has been discovered. Therefore a considerable amount of money is saved that would have been spent in a fraudulent or ineligible claim.

• (1430)

I did indicate, honourable senators, that I would get those numbers. When I take questions as notice, I refer them to the minister. Usually in a question as detailed as that quite a lot of documentation flows from it. I will simply commit, as I did last week, to take the question as notice.

Senator Cowan: Is the honourable leader still standing by her position that EI fraud is costing the Canadian taxpayers hundreds of millions of dollars a year?

Senator LeBreton: Of course I am.

Hon. Wilfred P. Moore: Honourable senators, I have a supplementary question. Further to the questions of Senators Cordy and Cowan, I would like to know if the leader could please table in the Senate the questionnaire that these inspectors take with them and fill out upon visiting the home of an EI recipient and the written instructions under which they are carrying out their function.

Some Hon. Senators: Hear, hear!

Senator LeBreton: Again, honourable senators, this program has been in place for quite a number of years. The only difference is that the responsibility for this work now falls to Service Canada. I am not privy to the documents that Service Canada staff use when they are investigating potential EI fraud or when they are looking into EI claims that have been improperly made, but I will seek further information as to the procedures they follow in order to do their work when they are seeking out fraudulent or improper claims.

Senator Moore: Thank you for that, leader.

In addition to the procedures they may be following, again it would be useful for everyone if we could see the actual written questionnaire, or whatever the form is called, that they use and fill out upon visiting the EI recipient and the instructions under which they are operating. I think that would be instructive.

Senator LeBreton: Obviously, if people are investigating fraudulent claims, they follow a set of instructions. I do not know if it is in the form of a written questionnaire. However, as I indicated to the honourable senator a moment ago, I will seek information on the procedures that are followed as Service Canada officials seek out fraudulent claims or claims that have been improperly made.

Senator Moore: I appreciate that, leader. I guess in this country one is still innocent until proven guilty. There may be some reason for the suspicion that a claim is not totally accurate, but I suspect — and I do not know this and perhaps should not say — that the inspectors are filling out a written form. I would like the leader's undertaking that she will attempt to obtain that document, if there is such a thing, and the instructions that go along with it and table it in the Senate, please.

Senator LeBreton: Again, I do not know if there is a specific written set of instructions. Obviously a process is followed, so I will get as much information as I can.

It is important to point out once again that EI has and will continue to be there to come to the aid of people in those areas where no jobs are available. That has not changed. Obviously, it is in the interests of people who pay into the EI fund, individuals and employers, that the fund be there for people who need it and they should not be penalized by people who misuse the fund.

Hon. Catherine S. Callbeck: Honourable senators, my question is to the Leader of the Government in the Senate. A senior government official at HRSDC told the Canadian Press last week:

The most common type of error that we see and address through the integrity intervention, for example, are where clients make honest mistakes.

This government is cutting down or way back on the front-line Service Canada workers who would help weed out these mistakes. For example, in my own province the total number of employees will be cut to about half over the next two years. We had 113 permanent Service Canada employees as of April 1, 2012. By 2015, that number will be slashed to 61. These are the very people who help advise the clients and ensure that they fill out their forms properly. Why is this government cutting back and cutting out the front-line workers who could help prevent most of these problems in the first place?

Senator LeBreton: The honourable senator has asked that question before and I have answered that question before.

Obviously, there are people who do make honest mistakes, and Service Canada and HRSDC deal with these people in the appropriate way. The main objective of all the changes being made to the Employment Insurance fund is to put people into jobs in the areas where jobs are available appropriate to their skills. With all of the new facilities where people can go to job fairs and go online — and my honourable friend will remind me that many people do not go online — this is one of the advantages of Service Canada, which was put in place by the previous government. This was a good decision; it streamlines the process.

Honourable senators, our goal is to connect people with jobs available in their area. If there are no jobs in that particular area, the Employment Insurance fund has been, will be and will continue to be there for those people.

Senator Callbeck: Honourable senators, that response does not answer the question. I am talking about why the front-line workers are being cut back. Here we have a senior government official of HRSDC last week saying that the most common type of error is really honest mistakes. Those mistakes could be cut back and reduced drastically if front-line workers were there to help them. Here we have a government that is cutting way back. In my province alone we are losing 52 workers, while at the same time the government has employed 50 investigators for its integrity program. Instead of hiring 50 investigators to look at recipients on a random basis, why does this government not invest in front-line service workers that will help Canadians?

Senator LeBreton: Honourable senators, the government is investing in the front line. I was looking for a figure that I had a few weeks ago of the number of Service Canada locations in Prince Edward Island. Service Canada does provide front-line service to people who seek their assistance. That was the whole purpose of Service Canada, namely to amalgamate a lot of services under Service Canada. It was a policy initiated by the previous government. It was a good policy and it is working.

The fact is that as we move into the future and try to connect people with jobs in their areas, nothing has changed with regard to people who cannot find work. They simply will be provided the services that EI has always provided when they cannot find appropriate work in the areas in which they live.

• (1440)

Hon. Terry M. Mercer: It seems to me that the purpose of this activity by Service Canada is to spy on Canadians. This is the type of thing we see from this government all the time — it is all about politics and there is no compassion at all.

Following up on the questions of Senators Cordy, Cowan, Moore and Callbeck, we know Minister Finley backtracked on statements she made when she was asked whether federal employees were on forced witch hunts. First she said there were no quotas for such employees, and then she said these same federal employees are trying to find savings within the system. Which is it, honourable senators? Why is the federal government now in the business of spying on its own citizens?

Senator LeBreton: The government is not in the business of spying on its own citizens. Service Canada has said very clearly that they do not have quotas, obviously, which would carry negative consequences for individual staff members working for Service Canada.

Since 1993, officials have used targets to find and stop inappropriate claims so that Canadians who have paid into the system can access these benefits when they need them. This is not the government spying on Canadians. This is a program, now under the auspices of Service Canada, which has been in place since 1993.

Senator Mercer: An employee of the Government of Canada, honourable senators, unannounced to anyone, comes knocking on your door for one reason and one reason only: because you are a recipient of EI. You are receiving EI because you are

unemployed through no fault of your own. They come knocking on your door and they are looking around your property. They want to see what kind of car you are driving and whether you are sitting around in your pyjamas in the middle of the afternoon. They want to see if you are watching soap operas. They probably will want to see if there are any empty liquor bottles lying around. This is the kind of intrusive, doctrinaire, totalitarian treatment that this government is giving unemployed people in Canada.

Honourable senators, thousands of Canadians across Quebec and Atlantic Canada are joining together to oppose the EI reforms this government is forcing on seasonal workers. Seasonal workers do all kinds of things: tourism, forestry, agriculture, and indeed probably cut down Christmas trees on Christmas tree farms, honourable senators, that operate all over Nova Scotia. I know His Honour knows something about that.

This totalitarian treatment of these workers by this government, this government's dear leader, is appalling. Canada's growing-old government is forcing laid off seasonal workers to accept jobs at 70 per cent of their salaries and forcing them to commute up to 100 kilometres away in order to do those jobs.

Could the Leader of the Government tell us why her government is punishing these seasonal workers and then turning around and spying on them when they cannot find work?

Senator LeBreton: That preamble was ridiculous. The honourable senator has a vivid imagination.

The fact is the EI system is there, has been there, will be there, to assist those workers who cannot find work. Of course the government — and there have been some successful results — has been matching up people to available jobs in their regions. However, if the individual cannot find work, obviously the Employment Insurance fund is there for them.

What we are talking about is rooting out improper and fraudulent claims so the money is there for the people who should be receiving it. That is all the government is doing.

Senator Mercer: It looks to Atlantic Canadians and seasonal workers that the purpose of this is to empty rural Atlantic Canada and rural Quebec and force people to move out west for other jobs.

I would like to switch subjects within the same context and question, honourable senators. We have asked Service Canada employees who are not, I do not think, trained to do this, to knock on strangers' doors and ask them intrusive questions about their lives. We need one incident, honourable senators, one bad thing to happen to a Service Canada employee because someone behind the door they have knocked on is not happy and is willing to do or say something wrong to an employee of Service Canada.

What guarantees the safety of the employees that this government is sending out to intrude into the private lives of Canadians?

Senator LeBreton: The honourable senator is suggesting that law-abiding Canadian citizens would take an extreme act against a practice that has been going on. Again, I will quote the former minister, Pierre Pettigrew, who said on February 1, 1999:

Checks are run to ensure the integrity of the system, since the best guarantee for the future of a system is its integrity.

That is what is being done now under Service Canada. This is a practice that has been going on for quite some time. The results are that many fraudulent and ineligible claims have been discovered. Who benefits from this? It will be the legitimate users and those who have a legitimate need for the Employment Insurance fund.

Surely Senator Mercer does not suggest that people who are improperly or fraudulently making claims should continue to get these claims at the expense of hard-working Canadians who, through no fault of their own, have no jobs.

Senator Cordy: Just for clarification, the leader talked about fraudulent claims a number of times, and we all believe that those who have put in fraudulent claims should not be receiving EI benefits.

However, is Service Canada randomly choosing EI claimants to inspect or are they sending inspectors to those claimants they believe have made fraudulent claims?

Senator LeBreton: I have already made a commitment to Senator Moore that I would get the process that is followed and how they deal with these various files.

Senator Cordy: I think he was asking for the actual form that they fill out. However, my question is if this is a random audit that inspectors are performing or if it is the audit of possibly fraudulent claims.

Senator LeBreton: I think I said to Senator Moore that I would seek to get the information on the process.

[*Translation*]

Hon. Céline Hervieux-Payette: Honourable senators, I have a supplementary question. What studies — if they have been tabled, I have not seen them — have examined the 30 per cent reduction in salary and the 100-kilometre commute from the place of residence?

When people are asked to work 80 or 100 kilometres from their homes and accept 30 per cent less than their previous salary — perhaps the leader is not familiar with the price of a litre of gas, but transportation costs are the same whether a worker earns \$25,000 or \$100,000 a year — the impact is much greater for low-income workers.

I have a vacation home north of Montreal, and I know that all tourism jobs in that area provide employment for only nine months of the year.

Will the leader require all these people who work in tourism north of Montreal to look for work in Montreal proper, jam our already clogged highways and work for ridiculous pay when they barely make \$30,000 a year? A 30 per cent reduction in an annual salary of \$30,000 leaves less than \$25,000, and the worker has to pay for transportation as well.

Did the leader think for a minute about the impact this policy would have on people? To the best of my knowledge, the average salary in Canada is not \$100,000 a year.

[English]

Senator LeBreton: Senator Hervieux-Payette was suggesting I did not know the price of a litre of gas. I filled up my little red truck on the weekend and paid \$129.90 or something for a litre of gas.

Senator Mercer: You can afford it. Unemployed people cannot.

Senator LeBreton: The claims that Senator Hervieux-Payette makes are just not borne out by fact.

• (1450)

The Employment Insurance fund is doing many things. The honourable senator talks about people driving into Montreal. A new job alert system has been put in place that provides emails to Canadian subscribers twice a day that contain job postings from a variety of sources, including the Job Bank and other recruitment systems. The initiative takes into consideration the claimant's EI benefit payment amount and ensures that for the job opportunity to be deemed suitable a claimant must be better off financially by accepting the job rather than continuing on EI.

The government is working in many ways to accommodate people, and obviously, as I said before, the system is designed to assist people who, through no fault of their own, find they are without work. That is why we have the EI fund and why it is important that the EI fund be maintained and be stable for those who legitimately have the right to make a claim on it.

[Translation]

ANSWERS TO ORDER PAPER QUESTIONS TABLED

CANADIAN HERITAGE—PUBLIC SERVICE COMMISSION

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 11 on the Order Paper by Senator Downe.

VETERANS AFFAIRS—SECTION 16 OF THE VETERANS HEALTH CARE REGULATIONS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 43 on the Order Paper by Senator Callbeck.

[Senator Hervieux-Payette]

CANADIAN HERITAGE—PRIORITY HIRING

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 55 on the Order Paper by Senator Downe.

[English]

BUSINESS OF THE SENATE

Hon. Catherine S. Callbeck: Honourable senators, I rise on a matter of Senate business. On October 23, 2012, I asked the Leader of the Government in the Senate what steps the government had taken to implement the Mental Health Commission of Canada's Mental Health Strategy for Canada, which was released in May 2012. The Leader of the Government in the Senate took it as notice, but I have not received any reply. When might I expect a reply?

[Translation]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I will look into that.

[English]

ORDERS OF THE DAY

COASTAL FISHERIES PROTECTION ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Michael L. MacDonald moved third reading of Bill S-13, An Act to amend the Coastal Fisheries Protection Act.

He said: Honourable senators, I have nothing to add to this debate. I laid out in my speech the need for the government to make these changes. They are broad-based and have a broad consensus with other countries. Approximately 26 countries are involved in making these changes. It has been through our Senate committee. We are pleased with the changes. I encourage all honourable senators to support the bill.

(On motion of Senator Hubley, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Boisvenu, seconded by the Honourable Senator Raine, for the second reading of Bill C-37, An Act to amend the Criminal Code.

Hon. Marie-P. Charette-Poulin: Honourable senators, I am pleased to have the opportunity to speak to Bill C-37, the increasing offenders' accountability for victims act. This bill seeks to amend the Criminal Code to change the rules concerning victim surcharges. On the whole, I am not in favour of the provisions of this bill, but let me say at the outset that my opposition should in no way be seen to be dismissive of the needs of victims of crimes.

Without question, I fully support the timely provision of services to victims of crime. I believe that as a just society we must ensure that these services are made available to them and their families without causing them additional stress.

What I take issue with is the government's move to arbitrarily double the victim surcharge and to limit judicial discretion by removing the "undue hardship" defence. This would make these surcharges mandatory.

Both of these changes are regressive and punitive. They will cause more problems than they are purported to be solving. We need to determine if in fact these changes to the surcharge would achieve their intended goal.

In his speech, Senator Boisvenu told honourable senators that Bill C-37 would make criminals more accountable to their victims and that it would be "the basis for the rehabilitation process for these criminals."

I support rehabilitation, but measures such as these serve neither as deterrents nor as rehabilitation.

The John Howard Society of Canada, which has considerable front-line experience working with both victims and offenders, has called into question the efficacy of victim surcharges in making offenders more accountable to their victims. During her testimony before the House of Commons Standing Committee on Justice and Human Rights, Executive Director Catherine Latimer said:

The surcharges are not linked to the degree of harm experienced by the victim. In fact, they are applied in victimless crimes or where the offender self-harms by the offence, such as through drug use. The failure to link the surcharge to the circumstances of the victim will not serve to make the offender more accountable to his or her victim. It will likely build cynicism, which is the opposite of the stated policy intent.

This raises the question of fairness. Opponents to Bill C-37 have raised serious concerns about its effect on vulnerable and marginalized Canadians facing criminal charges, as well as on Aboriginal offenders.

The Canadian Bar Association contends that the removal of a judge's ability to take into account "an individual's circumstances" and "the unique circumstances of Aboriginal offenders" would have an unfair impact on these offenders.

I would like to take a few minutes to look at the makeup of our offender population, particularly those who are vulnerable and marginalized. While I am doing so, honourable senators may wish to reflect upon the question of whether Bill C-37 would actually serve to make these offenders more accountable to their victims or whether the government would be better advised to consider a different approach.

I think a good place to start would be with those individuals with mental illness who are languishing in our prisons rather than receiving proper treatment. Their plight has recently been highlighted during coverage of the inquest into the tragic death of 19-year-old Ashley Smith in a federal prison.

I was pleased to read that the presiding coroner, Dr. John Carlisle, has indicated that he wants to look into the way those who are mentally ill are treated in prison.

[*Translation*]

Honourable senators, let us next consider Canada's Aboriginal offenders, who, as the Canadian Bar Association points out, "are grossly disproportionately represented among Canada's offender and inmate populations [and] also comprise a disproportionate percentage of Canadians who live in poverty."

• (1500)

According to Statistics Canada, in 2010-11, 27 per cent of adults in provincial and territorial custody and 20 per cent of those in federal custody were Aboriginal people. That is about seven to eight times higher than the proportion of Aboriginal people in the adult population as a whole, which is three per cent.

Here are some more numbers for you to chew on. Statistics Canada recently published the adult correctional statistics in Canada for 2010-11. I was particularly interested in the profile resulting from needs assessments done for adult offenders who entered custody in Saskatchewan.

According to that report, these offenders typically had four of the six rehabilitative needs. The most common need was in the area of substance abuse, observed in nine out of ten adults, or 92 per cent of those admitted to custody.

A substantial proportion of offenders also displayed needs in the areas of social interaction, 85 per cent, attitude, 77 per cent, employment, 70 per cent, community functioning, 69 per cent, and family or marital issues, 50 per cent.

But, honourable senators, the statistics that I find most alarming are those regarding women in prison. According to the Elizabeth Fry Society, "the fastest growing prison population worldwide is women, particularly racialized, young, poor women and women with mental and cognitive disabilities."

The Society has compiled what it describes as a brief overview of the common experiences of criminalized women. The profile indicates that this population includes a high proportion of Aboriginal women. It also shows that most of the women are

criminalized or in prison for the first time. Many of them, as a result of unaddressed or unresolved trauma, anaesthetize themselves with legal and illegal substances. Most are under the age of 35, and most are mothers and the sole supports of their children before they go to jail.

And finally, most of these women have experienced sexual or physical abuse. Here the line between victim and offender becomes blurred. What we see are offenders who are themselves victims of crimes.

Clearly there are some very real reasons why judges use their discretion and waive the victim surcharge on grounds of undue financial hardship.

[English]

Honourable senators, this brings us to the issue of the collection of these mandatory surcharges. If this bill passes, judges would no longer be able to use their discretionary power, and they would be forced to impose surcharges on offenders with no possible consideration of an individual's circumstances.

Collecting payment in many instances would not be easy, but one can be sure that it would be costly, and it would place an additional administrative burden on the provincial and territorial governments that are responsible for the administration of justice.

What if an offender does not have the means to pay? There is a provision in the bill that would allow offenders to take advantage of a "fine option program" to satisfy their obligation by means of work credits. The problem here is that these programs do not exist in all jurisdictions, including my province, Ontario, and where they do exist, there are differences in availability and eligibility requirements.

With the removal of the "undue hardship" defence, offenders in provinces without a fine option program would be at a greater disadvantage than those in provinces and territories where such programs exist.

The John Howard Society suggests that many people, owing to senility, fetal alcohol spectrum disorder, mental health issues and other problems cannot complete such programs. Both the John Howard Society and the Canadian Bar Association have raised the possibility that those who cannot pay would face unnecessary incarceration.

I would suggest, honourable senators, that if the Government of Canada is keen, as Senator Boisvenu has stated, on taking a leadership role in helping victims of crime, it should consider a different tack to reduce victimization, and that direction is prevention. Our incarceration rates are up, so are our costs. We already have overburdened systems of justice and corrections.

Professors Justin Piché and Irvin Waller, from the Department of Criminology at the University of Ottawa, say that it is imperative that Canada move towards a prevention-first orientation. This, they suggest, would not only serve to reduce

[Senator Charette-Poulin]

victimization, but it would also reduce costs to government by keeping people out of prison. Furthermore, they suggest, it would make us all safer.

Honourable senators, I would like to read a short passage from these professors' recent blog posted on the University of Ottawa website. I think you will find it enlightening:

The potential for reducing victimization of Canadians has never been greater. The World Health Organization, the National Crime Prevention Centre and even the US Department of Justice all provide many examples of programs that prevent victimization.

These agencies identify many programs that are under used in Canada. For instance, targeting programs to help a poor parent with a difficult child reduces child abuse by 70 per cent. Establishing outreach projects for youth who have abandoned school and are engaged in anti-social behavior in disadvantaged areas reduce their re-arrests by 60 per cent. Funding focused services for aboriginal youth are expected to reduce aboriginal violence — some suggest by 50 per cent or more. Experts have demonstrated how every \$1 invested in proven prevention programs such as parent training and mentoring avoids \$7 in prison costs.

[Translation]

Honourable senators, I do not think that Bill C-37 is the way to go. I do not believe that increasing the victim surcharge and making it mandatory would do what the government suggests it would do.

The key to reducing victimization and to increasing public safety is prevention. I would like to leave you with this thought from Professors Piché and Waller:

It is time for an action plan that invests in using our knowledge to prevent Canadians from becoming victims rather than squander taxes on incarcerating more and more.

The Hon. the Speaker *pro tempore*: Is there further debate? Are honourable senators ready for the question?

Hon. Senators: Question!

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

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

- (1510)

REFERRED TO COMMITTEE

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

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

[English]

CANADA NATIONAL PARKS ACT

BILL TO AMEND—THIRD READING

Hon. Bob Runciman moved third reading of Bill C-370, An Act to amend the Canada National Parks Act (St. Lawrence Islands National Park of Canada).

He said: Honourable senators, this bill was introduced by my good friend in the other place, the member of Parliament for Leeds-Grenville. It would make a small change in the name, from St. Lawrence Islands National Park to Thousand Islands National Park. If passed, I and people in the region believe it will have significant positive implications for the whole Thousand Islands area.

I encourage all honourable senators to give it their support.

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

Hon. Senators: Question.

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

(Motion agreed to and bill read third time and passed.)

CANADA POST CORPORATION ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Plett, seconded by the Honourable Senator St. Germain, P.C., for the second reading of Bill C-321, An Act to amend the Canada Post Corporation Act (library materials).

Hon. Terry M. Mercer: Honourable senators, I would like to add my thoughts at second reading of Bill C-321, An Act to amend the Canada Post Corporation Act (library materials).

Since I am aware of how difficult it can be to navigate the legislative waters of Parliament when it comes to private members' bills, I would like to congratulate my friend Mr. Tweed from the other place on his diligence in trying to get this passed.

There have been several versions of this bill before Parliament, but all of them have had one goal: to include the Library Book Rate in Canada Post legislation and also to expand upon its definition of "materials."

The Library Book Rate provides for library materials, which would include media such as DVDs and CD-ROMs, as a result of this legislation. It would allow these materials to be sent at a much reduced rate of postage. I do not think anyone would oppose such a thing.

I find it interesting, though, that a Conservative would bring this forward, since it does have to do with libraries; it has to do with libraries providing such needed research material to Canadians. One would think the Conservatives would avoid such a thing, as they do not really believe in research.

Senator Segal: Unfair. A little unfair.

Senator Mercer: But I digress.

Honourable senators, I have done some research of my own on this bill and what I found was interesting. According to Canada Post's 2011 annual report, some 750,000 shipments were made under the Library Book Rate initiative, generating \$831,000 in revenues. This is not a very high number when it comes to the overall budget of Canada Post, but it is significant enough in this day and age of budget cuts and layoffs.

While the Library Books Service program has been in existence since 1939, it has undergone some changes — most notably in the rate. For example, the rate per 1.28-kilogram shipment is proposed to be \$1.02 in 2013, up from 97 cents in 2012. Let us put this in perspective. In a joint release from Canada Post, the Canadian Library Association and the Association pour l'avancement des sciences et des techniques de la documentation, we are told that this same 1.28-kilogram package would cost \$18 if mailed at the regular postal rate. This is a significant difference.

Honourable senators, why is this an important program? Simply put, learning is important and anything we can do to help people learn and read more is important. Barriers such as being from rural Canada, with less access to libraries than those in urban Canada, should not impede someone's being able to research a specific topic or read a good piece of Canadian literature.

According to the Saskatchewan Library Trustees' Association, there are over 2,000 libraries actively using the Library Book Rate, with over 1 million Canadians benefiting from it. It would be interesting to hear from those libraries first hand so that we can understand the national impact the Library Book Rate has on our communities.

I encourage all honourable senators to pass this legislation at second reading and send it to committee, so that we may give it the due diligence it deserves. What we in the Senate do best is reviewing legislation and providing reports.

I am also prepared to move second reading on this bill today, if honourable senators are in agreement.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Carignan, bill referred to the Standing Senate Committee on Transport and Communications.)

• (1520)

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of Ioana Sendroiu and Nessa Kenny who are participants in the University of Toronto “Women in the House” program. They are the guests of the Honourable Senator Buth.

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

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AUTHORIZE COMMITTEE TO STUDY CASE OF PRIVILEGE RELATING TO THE ACTIONS OF THE PARLIAMENTARY BUDGET OFFICER—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Cools, seconded by the Honourable Senator Comeau:

That this case of privilege, relating to the actions of the Parliamentary Budget Officer, be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration, in particular with respect to

the consequences for the Senate, for the Senate Speaker, for the Parliament of Canada and for the country’s international relations; and

That the committee present its final report to the Senate no later than March 31, 2013.

Hon. Hugh Segal: Honourable senators, I rise to support the motion before us and urge its speedy passage so the committee can begin its work. I see Senator Cools and I am glad to stand down and defer to her if she would like to finish her introductory comments which were unfortunately cut off when she began. I am in the hands of the Speaker and Senator Cools, to whom I am delighted to defer.

Shall I continue or what is her wish?

Hon. Anne C. Cools: Honourable senators, I myself am not too sure that I understand the odd position that I am in.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Your Honour, when it comes to debate on motions and cases of privilege, rule 13-7(3) of the *Rules of the Senate* clearly states that:

No Senator shall speak more than once or for more than 15 minutes in debate on the motion.

On February 28, Senator Cools moved her motion and then delivered her remarks. Subsequently, the debate was adjourned in the name of Senator Segal and this is all documented in the *Debates of the Senate*. Therefore, Senator Cools’ opportunity has expired and the time is no longer there, unless she should ask for leave.

[*Translation*]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the *Debates* in front of me and it is clear that Senator Cools had asked to adjourn the debate for the rest of her time. At the same time, the Speaker recognized Senator Segal who said, and I quote:

If the item is still on the agenda next week I would look to speak to it at that time. If the honourable senator adjourns the debate in her name I respect her capacity to do so.

I think the honourable senators’ intention was to adjourn the debate in the name of Senator Cools, so that she could continue the speech she had begun, in accordance with the *Rules of the Senate*. It seems there was a misunderstanding about this at the end of that sitting.

I therefore believe that Senator Cools should have the floor. And if that is not sufficiently clear, I think that in all fairness, I will simply ask for leave of the Senate to allow Senator Cools to speak.

[Senator Mercer]

[English]

The Hon. the Speaker *pro tempore*: Honourable senators, is leave given for Senator Cools to speak again if that is her wish? Is leave granted?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

Senator Ringuette: What is the time frame?

Senator Cools: I would like to speak to the point of order. Senator Tardif raised a point of order. I wish to speak to that.

I listened with some care to the exchange that took place a few moments ago, and unfortunately His Honour, Senator Kinsella, is not here. The events, as they unfolded last Thursday, are somewhat different from what was just presented here by Senator Tardif.

I made it quite clear on Thursday that I was adjourning now to continue my speech and to continue with my remarks. I can cite this exactly from February 28, 2013:

... I am eager to hear other senators on this matter, and I will adjourn now to continue with the rest of my time.

Somehow in all of that, I do not know quite how, I believed that I had moved adjournment, I believe, and Senator Segal was on his feet and His Honour, the Speaker, took his adjournment. I did not complete my remarks as Senator Tardif says, and it is my hope and my wish to be able to continue those remarks.

The Hon. the Speaker *pro tempore*: Honourable Senator Comeau, on the point of order?

Hon. Gerald J. Comeau: Honourable senators, I was out of the chamber when the point of order was raised, so I am coming at this not as knowledgeable on the point of order as I should be.

I would encourage this chamber to allow time for Senator Cools to complete her remarks. She has made some extremely important points, and I think it would be very valuable if Senator Cools were allowed to wrap up her remarks. This chamber, over many years, has always encouraged its senators when they do have a powerful contribution and a very important contribution to make to the debate. I think we have always afforded that courtesy. We should, once we have the opportunity, allow Senator Cools to complete her remarks.

Senator Tardif: Honourable senators, my interpretation of rule 13-7(3) is not Senator Carignan's interpretation. It might be good to have some clarification. However, in the spirit of

cooperation and because it is Senator Cools' motion — of course, honourable senators can say otherwise — I would advise that we give Senator Cools leave for the balance of her time in order to conclude her remarks, if she wishes to do so today.

The Hon. the Speaker *pro tempore*: Honourable senators, I previously put that motion and the motion carried, subject to the rest of her time. Senator Cools has approximately 12.5 minutes of her 15 minutes left.

Some Hon. Senators: Oh, oh!

Senator Tardif: What is happening? Order, order.

Senator Cools: What is going on here is extremely unusual. Through no fault of mine, a situation happened on the floor. I did not do it. It simply happened. I am just surprised and a little shocked at the lack of charity.

I had wanted to speak. He is moving an amendment, and I had wanted to speak to that; that is all. Very well.

Honourable senators, I spoke on this matter on February 26 and 27. I speak now to my motion to refer this question of privilege in respect of the actions of the Parliamentary Budget Officer, Mr. Kevin Page, to the Standing Committee on Rules, Procedures and the Rights of Parliament. That every breach of privilege deserves its own remedy is a well-established principle. I believe that our Rules Committee has the power to identify a suitable remedy, a genuine remedy, indeed the best remedy for this breach of privilege, and I recommend that this committee investigate and report. To state the obvious, it is our committee on rules and privileges that offers reasonable process for examining breaches thereof.

Honourable senators, the determination of Mr. Page's mandate is not cognizable by the courts and is a matter that belongs to the exclusive cognizance of our proceedings. The Federal Courts Act and its jurisprudence are clear that the court has no jurisdiction over the Parliament of Canada Act. My motion asks that this officer's actions to submit the Parliament of Canada Act and the Senate Speaker to the jurisdiction of the Federal Court be studied by the Rules Committee for hearing and determination. It also asks the committee to study his actions as they reached into the international community and Canada's role therein. I have chosen the remedy of reference to this Senate committee over many other remedies because I think it is the most measured, the most reasonable and the most fair and judicious. There are many remedies. Honourable senators, I could have moved that this officer be reprimanded or admonished, or that he be summoned here to our bar. I could have moved that this question of privilege be referred to the Standing Joint Committee on the Library of Parliament. However, it is well established that questions of privilege be raised in the house breached, each house having charge of its own exercise and enforcement of its privileges. I trust that this committee will give this matter the rigorous study it deserves in the fixed principle that parliamentary privileges must not be breached by the courts, the houses, their members, officers and servants, and that all have a duty to uphold, defend and protect these privileges held by the houses in their constitutional

capacity as the representatives of the people. I note that Library officers, like house officers, have no representative power or authority to mobilize public opinion, public support and media support. Politics is not theirs to do.

• (1530)

Honourable senators, I speak now to some of the large constitutional principles and the law of parliament, the *lex parliamenti*, so breached by this Library officer. I speak of judicial independence, constitutional comity and parliament's sovereignty, its privileges, powers and immunities, all built on the first privilege, the "control of the public purse," the raising of taxes and the expenditure of funds, the public finance. These were bitterly fought in the 17th century civil war when the tenure of superior court judges was menaced by certain kings' arbitrary actions and connivance in judicial proceedings to displace upright judges and replace them with corrupt judges, willing, by repressive actions, to rid the king of his foes by their judicial death warrants.

These questions were resolved in the two settlement acts, being the 1689 Bill of Rights, An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown and the 1701 Act of Settlement, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject. These settlement acts limited arbitrary power, declaring Parliament's absolute sovereign privileges, their power and "control of the public purse," and their superintendence and protection of judges, which I fear may have been put at risk in the last many days.

Honourable senators, the 1701 Act of Settlement enacted that:

... Judges Commissioners be made during good behavior and their Salaries ascertained and established; but upon the Address of both Houses of Parliament it may be lawful to remove them.

Judges can appeal to the houses over executive actions to remove them. Executive removal of a superior court judge is hedged by the houses and their confidence powers. The houses are the sovereign's advisors, not the ministers. Any minister who moves such a motion that fails in either house must resign. Motions to remove judges are rare for sound reasons of their confidence consequences.

Honourable senators, it took until the late 1700s to ascertain and establish the judges' salaries. This is the foundation of our Constitution Act, 1867, Part VII, "Judicature," sections 96 to 101. Section 99(1) says:

... the Judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor General on Address of the Senate and the House of Commons.

[Senator Cools]

Section 100 states:

The Salaries, Allowances, and Pensions of the Judges... shall be fixed and provided by the Parliament of Canada.

These were no part of the early constitutions in the Canadas, but were hard fought and won in this act's sections.

Honourable senators, by the old common law, the Crown has an undoubted prerogative to create courts, but by the "control of the public purse," the houses have an absolute privilege and must agree to the creation of judges and courts.

In his 1887 *Parliamentary Government in England*, Vol. II, at page 853, Alpheus Todd writes:

... the crown cannot of itself establish any new court, or change the jurisdiction or procedure of an existing court, or alter the number of the judges, or the mode of their appointment, or the tenure of their office. For all such purposes the co-operation of parliament is necessary.

In his Volume I, *op. cit.*, at page 571, Todd writes:

When any new courts of justice are required, it is usual to establish them by statute, so that Parliament, having concurred with the crown as to the necessity for the same, is morally bound to appropriate the needful supplies for their establishment and support.

Honourable senators, the keystone of judicial and curial independence is the houses "control of the public purse." By the *lex parliamenti*, judges' salaries must be a public charge and a parliamentary appropriation. By the "control of the public purse," constitutional comity is sustained.

Honourable senators, by 1760, it had been established by George III that judges' salaries by act of Parliament be a permanent charge upon the civil list. By 1787, Adam Smith's idea of a single uniform treasury fund, an account from which all public payments are made, was established by Prime Minister William Pitt as the Consolidated Fund. In the Constitution Act, 1867, we styled it the Consolidated Revenue Fund. Its payments are of two kinds, those permanent grants, by statutes of Parliament, like the Judges Act, and those payments pursuant to annual votes in a committee of supply, begun by a ways and means motion and executed as appropriations acts.

Honourable senators, in Volume II *op. cit.*, at page 856, Alpheus Todd wrote:

By various subsequent statutes, the judges' salaries are now payable out of the consolidated fund which removes them still more effectually from the uncertainty attendant upon an annual vote in committee of supply.

The “uncertainty attendant upon annual supply votes” refers to the stern politics of votes of confidence, that is, estimates reductions, supply bill defeats, ministry defeats, resignations, dissolutions, and all political consequences when government estimates and supply bills fail. Judges’ salaries are a permanent charge to protect judges from politics, to ensure that they and their salaries are never at the centre of fatal conflict between ministries and the houses over spending. The Judges Act, once individual acts for individual judges but now a single act, expresses our duty to superintend and protect judicial independence and comity, pursuant to section 100 of the Constitution Act, 1867, that we fix and provide their salaries.

About this, in Volume I *op. cit.*, at page 737, Mr. Todd said:

The principle of not subjecting to the uncertainty of an annual vote the provision for... the salaries of judges and other officers in whose official character independence is an essential element,... is one the soundness of which is generally admitted,...

Honourable senators, this soundness was no part of our early colonial constitutions, when judges sat in the houses and executive councils and were active in politics. Bitterly fought, and by the sweat of many like Upper Canada’s William and Robert Baldwin, and with Lord Durham’s support, these sound practices grew alongside responsible government.

However, they were fully recognized in the Constitution Act, 1867, Part VII, on the watch of Sir John A. Macdonald, who was both Prime Minister and Attorney General of Canada. That fact that he was both is no coincidence. Our Constitution demands the observance of comity by the houses’ members, and their officers, the Parliamentary Budget Officer included.

Honourable senators, by mandate, the Parliamentary Budget Officer had special research duties in the public finance, government estimates and supply. In this, he had a unique duty to uphold our special role in the judges’ salaries, judicial independence and constitutional comity. Instead, he chose to bring conflict with the courts to our door, a door that we should ensure stays closed. His lack of understanding of his role is disturbing and tragic. He is not a watchdog, nor our watchdog. I also note that on his website, the titles of five of his six reports use the terms “monitor” or “monitoring,” mantras, really, on government spending. The term “monitor” includes a power of admonition. These mantras echo the very same power that he is asking the court to give him, a power to compel and admonish deputy ministers; a power not held by Library officers or by the Parliamentary Budget Officer. Our committee must study this with vigour.

Honourable senators, I come now to the office of Speaker. In both houses, this office is a stern master, demanding fairness and equity of the incumbents. This entails surrender of their natural rights as house members to express opinion in house debates. The Commons Speaker is the mouth of the house. He can neither express an opinion nor vote, but has the casting vote. The Senate Speaker, fourth in Canada’s precedence, is freer. He is the

Queen’s man. Circumscribed by practice, he may speak and vote in debate, and has no casting vote. He is a representative of the Sovereign and her living presence in this Senate, the Upper and the Royal house of the Parliaments, where Her Majesty, by the Governor General, meets the two houses in the Parliaments assembled, with the judges attending, as the High Court of Parliament. Our senators, officers, and servants have a high duty to uphold the position of our Speaker and to protect him from subjection to any power or any sovereignty other than the Queen. The Speaker’s actions in the Senate are not subject to any court, nor to their coercive or contempt powers. His constitutional nature is vice-regal. I note that the Americans have retained this in that their Speaker of the Senate is also their Vice-President of the United States of America. Because of the Speaker’s ceded rights, we have a duty to protect him and to study this question of privilege.

Honourable senators, I shall cite the case of offended Commons Speaker James Jerome, later a Federal Court justice, who was morally impugned in an editorial. The same day, the house was unanimous to defend its representative and itself. Supported by all party leaders and seconded by Opposition House Leader Walter Baker, Government House Leader Allan MacEachen moved:

That the statement “Let it be said of James Jerome that he is not a Speaker but a gambler who plays incredible odds for the popularity of his party” contained in the editorial in the *Globe and Mail* on December 22, 1976, is a gross libel on Mr. Speaker, and that the publication of the article is a gross breach of the privileges of this House.

• (1540)

Honourable senators, Speaker Jerome was entirely silent during that debate, and rightly he should have been. After the debate, he rose and said:

This is an extraordinary situation and one which would never call for a comment from the Chair, but I cannot help but say that I am deeply gratified by the action of the House.

Honourable senators, I note that the 1689 Bill of Rights, article 9, on which the modern British constitution was founded, was prompted by the court’s oppression of Speaker William Williams for things said and done in the house. It states:

That the Freedom of Speech, and Debates or Proceedings in Parliament, ought not to be impeached or questioned in any Court or Place out of Parliament...

Honourable senators, I believe that this officer’s actions totally undermine the Parliament of Canada Act and his own role therein. I ask that the committee study this matter most thoroughly, to do so judiciously and fairly, and to be attentive to this officer’s right to answer, while doing due diligence to the investigation of his actions.

Honourable senators, I would like to cite one of the seminal cases of conflict between the courts and the houses —

The Hon. the Speaker pro tempore: I regret to inform the honourable senator that her speaking time has expired.

Senator Cools: May I have five more minutes?

The Hon. the Speaker pro tempore: Is five more minutes granted, honourable senators?

Some Hon. Senators: Agreed.

Senator Cools: Honourable senators, I shall cite the court case of *Stockdale v. Hansard*. This is about a series of cases that reveals a commitment by the United Kingdom House of Commons to protect their privileges, their officers and their servants from the court's suppression.

Stockdale v. Hansard was a perilous collision between the house and the Court of Queen's Bench. Mr. Hansard was the house printer acting in its service and on its orders, much like many people around here do. Mr. Stockdale had complained of libel against him in a house publication. There were many actions, including five between Stockdale and Hansard, and two between Stockdale and the Sheriff of Middlesex. By 1840, the house had committed into custody Stockdale, Stockdale's solicitor, Howard Sr., Howard's clerk, Pearse; and Howard Jr., son of Howard Sr.

Honourable senators, none of the judges was committed. For this, one man deserves the credit. He was the law officer of the Crown Attorney General John Campbell, later Lord Chancellor, who had argued this case in the court. His wise counsel prevailed over that of the other law officer, the Solicitor General, whose opinions also held great weight. Final resolution was the enactment of the Parliamentary Papers Act, 1840, to oust the court's judgment and secure the protection of the reporters, editors and printers of our journals and proceedings. This is unlike today, where our library officer is subjecting us and our speakers to the court. It is a reverse situation.

Honourable senators, this case bears hearing and studying. John Campbell's daughter, Mrs. Hardcastle, in her biography of him *The Life of John, Lord Campbell*, records these events in his words. On May 31, 1839, Lord Denman, Lord Chief Justice of the Court of Queen's Bench, had declared:

The Courts of Law have supreme jurisdiction respecting all parliamentary privilege.

John Campbell describes the House of Commons reaction to the "ill-considered and intemperate judgment of the court." At page 113, he said that:

The idea of this *autodafé* set the House in a flame, and there was no resolution I could have proposed if it had been at once to commit Lord Denman and the other judge of the Queen's Bench to the Tower, which would not have been carried by acclamation. But I advised them to set an example of forbearance and moderation, temperance, at

Westminster Hall where it was rather needed and for the present to content themselves with appointing a select committee to inquire into the proceedings in *Stockdale v. Hansard* and to report their opinion thereupon to the House.

He continued at page 129, that:

The public never knew the danger which then existed of a convulsion, an example in our history. Wilde, the Solicitor-General, was strong for refusing to make any return to the writ and for the setting of the Court of Queen's Bench at defiance. Had I concurred in this opinion, it certainly would have been acted upon. The consequences would have been that the Sergeant-at-Arms, even with the mace in his hand, would have been sent to Newgate by the Court of Queen's Bench. The House must have retaliated by committing the judges. The Crown would then have had to determine on which side the army should be employed and for a time we must have lived under a military government.

Honourable senators, Lord Campbell was alluding to the fact that the courts, the houses, the judges and the Queen's law officers were locked into mortal conflict and that these circumstances could have compelled the Sovereign to assume the reins of government and to rule personally supported by her armed forces; but this was averted. The case was seminal because it remains a lasting lesson in forbearance, in the avoidance of collision and the unstinting adherence to the principles of Constitutional comity, by which separate distinct constitutional powers coexist in mutual respect and deference.

Honourable senators, I have studied this matter carefully. Clearly, it is a deeply troubling matter. It is unfortunate that during the debate some have seen to view it as who is for the PBO and who is against the PBO. I would like honourable senators to abandon that approach and to look at the large parliamentary issues that are involved. It has been established by the Federal Court's own jurisprudence that the Parliament of Canada Act is not subject to the jurisdiction of the Federal Court of Canada.

An Hon. Senator: Time.

Hon. Jim Munson: There is a parliamentary procedure.

Senator Cools: I know it very well. You are not respecting it because you do not respect me.

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

Senator Segal: Honourable senators, I rise to support the motion before the house and to urge its speedy passage so the committee may begin its work. The arguments advanced by Senator Cools were logical, well researched and intellectually acute and compelling, as they always are.

My support for the motion should not signal any lack of support or admiration for Kevin Page. As the first individual to hold this new position, created after all because of a promise made by the present government as part of an accountability package, his role, as is the case with all pioneers, would not have been, could not have been and has not been easy.

I am untroubled that he caused ministers a measure of aggravation. On spending of any kind, this is Parliament's role. He is acting as an employee of Parliament, established to advise parliamentarians on fiscal and expenditure matters, which are often complex and, usually over the decades, managed by all governments of all affiliations in a way that promotes obscurity as opposed to clarity.

His Honour may remember that I wrote to him and his counterpart, then Speaker Milliken, in the other place some years ago to express my strong disagreement with putting Kevin Page essentially in the role of just another researcher under the thumb of the Parliamentary Librarian. The promise of a new Parliamentary Budget Officer was not for a new staffer in the Library of Parliament. I blame that decision on those in the Privy Council Office who have worked since that office was created decades ago to dilute parliamentary accountability for civil servants, Crown corporations and ministers. I blame them for the perverse way in which the PBO was inserted under the tutelage of the librarian. That would be like making the chief trauma nurse in an emergency ward report to the hospital's head of parking.

• (1550)

I have not always agreed with all of Mr. Page's reports, public utterances or even style, but that is of no matter. He has always comported himself with a strong ethical commitment to the right of parliamentarians to know and understand complex financial issues, always at the request of a parliamentarian, as his mandate requires.

Canadians owe him a sincere debt of gratitude. He has set a high standard, as has his small but expert and diligent staff. He has earned public trust and gratitude, and he certainly has mine.

That being said, a full committee examination of the *prima facie* question of privilege will be of salutary effect. What I call the parliamentary posse of designated officers — the Commissioner of Official Languages, the Privacy Commissioner, the Commissioner of the Environment and Sustainable Development and the Auditor General — has a statutory basis for their roles, and they all do important work. It is not clear, however, when they act through the courts to compel a government or a department to act, a government that is part of the parliamentary reality they serve — and many of them have done so in the past — where that leads in terms of privilege or on whose behalf they are actually speaking.

Parliamentarians guard their privilege because the right to express, engage, question, support, oppose and otherwise constrain the bureaucracy and cabinet is what parliamentary democracy, in a responsible parliamentary system, reflects. It is a principle that goes back to the Magna Carta. The sooner the

committee can begin its work on this broad issue, the better. The core principle of responsible government in the Westminster tradition will benefit from a careful analysis, by the committee, of the point of privilege raised by Senator Cools and defined as *prima facie* by the Speaker of this chamber.

The Hon. the Speaker *pro tempore*: Will the honourable senator take a question?

Senator Segal: By all means.

Hon. Percy E. Downe: Given the honourable senator's endorsement of the work Mr. Page has done, what recourse, other than going to court, would he have when the government refuses to release information to parliamentarians, and to Canadians, on actions they have undertaken?

Senator Segal: I do not want to prejudge the matters now before the court. That very argument is being made. A contrary argument about the privileges of government departments to make decisions under the provisions of their statute will be made in countervail to that, and the courts will decide what they decide.

I have no question that he honestly believes that he is discharging his statutory responsibilities by doing what he is doing, so I do not have any difficulty with the good faith by which he is advancing his proposition. I think, however, that, as parliamentarians, both in this place and on the elected side, it would be of great value if the committee on privileges took a hard look at the implications of his decision to do that and his capacity to do so as an officer of the librarian, who is responsible to the Speakers of both chambers. We will benefit from that and, depending on the outcome of that decision and of the matters now before the courts, we might find that future occupants of that office have a stronger mandate to proceed in some areas, which would not, in and of itself, be anything other than salutary.

Senator Downe: I thank the honourable senator for that answer, but I am not clear. The honourable senator's comments were very specific. He blamed officials in the Privy Council Office for the limited mandate and for the fact that the Parliamentary Budget Officer was a staffer, in the honourable senator's words, of the Library of Parliament. The Parliamentary Budget Officer had a mandate that was quite clear, and it is on the website if anyone wants to check it. When he went to implement that mandate, he lacked cooperation from a host of government departments. Some cooperated, in fairness to them, but the vast majority appeared not to. What recourse did he have other than what he is doing? That is the part of the honourable senator's argument that I cannot understand.

Senator Segal: The part of my argument that I am trying to advance is very simply this: He is governed by a statute. He is governed by a law. He has a view as to what that statute allows him to do. Others, in equal levels of good faith, have a contrary view. That matter will be sorted out in the courts. The benefit of having the debate here, in a committee of this place on privilege, is

that we will benefit with a further understanding of what his relationship to this place actually provides as a range of activities that he can properly pursue relative to the privilege of all parliamentarians. These are not conflicting issues. They are, in my view, constructive parts of the same broader debate, and we would benefit from that discussion's transpiring.

Senator Downe: When the government introduced this act and people in this chamber voted for it, surely they understood the mandate. I am quoting here:

The mandate of the Parliamentary Budget Office is to provide independent analysis to Parliament on the state of the nation's finances, the government's estimates and trends in the Canadian economy, and upon request from a committee or parliamentarian, to estimate the financial cost of any proposal for matters over which Parliament has jurisdiction.

That was the mandate the government set for him. That was his job. When he went to do his job, he was not able to do his job because the government would not provide the information to him. To come back again, others have blamed the Privy Council Office and the fact that he is a staffer of the librarian, but what other recourse could he have but to go to the court to get the information that committees or individual parliamentarians asked him to obtain in his mandate, which this government approved?

Senator Segal: For us to try to answer that question in this place would be to prejudge the work of a committee and to prejudge the arguments being made before the court, and I am not 100 per cent sure that that would be a constructive contribution to the debate at this time, although I take the question as both inspired and intrinsically, as is always the case from Prince Edward Island, deeply logical and well-rooted.

Senator Downe: Thank you very much for that compliment. I should stop while I am ahead, but let me charge on nevertheless.

I had a personal situation with the Parliamentary Budget Officer when I asked him to determine, if he could, what the tax gap was. Many countries estimate the tax gap, which is the difference between what should be collected and what is not collected.

I wrote Mr. Page back in October 2012. He made a request to the CRA, and they refused. He is releasing the letter in the next day or so. He sent me a copy ahead of time. I am quoting from the letter:

Unfortunately, CRA has informed us that they are unable to share the data with my office. As such, we are unable to fill your request.

He then goes on, in the letter, to talk about how other countries determine the very same information. This is significant because in the United States, for example, they estimate the tax gap at \$US 385 billion. The United Kingdom does it yearly at \$32 billion and so on. The Canadian government refuses to do it. The Parliamentary Budget Officer, because I, as a parliamentarian,

asked him to do this, has determined how to do it and wants the information from the department. Have they done it? They said, "No, we have not done it." He said, "Send me the following data, and I will do it, based upon what other countries have done." They refused to do it. Canadians and parliamentarians do not know. The CRA has information and will not release it. Our hands are tied because of the actions of the government. I can only hope that the replacement for Mr. Page — and it is most unfortunate that he is not being reappointed — has, as the honourable senator indicated, a stronger mandate and a personality that is as forceful as Mr. Page's. Does the honourable senator have any information that the mandate may be changed?

Senator Segal: I would not be privy to that information. My advice would not be sought on the mandate, and the folks in the Privy Council Office have a strong sense of my views on these matters, which is why they rarely call.

That being said, I do think it was Mr. Page himself who announced, some time ago, that he was not planning to re-offer when his term came up in 2013. I am not aware of any decision by the government not to reappoint. I think he made that decision himself. As to who might replace him, the honourable senator's sense and perception are as good as mine. I have no speculation to offer.

The Hon. the Speaker *pro tempore*: Further debate?

[*Translation*]

Senator Comeau: Honourable senators, as many of you know, for some time now, I have been concerned about issues related to the various officers of Parliament, their role, their mandate and their relations with the two Houses of Parliament, in particular the Senate. In this case, we are not talking about an officer of Parliament whose mandate is set out in an ordinary act of Parliament. We are talking about an officer of the Library of Parliament whose mandate is set out in the Parliament of Canada Act. He has gone to the Federal Court to try to resolve a dispute, instead of coming directly to Parliament.

• (1600)

The Parliament of Canada Act is no ordinary piece of legislation. It sets out the privileges, immunities and powers of the Senate and the House of Commons as well as their members.

For the purposes of section 18 of the Constitution Act, 1867, any question concerning the powers set out in the act is, by its very nature, a question concerning the privileges of Parliament and should be studied by Parliament.

Adopting Senator Cools' motion will allow us to deal with this case in the proper forum. The act clearly states that the Library of Parliament is not an independent institution. It serves the two Houses of Parliament and is under the direction of the two Speakers, assisted by a joint committee, namely the Standing Joint Committee on the Library of Parliament. The Parliamentary

[Senator Segal]

Budget Officer is described as “an officer of the Library of Parliament” in the English version of the act, but in the French version, he is a “membre du personnel de la Bibliothèque du Parlement” and, according to section 78 of the act, is under the supervision of the two Speakers and the joint committee. By definition, the position is a position of Parliament.

As His Honour Speaker Kinsella said in his ruling last Thursday, the Senate already took this position when it adopted the third report of the Standing Joint Committee on the Library of Parliament on June 16, 2009.

[English]

By appealing to the courts, the Parliamentary Budget Officer is therefore directly challenging the privilege of the Senate to regulate its own affairs free of interference, as is conferred upon it by Article 7 of the Bill of Rights, 1689 (U.K.) and the Constitution Act, 1867.

As His Honour said in his ruling of last Thursday:

By asking the courts to decide the question of his mandate, the Parliamentary Budget Officer has disregarded the established authority and organizational structure of which he is a part. The question of his mandate is solely for Parliament to determine. The officer’s actions run contrary to the constitutional separation of powers between the branches of government.

This is not a matter that should be taken lightly and is one that should be examined thoroughly but in an expeditious manner by the Standing Committee on Rules, Procedures and the Rights of Parliament, as Senator Cools’ motion requests.

As an aside, I would note that the committee hearings into this matter would also provide the Parliamentary Budget Officer an opportunity to present his side of the story, as Senator Tardif quite rightly indicated would be desirable. It is to Parliament that he should have made his appeal in the first place. Upon the adoption of this motion, he will have the opportunity to make his case.

The courts have also recognized that there is an inherent danger in both the judicial and legislative branches considering the same matters at the same time, a point that was reiterated in *Southam Inc. v. Canada (Attorney General)* when Justice Iacobucci cited a 1974 British decision which says in part:

It is well known that in the past there have been dangerous strains between the law courts and Parliament — dangerous because each institution has its own particular role to play in our constitution, and because collision between the two institutions is likely to impair their power to vouchsafe those constitutional rights for which citizens depend on them.

We therefore owe it to ourselves to consider this matter prior to the Federal Court hearings, which are set to begin in just a couple of weeks, so that we can conduct this inquiry and come to a conclusion without being influenced by any court proceedings.

We owe it to ourselves and the institutions of Parliament to ensure that we do not cede our jurisdiction to the courts.

I would like to thank His Honour for his ruling and again thank Senator Cools for bringing this important matter to our attention. I would call on all honourable senators to support the motion so that we can resolve this matter quickly in a manner that respects and protects our constitutionally entrenched rights of Parliament.

However, knowing that, as we progress through this very important subject, we may not be able to respect the March 31 deadline as imposed by the motion, from my side, I would love to see this go to its logical conclusion. If it takes more time, by all means we should do it.

MOTION IN AMENDMENT

Hon. Gerald J. Comeau: Therefore, honourable senators, I move the following amendment to this motion, as follows:

That the motion be amended by deleting all words following the words “international relations”.

Those words would be stricken from this motion and that would in effect leave an open-ended date to reporting back. If the committee senses that it wishes to report earlier to this chamber, by all means it can do so, but this way we will not be handcuffing the work of the committee.

The Hon. the Speaker *pro tempore*: Regarding Motion No. 144, it has been moved by Honourable Senator Comeau, seconded by Honourable Senator Johnson:

That the motion be amended by deleting all words following the words “international relations”.

Honourable senators, this would mean “; and That the committee present its final report to the Senate no later than March 31, 2013” would be deleted.

Debate on the amendment, honourable senators?

Some Hon. Senators: Question.

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

Some Hon. Senators: Question.

The Hon. the Speaker *pro tempore*: It has been moved by Honourable Senator Cools, seconded by Honourable Senator Comeau:

That this case of privilege, relating to the actions of the Parliamentary Budget Officer, be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration, in particular with respect to the consequences for the Senate, for the Senate Speaker, for the Parliament of Canada and for the country’s international relations...

As amended —

Senator Fraser: It has not been amended yet.

The Hon. the Speaker *pro tempore*: Are honourable senators prepared to adopt the amendment?

Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: Now the motion as amended.

[*Translation*]

Hon. Fernand Robichaud: Honourable senators, for greater clarity, we would need to hear the amendment, accept it and then continue with the debate. It seems to me that we are debating both the amendment and the motion. I think that it needs to be very clear.

[*English*]

The Hon. the Speaker *pro tempore*: The amendment has been adopted.

The amendment as moved and seconded by Senator Comeau and Senator Johnson has been presented. I called for the question and it was adopted.

[*Translation*]

Senator Robichaud: Honourable senators, I do not want to contradict the Honourable Speaker *pro tempore* or say that he did not do certain things, but I did not hear him read the amendment. That is all.

[*English*]

An Hon. Senator: Do it again.

The Hon. the Speaker *pro tempore*: If honourable senators wish, we can check the record or I can start over again. I will start all over again.

It has been moved in amendment by Honourable Senator Comeau, seconded by Senator Johnson:

That the motion be amended by deleting all words following the words “international relations”.

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

Some Hon. Senators: Yes.

The Hon. the Speaker *pro tempore*: Carried. Is there debate on the motion, as amended?

(On motion of Senator Tardif, debate adjourned).

[*Translation*]

MOTION TO AUTHORIZE COMMITTEE TO
STUDY THE POWERS AND RESPONSIBILITIES
OF THE OFFICERS OF PARLIAMENT AND THEIR
REPORTING RELATIONSHIPS TO THE TWO
HOUSES—DEBATE CONTINUED

On the Order:

Resuming debate on the motion, as amended, of the Honourable Senator Comeau, seconded by the Honourable Senator Di Nino:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to examine and report on the powers and responsibilities of the officers of parliament, and their reporting relationships to the two houses; and

That the committee present its final report no later than March 31, 2014.

Hon. Pierre Claude Nolin: Honourable senators, I am well aware that this motion stands in my name. However, I really wanted to reread the speeches of my three colleagues who participated in the debate on this motion. Those who did not hear these speeches or who have not read them should do so since our privileges are, once again, at risk of being infringed upon as a result of their actions.

I do not even know what to call these people anymore. Are they officers of Parliament, are they public servants? We definitely need to have the Rules Committee examine this matter, particularly in light of the letter that Senator Comeau read and submitted to the office.

• (1610)

Once again, I apologize for delaying the debate, but following the debate on Motion No. 144, I think we definitely need to examine how our privileges risk being infringed upon. Clearly, allowing our colleagues in the other place to violate our privileges so gleefully will not help us advance the cause of our institution, which, unfortunately is once again being scorned.

Honourable senators, I urge you to support this motion.

(On motion of Senator Jaffer, debate adjourned.)

[English]

IMPROVED MENTAL HEALTH FOR INMATES

INQUIRY—DEBATE CONCLUDED

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. Vernon White: Honourable senators, I rise today to the draw attention of the Senate, like my friends who have spoken before me, to the need for improved mental health treatment for those engaged in our criminal justice system as offenders and inmates.

I have been engaged in the criminal justice system for more than three decades and have seen firsthand the impact of mental health and mental illness. The issue of mental illness has been a problem throughout my career and within the system, and over the past decade we have finally come to more readily recognize the impact and challenges we face in managing this serious issue.

According to Simon Davidson of the University of Ottawa's Division of Child and Adolescent Psychiatry, more than 75 per cent of all young offenders, people under 18 charged with a criminal offence, have diagnosable mental health problems, including substance abuse. Let us think about that. Three quarters of the people engaged in our youth criminal justice system have mental illness and/or substance abuse. Our success in reducing adult crime in the future may be directly linked to the way we develop and manage strategies for these often vulnerable young men and women.

Many communities have made great strides in dealing with the mentally ill, and these include programs that deliver awareness, intervention, treatment, including concurrent treatment for mental illness and substance abuse, as well as intervention through the courts, like we have in Ottawa with the Youth Mental Health Court. We have, as well, gone from mental illness being something we heard about but seldom talked about, except maybe in whispers, to a problem that is on the lips and in the minds of most Canadians today as we recognize that, directly or indirectly, we all have people in our lives who are or have been impacted.

In the past decade we have grown into a more understanding society where we engage the issue more positively, raising money for awareness and treatment while raising general understanding of the issues.

In the past three weeks I have been involved in two such events, one an event for youth and families here in Ottawa called Bows for Butterflies where we heard the University of Ottawa's orchestra and then listened to youth explain and describe what they have faced and where they have come from as a result of mental illness.

For all of the good work being done in helping Canadians manage mental illness and to increase our awareness when it is occurring to us or those we know and love, there is still the serious problem of overrepresentation of the mentally ill in our criminal justice system, and more specifically within the incarcerated population.

There are many reasons for this, but more than anything else we need to focus our collective energy in this place on finding solutions. That does not mean standing along the river of criminal justice, pulling bodies out to place in institutions, but rather walking up river to find out how they are getting into the river and developing early intervention models to reduce those afflicted in the system.

We must find a way to deal with this illness as we would other illnesses. There must be early intervention where possible, and appropriate intervention when missed.

Honourable senators, we must find solutions for this challenging issue, and we can do this as a collective voice calling for change from this place.

(Debate concluded.)

OLD AGE SECURITY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck, calling the attention of the Senate to the inequities of the Old Age Security Allowance for unattached, low-income seniors aged 60-64 years.

Hon Elizabeth Hubley: Honourable senators, today I would like to speak to Senator Callbeck's inquiry into Old Age Security, especially the inequalities of the Old Age Security allowance for unattached, low-income seniors aged 60 to 64 years.

Under the current rules, a senior aged 60 to 64 who is married, in a common-law relationship or widowed is eligible to receive the Old Age Security allowance if they pass the low-income test and if their spouse is receiving the old age pension as well as the supplement. However, a single, separated or divorced person who also meets the low-income test is not eligible for the allowance. This is simply unfair. Seniors, who are among the most vulnerable in our society, are being treated unfairly based solely on their marital status.

Honourable senators, the Old Age Security allowance was introduced in 1975. Since that time, our society has changed significantly and the rules for this allowance must change too. The fact is traditional family stereotypes no longer apply. Today, fewer people are getting married and more people are getting divorced.

Additionally, studies have shown that seniors, especially women, are likely to be poor, making it incredibly unfair that unattached senior women are ineligible for this allowance.

Advocacy groups across our country do see the need for change. In their 2012 pre-budget submission, CARP advocated for federal government support for single seniors, with particular regard to older women with an equivalent to spousal allowance for single seniors in financial need. Unfortunately, the federal government does not recognize that unattached seniors need more support.

Honourable senators, the rules for the Old Age Security allowance need to be changed. The current system is out of date and must be changed to keep up with the current social trends so that everyone, regardless of their marital status, is eligible to receive the support they need and deserve.

I strongly encourage the federal government to expand the criteria for the Old Age Security allowance to include all low-income people aged 60 to 64, regardless of their marital status.

(On motion of Senator Carignan, debate adjourned.)

[*Translation*]

QUESTION OF PRIVILEGE

SPEAKER'S RULING RESERVED

Hon. Maria Chaput: Honourable senators, pursuant to Senate rules 13-1, 13-3. (1) and 13-6. (1), I rise on a question of privilege regarding certain statements made by the Honourable Senator Gerald Comeau on February 13, 2013, at second reading of Bill S-211.

• (1620)

First, I want to clarify what I am talking about today. I found Senator Comeau's tone in the speech in question to be abrasive and condescending. But this is not a point of order today on account of unparliamentary language. I did not rise on a point of order when he made his speech, and I do not regret that. I think that all senators are familiar with the Rules, and it is not up to me to remind them about those Rules.

What I am saying is that some specific comments were a direct attack on my abilities as chair of the Standing Senate Committee on Official Languages. I believe that this was not only an attack on my integrity and a breach of my privileges as senator, but it was also a breach of the committee's privileges.

[Senator Hubley]

I am not criticizing disturbing or even shocking language; I am criticizing the fact that I am being prevented from doing my job properly, as we learn in *Beauchesne*. This distinction is important to make in a question of privilege.

The comments in question were scattered throughout the speech. While we were studying Bill S-211, which I introduced in the Senate, Senator Comeau suggested that I had failed in my job as committee chair.

Senator Comeau said that I "could have convinced [you] that a study by the Official Languages Committee was unnecessary," insinuating that I am opposed to the idea of such a study. He then added that he was "confident that the Official Languages Committee would have been willing to study" the issues raised by my bill.

I will quote what came next. First quote:

If I were still a member of the Standing Senate Committee on Official Languages, I would be very concerned that the committee chair squandered such an opportunity.

Senator Chaput, as committee chair, knows that the members are very competent, motivated and interested and that they are concerned about issues involving the Official Languages Act.

By conducting a study, they would have had a hand in the outcome. They would have participated in the process, and often those who help find a solution are your most enthusiastic supporters.

The senator should not underestimate the respect people have for the studies and recommendations that come from the Standing Senate Committee on Official Languages, or any other Senate committee, for that matter.

Second quote from Senator Comeau:

Senator Chaput is not the only one who plays an important role in defending official languages. There are others, including Senator Champagne, Senator Mockler and many others on your side, such as Senator De Bané. The Official Languages Committee has some great defenders of the rights of official language minority communities, and of Canada's linguistic duality. Why not first do a study to see if there are other means? Again, I do not question her good faith but, rather, her approach.

In general, Senator Comeau is criticizing me for introducing a bill instead of suggesting that the Official Languages Committee conduct a study. That is his point of view, and I do not share it. However, it is a legitimate point of view and he certainly has the right to express it. Nevertheless, he clearly insinuated that I do not trust my honourable colleagues who sit on that committee. That is far from the truth.

In my mind, it was clear from the outset that the bill would be studied by the Official Languages Committee. That is where the bill should have been sent. When Senator Comeau accused me of not respecting my colleagues on the Official Languages Committee, he had not yet indicated that he wanted Bill S-211 to be sent to the Standing Senate Committee on National Finance. I therefore did not understand why he was making those remarks.

With all due respect for my honourable colleagues on the committee, I still do not understand why Bill S-211 was sent to the National Finance Committee. The Senate Debates show that my bill was sent to the National Finance Committee on division. That is because I, along with many of my colleagues, believed that the Official Languages Committee should be in charge of studying the bill, under the competent leadership of Senator Champagne as chair.

For there to be a finding of a prima facie question of privilege, all four of the criteria set out in rule 13-3(1) must be met. I will present my explanation in light of these four criteria.

First, it must be determined if the question was raised at the earliest opportunity. Here is my explanation in that regard.

I did not immediately react to Senator Comeau's speech because I was so shocked by his comments. As I said earlier, I did not completely understand exactly what he meant by his comments. I had no way of knowing that at the end of his speech Senator Comeau would suggest that the bill be sent to the National Finance Committee.

At the time, my priority was to see if there was a way to remedy the situation and to send the bill to the Official Languages Committee. This would have shown, through actions rather than words, that I believe in the knowledge and expertise of my Official Languages Committee colleagues.

Unfortunately, that proved to be impossible since the motion for referral to committee was not open to debate. I checked the Rules the next day, which confirmed that I did not have any means available to me to do this.

When I reread Senator Comeau's speech the next day — and a few more times during the break week — I came to understand exactly what he meant by his comments and how unfair they were. I therefore considered addressing the issue with my Official Languages Committee colleagues at our next in camera meeting.

The first meeting that I chaired after the speech, took place last Monday, February 25. At that meeting, before proceeding in camera, I decided that my colleagues and the committee deserved more than a simple mention at an in camera meeting, particularly since the offensive comments were made in the Senate chamber.

That is when I understood that not only were the comments unpleasant but they also had a negative impact on my duties as a senator and the Chair of the Official Languages Committee. These accusations regarding my integrity and my competency still bother me.

Our Speaker may decide that I should have raised this issue last Tuesday in order to meet the first criterion. All I can say is that I tabled my notice as soon as I was ready to do so. I am not used to parliamentary confrontations — which Senator Comeau himself acknowledged when I introduced my first bill, Bill S-220 — and I needed time to think about it and then think about it some more. But, I have faith in the honour of this chamber and of my colleagues. I therefore decided that I had to take action to remedy what I perceive as an affront to the integrity and privileges of the Senate.

If our Speaker decides that this intervention was too late, I will respectfully defer to his ruling, knowing that I acted according to my convictions.

Secondly, it must be determined whether this matter relates directly to the privileges of the Senate, of one of its committees or of an individual senator. Thirdly, it must also be determined whether the breach of privilege was a grave and serious one. Following the example of my colleague, Senator Cools, I am presenting my explanations for both matters together.

I was elected Chair of the Standing Senate Committee on Official Languages. Thus, my honourable colleagues demonstrated their confidence in me, which I accepted gratefully and, above all, with a great deal of humility. To say that this confidence is not reciprocated, I believe, would be a very serious matter.

In the Rules and in practice, senators address the committee chair when they wish to speak. It is crucial that a strong and sincere bond of trust be maintained between the chair and each committee member. The proper functioning of the committee depends on it. Any accusation of bias directly affects that bond of trust.

To say, as Senator Comeau said, that he would be “very concerned” if he were still a member of our committee is a direct violation of that bond of trust, and it is difficult to see that as anything other than an attempt to sow discord within a Senate committee that, from my experience, has always functioned very well, with a great deal of respect and collegiality.

To openly suggest, as Senator Comeau also did, that the Official Languages Committee is chaired by a senator who thinks she is the “only one who plays an important role in defending official languages” is also an attempt to discredit the activities of that committee.

• (1630)

After all, who would want to sit on a committee chaired by a senator who clearly does not respect their input? My impartiality — and consequently my ability to do my job properly — is being called into question here.

Senator Comeau is correct in commending Senator Mockler, Senator Champagne and Senator De Bané for the hard work they do in defending the official languages. I would also like to commend Senator Fortin-Duplessis, Senator Poirier,

Senator Robichaud and Senator Tardif, as well as Senator McIntyre, who is the newest member of the Official Languages Committee and who, like all the others, approaches each meeting and each study enthusiastically and seriously. The committee's work and the situation of official languages in Canada are both immeasurably enhanced by their contributions. I cannot allow anyone to imply otherwise, especially in my name.

The breach is grave and serious, because Senator Comeau told the honourable senators who sit on the Official Languages Committee that they should be "very concerned" about the actions of its chair. This warning was based on a completely incorrect interpretation of the facts and is a breach of the committee's privileges.

I remind honourable senators that privilege, as defined in Beauchesne, is the sum of the peculiar rights, and I quote:

...enjoyed...by Members of each House individually, without which they could not discharge their functions...

Beauchesne goes on to say:

[Privileges] are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members...

This is a grave and serious breach because, in all honesty, it deprives me of the freedom of conscience to which I am entitled in carrying out my duties as a senator and as chair of the Standing Senate Committee on Official Languages.

Finally, according to the fourth criterion set out in the Rules, it must be determined whether the Senate has the power to provide a remedy. I am ready to move a motion to send this matter to a committee in accordance with rule 13-7, paragraph 1 if the Chair decides that there is a prima facie question of privilege that warrants study.

Hon. Gerald J. Comeau: Honourable senators, this question of privilege is being raised five sittings after the comments were made. The comments were made on February 13 and it is March 5 today. One of the conditions to be fulfilled is not present.

Rule 13-5 (a) clearly states that the question may be raised during the sitting or the next day. The senator was present when I made my remarks on February 13, and even asked me a question during that sitting. The senator was also present, according to the *Journals of the Senate*, on February 14, 16, 27 and 28, and she did not raise the question of privilege.

[English]

The primary reason for questions of privilege is to ensure that senators may freely debate the work before the Senate without interference. On February 13 I gave my point of view, and I am entitled to do so under the confines of the *Rules of the Senate*. If Senator Chaput had concerns about my remarks, she could have

or should have raised them through a point of order under rule 6-13, which deals with unparliamentary language, if she felt that my language was unparliamentary. However, I am quite sure His Honour would be hard-pressed to find a violation of the Rules.

[Translation]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, this seems to be a typical case of a question of privilege that has expired because of the delay in giving notice. Senator Chaput herself said that she did not feel the need to raise the question at the time, on February 13, but did afterwards. It was not until February 25 that she decided to raise the question of privilege before the Standing Senate Committee on Official Languages. At that time, she felt that it was of such importance that she had to submit it to the Senate. However, Senator Chaput was in attendance on February 26. She should have raised the question that very day. She was present at the next three sittings, on February 26, 27 and 28.

It seems clear to me that this question of privilege should be rejected if only because of the delay in presenting it.

Hon. Andrée Champagne: Honourable senators, some of us here may have cringed a bit upon hearing some parts of Senator Comeau's speech. But I can see today, from what Senator Chaput has sent to us, that she was offended as much on our behalf, on behalf of the committee members, as she was on her own.

I would like to assure her that the committee members have not lost any respect for her nor have we lost any desire to work together with her. A speech that contains some opinions that we do not share is not enough to make us lose the respect for her or the desire to collaborate with her that we have had from the start.

I have been part of the committee since I came to the Senate in 2005. We have always worked well together. We have presented well-researched, well-written reports.

Senator Comeau criticized Senator Chaput for how this second bill was brought before the Senate; it should have been studied in our committee first. But we always have important research to do — we studied language issues at Air Canada, we have been dealing with Radio-Canada for some time now, and I do not know when we would have found the time to study such a complicated bill that requires so much research, even if it had been brought before us.

The bill was sent to the Standing Senate Committee on National Finance. I believe I told her myself that — perhaps less so in this bill than in last year's — there are costs associated with the bill and that we could not address it in our committee.

I do not know what the Speaker will decide to do. As far as I am concerned, I have only one thing to say to Senator Chaput, my committee chair: please know, senator, that your deputy chair guarantees you her support and that the members of the committee continue to hold you in high esteem and remain your faithful collaborators.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I wish to support the position of the Honourable Senator Chaput, who has said that Senator Comeau's comments, even though they were made on February 13 and it is now March 5 — this is her interpretation and no one can deny a person's interpretation of the facts — attacked her abilities as chair and called into question her ability to chair the Standing Senate Committee on Official Languages.

I would like to return once again to certain comments made by Senator Comeau:

If I were still a member of the Standing Senate Committee on Official Languages, I would be very concerned that the committee chair squandered such an opportunity.

Furthermore,

The senator should not underestimate the respect people have for the studies and recommendations that come from the Standing Senate Committee on Official Languages, [...]

• (1640)

I would like to come back to the fact that although Senator Comeau's speech was given on February 13, 2013, the effect of Senator Comeau's remarks were not felt until subsequent meetings of the Standing Senate Committee on Official Languages. Senator Chaput felt that her work and that of the committee had been affected, and accordingly, the privileges of all of her colleagues on that committee had been breached.

By insinuating that the committee members have reason to doubt the chair's capacity to preside over the committee or that the chair does not have confidence in its members, Senator Comeau violated the privileges of the committee itself. And as Senator Chaput said herself, it is crucial that a strong and sincere bond of trust be maintained between the chair and each committee member. The proper functioning of the committee depends on it, and any accusation of bias directly affects that bond of trust.

Senator Chaput clearly indicated in her speech that she had met the four criteria determining that this was indeed a question of privilege.

Hon. Fernand Robichaud: Honourable senators, a question of privilege is raised when one feels targeted or denigrated, or when one's ability to perform our duties in this chamber is restricted.

I believe that the comments made had that effect. I cannot speak for the Honourable Senator Chaput, but if the comments made regarding Senator Chaput had been directed at me, I would have felt like a little boy standing in front of his strict, authoritarian father who is scolding him for not following the instructions he was given, telling him what he should or should not have done, and telling him that since he did not follow the instructions, he will have to suffer the consequences.

Honourable senators, no member of this chamber should have to submit to any other senator. Everyone has his or her own ideas, and we need to feel free to express them. If those comments had been directed at me, I would have felt diminished, and no speech given in this chamber should have that effect.

What is more, honourable senators, when the debate continued, nothing that was said had very much to do with the bill that was before us. It was said that there were Senate backbenchers, which led to a discussion about whether some senators were better than others. The conclusion was that we were all equal. That had nothing to do with the bill.

It also — and I am speaking for myself here — got people riled up a bit. The Honourable Senator Comeau and I got into an argument where I insinuated that he did not know what he was talking about. And if I were practising what I am preaching, I should not have done that. If my comments were offensive, honourable senators, then I apologize now. We should always be able to talk openly without provoking comments that have no place here.

I am speaking in support of the Honourable Senator Chaput, who, at some point, may have felt that her privileges were being threatened. At least that is how I would have felt if those comments had been directed at me.

Honourable senators, I do not believe that we can dismiss this question of privilege out of hand under the pretext that certain deadlines were not met. The question that was raised is important and deserves to go to committee for review, at the very least. I know that the Speaker's ruling looks only at whether there is a *prima facie* question of privilege.

[*English*]

Hon. Anne C. Cools: Honourable senators, I rise to speak to Senator Chaput's question of privilege. I have been listening, honourable senators, with some care and trying to get a handle on some of the issues. What has become abundantly clear to me is that, very obviously, Senator Chaput has been very hurt and feels very hurt.

I have known Senator Chaput for some years. She is a very delicate, sensitive and kind human being. I remember that from the days when I sat in the Liberal caucus. Honourable senators, you have not seen insults and injuries meted out to members until you have seen what I went through for donkey's years. However, Senator Chaput is very sensitive and I could feel her sense of hurt. I was listening very carefully, but I also add that all hurt does not imply a breach of anything. Feelings may be hurt, feelings may be breached, but they may not be breaches of privilege.

What I have heard in the discussion so far is that Senator Chaput has a sense that she was attacked, that her integrity was attacked and that her qualifications were attacked, but I have heard nothing in the submissions that speak to any violation of integrity or violation of qualifications. I have not heard that.

However, I do think we all have an obligation to be civil, to be respectful and not to violate people. I think we should all be solicitous of others' feelings; that is how I was raised as a youngster.

If one person offends another, perhaps sometimes it should be dealt with just by way of an apology. However, I cannot hear, in what was put before us, a question of privilege. I will go to one of the statements Senator Chaput complains of.

I am also very mindful that both of these senators, Senator Comeau and Senator Chaput, have very strong feelings about our policy of official languages. I am also aware that they have some differences of opinions as to precisely what the official languages policy means, but I can hear no breach of privilege there. What I have heard is a profound difference of style, a profound difference of turn of phrase, sometimes a difference of tone, but they do not touch questions of privilege.

• (1650)

I would like to go to one statement that is on Senator Chaput's written notice that was submitted today. One of Senator Comeau's statements that she refers to is at page 3265 of the February 13 *Debates of the Senate* :

If I were still a member of the Standing Senate Committee on Official Languages, I would be very concerned that the committee chair squandered such an opportunity.

Honourable senators, if this is correct in the context of what it flows from, it is not an insult at all, and it is not a breach of privilege. It seems to flow from concerns that Senator Comeau was raising in respect of Senator Chaput or senators availing themselves of the input from the minister and his staff in respect of their private member's bill.

I served in the Liberal caucus for a long time. In those days, when senators put forth a private member's bill, a list of the government's responses pro and con used to appear. Based on that list many of our bills were just dead. Never mind a meeting with the minister or a consultation with the minister, they were just dead. Do honourable senators remember? They were over — end of the matter.

Honourable senators, the clue is found in Senator Comeau's statement:

Given the minister's positive attitude, this could have been a wonderful opportunity for the senator and her colleagues on the Standing Senate Committee on Official Languages to study the issue and make recommendations concerning these important sections of the Official Languages Act.

Then Senator Comeau continues:

If I were still a member of the Standing Senate Committee on Official Languages, I would be very concerned that the committee chair squandered such an opportunity.

Maybe some people would not have said "squandered." Some might have said "an opportunity missed" or "overlooked." However, there is nothing inherently breaching privileges in Senator Comeau's statement. I have not had time to review all of these statements, but I have looked at a couple of them. Yes, they may be strong statements, but they do not breach any privileges.

My concern here is that a senator has been very deeply hurt, and obviously Senator Chaput takes her work seriously and takes it to heart. I appreciate that and respect that. However, at the same time that I respect it, that is not a breach of privilege, and I am not even sure that it is something that should be raised here at this time at all. It would have been better perhaps at the time to have dealt with the matter as the senator was speaking, and then raise it as a question of order. Style of speech and tone, honourable senators, are questions of order and not questions of privilege; they are questions of order. Perhaps that would have been a better way, but I can see no *prima facie* case of privilege here.

I am very aware of Senator Chaput, and I also believe that there is no reason for us to hurt each other unnecessarily. I have been a minority on that view, and I am sure I have had my share of people meting out much hurt to me, but there is no question of privilege here. If some kind of atonement or reparation should be made, it is purely personal. What has happened here is a personal difference between two very dedicated members, two very dedicated francophones who feel very strongly about their own perceptions.

In the exchange, and in Senator Comeau's statements — and I have been trying to read the entire speech under these very pressed circumstances — there is nothing said that is a breach of privilege.

The Hon. the Speaker *pro tempore*: Do other honourable senators wish to participate in the debate?

If not, I would like to thank all honourable senators who have debated this important matter. The Speaker will take the matter under advisement.

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF EMERGING ISSUES RELATED TO CANADIAN AIRLINE INDUSTRY

Hon. Dennis Dawson, pursuant to notice of February 27, 2013, moved:

That, notwithstanding the Order of the Senate adopted on June 15, 2011, on March 27, 2012, and on November 1, 2012, the date for the presentation of the final report by the Standing Senate Committee on Transport and Communications on emerging issues related to the Canadian airline industry be extended from March 28, 2013 to April 30, 2013.

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

Hon. Senators: Agreed.

(Motion agreed to.)

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO STUDY THE REGULATION OF AQUACULTURE AND FUTURE PROSPECTS FOR THE INDUSTRY

Hon. Fabian Manning, pursuant to notice of February 27, 2013, moved:

That the Standing Senate Committee on Fisheries and Oceans be authorized to examine and report on the

regulation of aquaculture in Canada and future prospects for the industry; and

That the committee report from time to time to the Senate but no later than June 30, 2014, and that the committee retain all powers necessary to publicize its findings until October 31, 2014.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Wednesday, March 6, 2013, at 1:30 p.m.)

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

THE SPEAKER

The Honourable Noël A. Kinsella

THE LEADER OF THE GOVERNMENT

The Honourable Marjory LeBreton, P.C.

THE LEADER OF THE OPPOSITION

The Honourable James S. Cowan

OFFICERS OF THE SENATE

CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Gary W. O'Brien

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD (ACTING)

Blair Armitage

THE MINISTRY

(In order of precedence)

(March 5, 2013)

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

SENATORS OF CANADA

ACCORDING TO SENIORITY

(March 5, 2013)

Senator	Designation	Post Office Address
The Honourable		
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Donald H. Oliver	South Shore	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
Janis G. Johnson	Manitoba	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
Marie-P. Charette-Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A. A. Zimmer	Manitoba	Winnipeg, Man.

Senator	Designation	Post Office Address
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Bert Brown	Alberta	Kathryn, Alta.
Stephen Greene	Halifax-The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Michael Duffy	Prince Edward Island	Cavendish, P.E.I.
Percy Mockler	New Brunswick	St. Leonard, N.B.
John D. Wallace	New Brunswick	Rothesay, N.B.
Michel Rivard	The Laurentides	Quebec, Que.
Nicole Eaton	Ontario	Caledon, Ont.
Irving Gerstein	Ontario	Toronto, Ont.
Pamela Wallin	Saskatchewan	Wadena, Sask.
Nancy Greene Raine	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.
Yonah Martin	British Columbia	Vancouver, B.C.
Richard Neufeld	British Columbia	Fort St. John, B.C.
Daniel Lang	Yukon	Whitehorse, Yukon
Patrick Brazeau	Repentigny	Maniwaki, Que.
Leo Housakos	Wellington	Laval, Que.
Suzanne Fortin-Duplessis	Rougemont	Quebec, Que.
Donald Neil Plett	Landmark	Landmark, Man.
Michael Douglas Finley	Ontario—South Coast	Simcoe, Ont.
Linda Frum	Ontario	Toronto, Ont.
Claude Carignan	Mille Isles	Saint-Eustache, Que.
Jacques Demers	Rigaud	Hudson, Que.
Judith G. Seidman	De la Durantaye	Saint-Raphaël, Que.
Carolyn Stewart Olsen	New Brunswick	Sackville, N.B.
Kelvin Kenneth Ogilvie	Annapolis Valley - Hants	Canning, N.S.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville, Ont.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Elizabeth (Beth) Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
David Braley	Ontario	Burlington, Ont.
Salma Ataullahjan	Toronto—Ontario	Toronto, Ont.
Don Meredith	Ontario	Richmond Hill, Ont.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Larry W. Smith	Saurel	Hudson, Que.
Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.
Betty E. Unger	Alberta	Edmonton, Alta.
JoAnne L. Buth	Manitoba	Winnipeg, Man.
Norman E. Doyle	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Asha Seth	Ontario	Toronto, Ont.
Ghislain Maltais	Shawinigan	Quebec City, Que.
Jean-Guy Dagenais	Victoria	Blainville, Que.
Vernon White	Ontario	Ottawa, Ont.
Paul E. McIntyre	New Brunswick	Charlo, N.B.
Thomas Johnson McInnis	Nova Scotia	Sheet Harbour, N.S.
Tobias C. Enverga, Jr.	Ontario	Toronto, Ont.
Thanh Hai Ngo	Ontario	Orleans, Ont.
Diane Bellemare	Alma	Outremont, Que.
Douglas John Black	Alberta	Canmore, Alta.
David Mark Wells	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Lynn Beyak	Ontario	Dryden, Ont.
Victor Oh	Ontario	Mississauga, Ont.
Denise Leanne Batters	Saskatchewan	Regina, Sask.

SENATORS OF CANADA

ALPHABETICAL LIST

(March 5, 2013)

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

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

SENATORS OF CANADA
BY PROVINCE AND TERRITORY
(March 5, 2013)

ONTARIO—24

Senator	Designation	Post Office Address
The Honourable		
1 Anne C. Cools	Toronto Centre-York	Toronto
2 Colin Kenny	Rideau	Ottawa
3 Marjory LeBreton, P.C.	Ontario	Manotick
4 Marie-P. Charette-Poulin	Northern Ontario	Ottawa
5 David P. Smith, P.C.	Cobourg	Toronto
6 Mac Harb	Ontario	Ottawa
7 Jim Munson	Ottawa/Rideau Canal	Ottawa
8 Art Eggleton, P.C.	Ontario	Toronto
9 Nancy Ruth	Cluny	Toronto
10 Hugh Segal	Kingston-Frontenac-Leeds	Kingston
11 Nicole Eaton	Ontario	Caledon
12 Irving Gerstein	Ontario	Toronto
13 Michael Douglas Finley	Ontario—South Coast	Simcoe
14 Linda Frum	Ontario	Toronto
15 Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville
16 David Braley	Ontario	Burlington
17 Salma Ataullahjan	Toronto—Ontario	Toronto
18 Don Meredith	Ontario	Richmond Hill
19 Asha Seth	Ontario	Toronto
20 Vernon White	Ontario	Ottawa
21 Tobias C. Enverga, Jr.	Ontario	Toronto
22 Thanh Hai Ngo	Ontario	Orleans
23 Lynn Beyak	Ontario	Dryden
24 Victor Oh	Ontario	Mississauga

 SENATORS BY PROVINCE AND TERRITORY

 QUEBEC—24

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

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

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

NEW BRUNSWICK—10

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

PRINCE EDWARD ISLAND—4

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

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

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

BRITISH COLUMBIA—6

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

SASKATCHEWAN—6

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

ALBERTA—6

Senator	Designation	Post Office Address
The Honourable		
1 Claudette Tardif	Alberta	Edmonton
2 Grant Mitchell	Alberta	Edmonton
3 Elaine McCoy	Alberta	Calgary
4 Bert Brown	Alberta	Kathryn
5 Betty E. Unger	Alberta	Edmonton
6 Douglas John Black	Alberta	Canmore

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

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

NORTHWEST TERRITORIES—1

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

NUNAVUT—1

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

YUKON—1

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

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