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Thursday, October 17, 2013

The Honourable NOËL A. KINSELLA
Speaker

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THE SENATE

Thursday, October 17, 2013

The Senate met at 2:00 p.m., the Speaker in the chair.

Prayers.

[Translation]

SENATORS' STATEMENTS

THE SENATE

Hon. Claude Carignan (Leader of the Government): Honourable senators, thank you for the applause, which I accept because it is probably the last time that the opposition senators will be applauding with the senators on this side.

Honourable senators, I am pleased to address you today. The last time I spoke was during the adjournment of the Senate, last summer, when I was in the chair as the Deputy Leader of the Government. Today, I address you as the Leader of the Government in the Senate.

[English]

The Prime Minister asked me to replace the Honourable Marjory LeBreton, who decided to leave the position of leader at the beginning of the summer. I would like to pay tribute to her and thank her for the incredible work that she has accomplished during the past years, and especially during the last year which was, you will agree, extremely demanding. I can only hope that I will be up to the task, just like Senator LeBreton.

[Translation]

I enthusiastically accepted the Prime Minister's invitation to serve as the Leader of the Government even though I know that there will be many major challenges. I thank the Prime Minister for the confidence he has placed in me.

Honourable senators, I believe in our institution and I intend to make every effort, together with all of you, to extricate the Senate from the crisis in which we have become mired in recent months. I am now familiar enough with the Senate to understand the vital role that it plays in our democracy and, above all, to understand and appreciate the remarkable work done by all of you, whether in this chamber or in Senate committees. It would be to Canadians' benefit to have a better understanding of our institution, and I believe that this will be one of the challenges we face in the coming months.

I hope that our parliamentary work will be conducted with the very thoroughness and professionalism that are the hallmarks of the Senate. I intend to work hard to find the means to make our institution more open and transparent so that we are viewed in a positive light.

In yesterday's Speech from the Throne, the Prime Minister reiterated his desire for Senate reform. I embrace those goals wholeheartedly, but of course, we must wait for answers from the Supreme Court. Nevertheless, we can certainly improve how we do business to make the Senate more efficient. I will have opportunities to discuss this with each political party represented in the Senate and with independent senators.

[English]

I hope we can work collegially, as a team, to improve the Senate's image. In this respect, I would like to welcome our colleague the Honourable Senator Yonah Martin to the position of Deputy Leader of the Government in the Senate, as well as the Honourable Senator Joan Fraser, who will be fulfilling the same duties, but for the opposition. I wish them a very good session.

As far as Senator Cowan is concerned, we have already had a few friendly exchanges in the past week, and I believe that we can work well together. We may not always be in agreement, but I'm convinced that we can work together with the courtesy and the dignity that befit our institution.

[Translation]

I would also like, once again, to thank Senate employees for their professional, efficient support in helping us carry out our duties. Your collaboration is invaluable to us.

[English]

In closing, I would like to thank all the senators' staff, whether they are called executive assistants, legislative assistants or policy advisers, to name a few, for their support and loyalty.

[Translation]

I would like to wish all honourable senators an excellent session.

[English]

Hon. James S. Cowan (Leader of the Opposition): Colleagues, I would like to join Senator Carignan in welcoming each of you back here. The break was longer than we planned when we left at the end of June. While many of us may question the wisdom of having such a long break given the serious challenges faced by Canadians, it did give those of us from Nova Scotia a chance not only to enjoy some spectacular fall weather but also to participate in the provincial election campaign.

For those of us on this side, the result was every bit as spectacular as the autumn leaves. For the first time in 130 years a new government did not win a second term. I'm sure all honourable senators will join me in wishing Premier McNeil well as he and his government tackle the formidable challenges facing the Province of Nova Scotia.

I want to congratulate Senator Carignan on his appointment as Leader of the Government in the Senate. We're all very aware of the challenges he will face. For the first time since the government of Prime Minister John Diefenbaker, the Leader of the Government in the Senate will not be a member of cabinet.

To Senator Martin, my congratulations on her new leadership role, and to Senator Marshall, congratulations, I think, as she continues to serve as Government Whip. We look forward to working with both of them and their leader in the best interests of the Senate.

On this side, we have made a change as well. I want to express publicly my very deep gratitude, and that of all of my colleagues on this side, to Senator Tardif for her years of service. No task that I asked of her, however challenging, was ever too difficult. With skill, professionalism, good humour and always with grace, she was a true partner in leading those of us on this side of the chamber.

• (1410)

I understand and I respect her decision to step down from a leadership role to devote her time to other causes in this chamber, but I will miss her as my seatmate and deputy.

Let me say how grateful I am to Senator Fraser for agreeing to return to the role of deputy leader. The management of our side of the proceedings of this house will be in experienced hands. I am delighted the rest of our team will continue unchanged, with Senator Munson as our whip and Senator Hubley as our deputy.

Finally, I want to congratulate and welcome our new Usher of the Black Rod, Greg Peters, and to thank Blair Armitage for his very capable service these past months as Acting Usher of the Black Rod.

I also want to say a word about Senator LeBreton. As leaders, we had many dealings with each other — initially when we held the majority and then when she led the majority. My suspicion is that her job didn't become any easier when that shift took place. While we often clashed in the chamber, our relations outside this place were always courteous and professional. We dealt in trust and confidence with a number of very difficult and sensitive issues. I appreciated her collegiality and her cooperation.

Colleagues, the past year has been a difficult time for the Senate and for us as senators. I, like Senator Carignan, will speak more about this in the next few days. For now, let me say this: As Senator Carignan has said there are a number of steps that we can take, together and as an institution, to improve the performance and the accountability of the Senate. But at its most fundamental, our "red line" if you will, is the quality of the work that we do here in this chamber.

I look forward to working with each of you in the coming session and to fully acquitting ourselves of our responsibilities as the constitutional chamber of sober second thought. There's much work for us to do. Welcome back.

[Senator Cowan]

USHER OF THE BLACK ROD

WELCOME OF MR. J. GREG PETERS

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I rise today also to welcome Greg Peters, our new Usher of the Black Rod, and would like at the same time to thank Blair Armitage, who served us as Acting Usher of the Black Rod this year.

[Translation]

In Canada, we have had an Usher of the Black Rod since 1791, following the first meeting of the Legislative Council of Lower Canada. It is Canada's third oldest continuously held state office.

[English]

It is a role steeped in tradition. The Usher of the Black Rod is the senior protocol representative for government. He is the personal attendant to Her Majesty the Queen as well as to the viceregal, the Governor General, when they are at Parliament.

[Translation]

The Black Rod oversees the Senate page program and is responsible for security within the chamber. He also makes all general arrangements to help with the effective workings of the upper house, such as security, audio services, seating plans and so on. Assisted by the Senate pages, whom he directs, the Usher of the Black Rod cares for the needs of senators in the chamber as well as in the adjoining reading room and work stations.

[English]

Mr. Peters, a graduate of political science from the University of Ottawa, comes to us after a distinguished 32-year career with the Royal Canadian Mounted Police, 26 of those years served in ceremony and protocol. That experience will serve him well in his new post.

A native of Souris West, Prince Edward Island, Mr. Peters began general duty policing in Manitoba in 1982 and later pursued his passion for horses by becoming a rider with the RCMP Musical Ride, touring across Canada, the United States and Europe. In recent years, he served as the RCMP Diamond Jubilee Contingent Commander in the United Kingdom for the Diamond Jubilee Pageant and the historic Mounting of the Queen's Life Guard.

[Translation]

I would also note that, earlier this year, Mr. Peters was appointed a member of the Royal Victorian Order by Her Majesty the Queen.

[English]

Honourable senators, please join me in welcoming and congratulating, once again, our new Black Rod on his new position and on a job well done during yesterday's Speech from the Throne.

[Translation]

THE SENATE

Hon. Claudette Tardif: Honourable senators, I would like to begin by thanking you most sincerely for your very kind expressions of gratitude. It warms my heart.

I would also like to congratulate the new Leader of the Government in the Senate, the Honourable Claude Carignan, with whom I have had the pleasure of working for several years. Good luck, my dear colleague. I know that you will do a very good job. I have always been happy to work with you in a spirit of respect and diplomacy. I would also like to offer my most sincere congratulations to Senator Martin. Bravo!

It is an honour and a privilege to serve as the Deputy Leader of the Opposition. Despite the challenges of the position, I have always considered it a great privilege. It is a lot of work, but it is an experience that I will always look back on as a memorable moment in my career.

WORLD FOOD DAY

Hon. Claudette Tardif: Honourable senators, every year on October 16, the Food and Agriculture Organization of the United Nations celebrates World Food Day. This day seeks to encourage countries to pay more attention to agricultural production and the issue of world hunger.

A look back over the past few decades gives us a number of reasons to rejoice. Since 1945, agricultural innovation has resulted in a dramatic increase in agricultural productivity. As a result of this progress, the world now has the resources it needs to feed all of its inhabitants.

However, despite these achievements in agricultural production, the world food situation is still cause for concern in 2013. Today, we are confronted with a food crisis on several fronts: the double burden of hunger and obesity, and the environmental impacts of modern agriculture.

The theme of this year's World Food Day — sustainable food systems for food security and nutrition — reflects these problems.

Today, nearly 850 million people are undernourished, including several thousand Canadians. One in 10 Canadian families with a child under the age of six is unable to meet its daily food requirements. Although food is abundant, unfortunately, it is often not always available to the people who need it most.

Ironically, societies around the world are facing growing health problems such as obesity, diabetes and other problems related to a diet too high in sugar, salt and fat. According to the World

Health Organization, obesity is now linked to more deaths than hunger and, as a result, is on its way to becoming the public health priority of the 21st century.

With regard to the environment, today, we are more aware that high-input industrial agriculture methods have significant adverse effects on our ecosystems. This awareness comes at a time when we are facing the challenges of the impending population growth and a reduction in available farm land.

Honourable senators, there are many problems with the global agri-food system but the solution is the same: ensuring that everyone has access to nutritious food that comes from sustainable agriculture.

• (1420)

[English]

ALICE MUNRO, O.ONT.

CONGRATULATIONS ON NOBEL PRIZE IN LITERATURE 2013

Hon. Douglas Black: Honourable senators, today I rise to recognize the enormous achievement of one of the world's finest storytellers — Alice Munro. As we all know and have celebrated, Ms. Munro has been recently awarded literature's most significant honour, the Nobel Prize in Literature.

It is no overstatement to say that Alice Munro was one of Canada's secret treasures — but no more — her insightful and intelligent observations into the lives of our families, our friends and our neighbours are being discovered and rediscovered across Canada and around the world.

Fellow Canadian literary icon Margaret Atwood has said this about Alice Munro:

Readers don't see her name in lights on every billboard. They come across her as if by accident or fate, and are drawn in, and then there is an outbreak of wonder and excitement, and incredulity . . .

If great writing causes the reader to see people and situations differently; if great writing causes the reader to reflect on the humour, the victories or the tragedies of day-to-day living, then Alice Munro is a true master.

Always surprising, often profound, her stories speak of everyday life in Canada, the small things we never consider — seen from a gentle, probing perspective, told in a matter-of-fact fashion.

As a reader who owns all her short stories and waits anxiously for the next, I am proud, as a Canadian senator, to be able to congratulate Ms. Munro on achieving the pinnacle of literary acclaim and, in so doing, cementing Canada's reputation as one of the most literary nations in the world. Her quiet, intelligent approach to her craft and her evident genius is quintessentially Canadian and it fills us with pride.

THE LATE FREDERICK E. "TED" HOOD

Hon. Wilfred P. Moore: Honourable senators, I rise today to pay tribute to Frederick E. "Ted" Hood, late of Portsmouth, Rhode Island, who died on June 28, a few days after we recessed for the summer, at 86 years. Ted Hood grew up in Danvers and nearby Marblehead, Massachusetts, and served in the United States Navy during World War II.

In 1955 he founded Hood Sailmakers in the back of Maddie's Bar, that venerable sailors' retreat in Marblehead. Ted was the first sailmaker to weave his own sailcloth, which was stronger than conventional Dacron and far more durable. The dense weave laced with brown thread earned him the endearing moniker "Brown Thread Ted from Marblehead." He later moved the business to the Little Harbour section of that town. By the 1970s, Hood Sailmakers had grown into a worldwide network of service and production lofts, with his sails ubiquitous on winning yachts, including all winners of the America's Cup from 1958 to 1971.

He also founded Hood Yacht Systems, which launched the Gemini grooved headstay for racing, and the Seafurl headsail furler and Stoway in-mast roller reefing systems for cruising yachts — all of which he invented.

Ted built and skippered a successful series of keel and centreboard racing yachts under the name *Robin*. In 1959 his career took off when he won the New York Yacht Club Annual Cruise in his first *Robin*. He did so not only as skipper but as designer, builder and sailmaker. In 1962 and 1964, he repeated the feat with *Nefertiti* in the America's Cup trials. Among Ted's many racing victories were the 1961 and 1971 Marblehead to Halifax Ocean Races, the bi-annual yacht race co-hosted by the Boston Yacht Club of Marblehead and the Royal Nova Scotia Yacht Squadron of Halifax; the Newport to Bermuda Race in 1968; and the Southern Ocean Racing Circuit in 1974. Also in 1974, Ted was skipper of the Sparkman & Stephens designed 12-metre *Courageous* and won the America's Cup, defeating Australia's *Southern Cross* four races to nil.

By the early 1980s, Ted turned his focus from sailmaking to boat design and building. He created a line of sailboats under the "Little Harbour" name, and built many yachts. Various builders worldwide built over 1,500 yachts of his design. In 1986, Ted moved his business to Portsmouth, transforming an old World War II navy fuel depot into one of the largest yacht service, design, brokerage and building operations on the east coast of North America.

He sold his business in 1999 but continued to work on new yacht designs right up to the last days before he crossed the bar. All who knew him were inspired by his innovative mind, entrepreneurial spirit, creative passion and humility. As Vice Commodore Rives Potts of the New York Yacht Club said:

Ted Hood lived in a time when specialties were not the norm. He was the most forward-thinking, the most complete yachtsman of that generation, and maybe of generations to come. Nowadays, we have guys who are excellent

helmsmen, or tacticians, or bowmen or are good yacht designers or sailmakers. Or maybe a good yard manager. Ted Hood was all of those and more.

On behalf of the Canadian yachting community, we extend our heartfelt sympathy to Ted's beloved wife, Susan, their children and grandchildren.

ROUTINE PROCEEDINGS

SPEAKER OF THE SENATE

CORRESPONDENCE TABLED

The Hon. the Speaker: Honourable Senators, pursuant to rule 14-1(3) and with leave of the Senate, I have the honour to table a copy of correspondence from the Speaker of the Senate to the Clerk of the Senate and Clerk of the Parliaments dated July 5, 2013, relating to the Production Order received with respect to the RCMP investigation of Senator Duffy, finding that the requested documents should be provided.

[Translation]

CHIEF ELECTORAL OFFICER

ACCESS TO INFORMATION ACT AND PRIVACY ACT— 2012-13 ANNUAL REPORTS TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2012-13 annual reports of the Office of the Chief Electoral Officer, pursuant to section 72 of the Access to Information Act and to section 72 of the Privacy Act.

[English]

INFORMATION COMMISSIONER

ACCESS TO INFORMATION ACT— 2012-13 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2012-13 annual report of the Information Commissioner, pursuant to section 38 of the Access to Information Act.

GENETIC NON-DISCRIMINATION BILL

FIRST READING

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I have the honour to introduce Bill S-201, An Act to prohibit and prevent genetic discrimination.

(Bill read first time.)

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

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

[Translation]

PAYMENT CARD NETWORKS ACT

BILL TO AMEND—FIRST READING

Hon. Pierrette Ringuette introduced Bill S-202, An Act to amend the Payment Card Networks Act (credit card acceptance fees).

(Bill read first time.)

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

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

• (1430)

[English]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-217, An Act to amend the Criminal Code (mischief relating to war memorials).

(Bill read first time.)

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

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

POPE JOHN PAUL II DAY BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-266, An Act to establish Pope John Paul II Day.

(Bill read first time.)

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

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

CANADIAN HUMAN RIGHTS ACT CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity).

(Bill read first time.)

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

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

CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-290, An Act to amend the Criminal Code (sports betting).

(Bill read first time.)

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

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

BREAST DENSITY AWARENESS BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-314, An Act respecting the awareness of screening among women with dense breast tissue.

(Bill read first time.)

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

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

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-350, An Act to amend the Corrections and Conditional Release Act (accountability of offenders).

(Bill read first time.)

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

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

INCOME TAX ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations).

(Bill read first time.)

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

Some Hon. Senators: Never!

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

CRIMINAL CODE NATIONAL DEFENCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-394, An Act to amend the Criminal Code and the National Defence Act (criminal organization recruitment).

(Bill read first time.)

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

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

CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-444, An Act to amend the Criminal Code (personating peace officer or public officer).

(Bill read first time.)

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

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

[Translation]

THE SENATE

NOTICE OF MOTION TO SUSPEND THE HONOURABLE SENATOR PATRICK BRAZEAU

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

That, notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament, the Senate order a suspension for the Honourable Senator Brazeau for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this order is rescinded pursuant to rule 5-5 (i), and such suspension shall have the following conditions:

- a) Senator Brazeau, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- b) Senator Brazeau's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of the suspension; and
- c) Senator Brazeau shall not receive any other benefit from the Senate during the duration of the suspension;

That, notwithstanding the provisions of this suspension motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of Senator Brazeau's office and personnel for the duration of the suspension.

[English]

NOTICE OF MOTION TO SUSPEND THE HONOURABLE SENATOR PAMELA WALLIN

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

That, notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament,

the Senate order a suspension for the Honourable Senator Wallin for sufficient cause, considering her gross negligence in the management of her parliamentary resources, until such time as this order is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:

- a) Senator Wallin, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- b) Senator Wallin's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of the suspension; and
- c) Senator Wallin shall not receive any other benefit from the Senate during the duration of the suspension;

That, notwithstanding the provisions of this suspension motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of Senator Wallin's office and personnel for the duration of the suspension.

[Translation]

• (1440)

NOTICE OF MOTION TO SUSPEND THE HONOURABLE SENATOR MICHAEL DUFFY

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

That, notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament, the Senate order a suspension for the Honourable Senator Duffy for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this order is rescinded pursuant to rule 5-5 (i), and such suspension shall have the following conditions:

- a) Senator Duffy, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- b) Senator Duffy's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of the suspension; and

- c) Senator Duffy shall not receive any other benefit from the Senate during the duration of the suspension;

That, notwithstanding the provisions of this suspension motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of Senator Duffy's office and personnel for the duration of the suspension.

ROYAL CANADIAN MOUNTED POLICE

NOTICE OF INQUIRY

Hon. Grant Mitchell: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to ongoing cases of sexual harassment in the Royal Canadian Mounted Police.

FORESTRY INDUSTRY

NOTICE OF INQUIRY

Hon. Grant Mitchell: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the forestry industry's efforts to address public criticism about environmental practices and how it could be applied to the energy industry.

GEO THERMAL ENERGY

NOTICE OF INQUIRY

Hon. Grant Mitchell: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the importance of geothermal energy in Canada.

TOUR OF ALBERTA

NOTICE OF INQUIRY

Hon. Grant Mitchell: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to Canada's Pro-Cycling Festival, the Tour of Alberta.

[English]

QUESTION PERIOD

HER MAJESTY QUEEN ELIZABETH II

CONGRATULATORY ADDRESS ON BIRTH OF PRINCE GEORGE ALEXANDER LOUIS— MESSAGE FROM COMMONS

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

Thursday, October 17, 2013

RESOLVED,—

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

TO THE QUEEN'S MOST EXCELLENT MAJESTY:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's loyal and dutiful subjects, the Commons of Canada, in Parliament assembled, beg leave to offer our congratulations to Your Majesty on the birth of a Prince, a son to Their Royal Highnesses, the Duke and Duchess of Cambridge, and assuring Your Majesty that this happy event affords the greatest joy and satisfaction to Your faithful Members of the House of Commons of Canada.

ORDERED,—

That the said Address be engrossed;

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

That a Message of congratulations be sent by the Speaker, on behalf of this House, to Their Royal Highnesses the Duke and Duchess of Cambridge upon the joyful occasion of the birth of a son to Their Royal Highnesses.

ATTEST

MARC BOSCH

For the Clerk of the House of Commons

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

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

THE SENATE

LEADER OF THE GOVERNMENT IN THE SENATE

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my first question is for the new government leader in the chamber. It simply, as I indicated to him this morning, seeks some clarification as to his status.

For the first time in more than half a century, the government leader in the Senate is not a member of the cabinet. In fact, for the first time in more than half a century, since the administration of Prime Minister Diefenbaker, there is no member of cabinet present in this chamber.

I would like to understand, and I think we would all like to understand — and perhaps you could share with us, Senator Carignan — the rationale behind that decision, and in particular, how Question Period is going to be carried out here on an ongoing basis.

For instance, during Question Period, when we ask you about the intentions or the actions of the government, will you be able to speak for the government, or will you simply be able to provide us with your opinion about what the government intends to do or what it has done? In other words, as government leader in the Senate but without a place in cabinet, can your statements and answers be treated as authoritative and binding on the government?

Hon. Claude Carignan (Leader of the Government): Thank you, Senator Cowan, for the first question. I am honoured to be appointed to this position, and I thank the Prime Minister for placing his confidence in me.

[Translation]

As I explained before, according to the Senate Rules, the Leader of the Government in the Senate is the one who answers questions.

As for the information to be provided, I was sworn in as a member of the Privy Council, which gives me access to the information I need to answer the various questions. I am also a member of some cabinet committees, including the Cabinet Committee on Operations, which allows me to provide the information necessary as part of my duties as Leader of the Government in the Senate.

[English]

Senator Cowan: To be clear, Senator Carignan, when you speak, you are speaking for the government, and the answers you give are binding on the government, even though you are not a member of that government. Is that correct?

Senator Carignan: Yes. I represent the government, and my title is Leader of the Government in the Senate.

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

MISSING AND MURDERED ABORIGINAL WOMEN AND GIRLS—REPORT OF UN SPECIAL RAPPORTEUR ON THE RIGHTS OF INDIGENOUS PEOPLES

Hon. Lillian Eva Dyck: First, I would like to congratulate Senator Carignan in his new position.

Honourable senators, on Tuesday, the Special Rapporteur on the rights of indigenous peoples, James Anaya, called on the government to set up a national inquiry into the disturbing phenomenon of missing and murdered Aboriginal women.

• (1450)

Mr. Anaya stated, and I quote:

... a comprehensive and nation-wide inquiry into the issue could help ensure a coordinated response and the opportunity for the loved ones of victims to be heard, and would demonstrate a responsiveness to the concerns raised by the families and communities affected by this epidemic.

The UN rapporteur's comments echo numerous calls from Aboriginal leaders across the country, parliamentarians, human rights groups and, recently, all provincial premiers for the federal government to step up and establish a national inquiry into the issue of missing and murdered Aboriginal women.

My question to you as Leader of the Government in the Senate is, why didn't the government take the opportunity in this new session to commit to establishing such a national inquiry in the Throne Speech?

[Translation]

Hon. Claude Carignan (Leader of the Government): The government's agenda and record on Aboriginal Affairs are quite positive. Our government has focused on the things that matter to Canadians, namely on jobs, economic growth, and long-term prosperity for all, including our First Nations.

We have introduced many measures for our Aboriginal population, including, for example, those protecting family homes and property rights on reserves. We supported over 400 projects last year to improve the safety of drinking water as well as many other projects addressing youth skills, school infrastructure, improved services for families and fiscal transparency in communities.

Over the last few months, Minister Valcourt has personally consulted with First Nations leaders, educators, technicians and young people in their communities and across the country, to open a true dialogue by talking to them about education. It was the minister who personally heard their complaints if they were not satisfied with the current conditions.

Our government listens. Minister Valcourt listens, and he is in touch with the people. We believe that the minister is in a position to take any measures that are required to continue protecting Aboriginal rights.

PUBLIC SAFETY

ROYAL CANADIAN MOUNTED POLICE—ACCESS TO INFORMATION REQUESTS

Hon. Grant Mitchell: Senator Carignan, I would like to congratulate you on your appointment as Leader of the Government in the Senate.

[English]

We look forward to months, years — hopefully not too many years — of debates, this side to that side, but, in any event, while you're there, it's great to have you there.

I would also like to say this will be the first question I will have ever asked in Question Period of anyone other than Senator LeBreton, and I would like to acknowledge my admiration for Senator LeBreton. Having been a leader of a caucus, unfortunately not quite as large as her caucus, I know only too well the pressures, the stresses, some of the accomplishments and certainly the challenges that she has faced over many years in that position. I would like to underline that I had a very nice conversation with her after she resigned that position, and noted that she has been important to every single Conservative federal leader for the last 40 years. That's not to date you, but simply to say, Senator LeBreton, that you have a tremendous amount of experience and I look forward to us all benefiting from that for the rest of the time you have in the Senate.

Hon. Senators: Hear, hear!

Senator Mitchell: For all the government's content on crime and punishment in yesterday's Throne Speech, it's very interesting that the Throne Speech mentioned nothing about the fact that the single forefront law enforcement organization in this country is breaking the law every day. The RCMP has for months and months, if not years, literally not responded to access to information requests required of them to answer under access to information law.

I wonder whether the new Leader of the Government in the Senate could give us some idea of his feelings or his government's feelings about the clear, profound hypocrisy of a government that expects all other Canadians to, and I quote the Throne Speech, "play by the rules" and "uphold the law," while the single most important law enforcement agency in this country flaunts the access to information law every day.

[Translation]

Hon. Claude Carignan (Leader of the Government): As you know, our government promotes transparency, openness and disclosure of information. In 2012-13, the government set a whole series of records in terms of openness and transparency. We also showed we have an open government with the open.gc.ca website to ensure access to the highest volume of information. In addition, the agencies, organizations and people that make up the government, and who are covered by the access to information and disclosure legislation, are also expected to comply with the legislation in keeping with this philosophy of transparency.

[English]

Senator Mitchell: Honourable senators, I appreciate the leader's enthusiasm for the Internet, but I can't imagine a website to actually force the RCMP to come clean on the kinds of information that is being asked for and not responded to.

If a Canadian would like to know how much the RCMP has already spent on legal costs and on settlement costs for all the people who have sued them for harassment already, and if they wanted to know how much liability is in the offing for all those people who are currently suing the RCMP for harassment, exactly how would they find that out when the RCMP refuses to meet any kind of accountability or transparency standard under the access to information law?

[Translation]

Senator Carignan: The government has an incredible amount of information that could be disclosed, as does the RCMP. Certain documents or information cannot be disclosed for various confidentiality reasons. It may, for example, jeopardize an investigation or it may be subject to an exception under the law. We expect departments, organizations and agencies to exercise their authority within the law and the limits we impose on them.

[English]

Senator Mitchell: Honourable senators, I think it's safe to say there is an organizational cultural problem in the RCMP, and its failure to respond to the access to information law is further evidence of that.

There was another indicator of that earlier this summer when we saw reports that the RCMP had actually licensed its uniform to be put on a Barbie doll dressed as an RCMP officer. Could the Leader of the Government give us some indication of why this government would allow, under the current circumstances facing the RCMP, with profound cultural problems, with attacks and accusations, allegations and, in fact, proven allegations of sexual harassment, that they would allow the RCMP to license that uniform, that icon and symbol of Canadian values, to be used by some entrepreneur to sell Barbie dolls and in the process to put down women in the RCMP?

[Translation]

Senator Carignan: Each organization or agency is responsible for promoting its various activities. It is not up to me to judge the choices made to promote those activities. I saw, as did you, that the dolls were extremely popular and they flew off the shelves. It seems as though they were very marketable and that the agency reached its objective by making that decision. It is not for me to comment on that.

What I can say is that in terms of organizational transparency and access to information, we want to be sure that the maximum amount of information is being disclosed in accordance with the law.

• (1500)

One of the ways suggested in the Speech from the Throne is the use of a website whereby all agencies could be contacted and where all information would be available and made public. If that

is not enough, people will still be able to have access in writing, within the context and limits of the law. Of course, all agencies, departments and the entire machinery of government must respect the limits of the law when communicating the required information.

NATIONAL REVENUE

TAX EVASION

Hon. Céline Hervieux-Payette: My question is for the Leader of the Government in the Senate. I am very pleased to have questions and answers in French. It is a refreshing change.

In the report presented to G20 participants in Saint Petersburg, Russia, last September, where Prime Minister Harper was in attendance, the Organisation for Economic Co-operation and Development stated:

[English]

... governments' efforts ... to combat tax evasion, improve tax compliance ... combat corruption and money-laundering, is increasingly central to a host of policy discussions.

[Translation]

As we know, the former Governor of the Bank of Canada is one of the major players best able to address the recovery of these matters. I would add that the OECD documents also state:

[English]

The additional revenues collected will give governments greater flexibility in supporting economic recovery.

[Translation]

If everyone paid their taxes, we would all have less to pay, or at least we could pay back our debts faster.

In the hodgepodge of measures presented in yesterday's Speech from the Throne, I did not once hear the government say anything about making money laundering and tax evasion a priority. It seems to me that Mr. Harper would rather freeze federal budgets, cap wages and limit benefits for public service employees instead of fighting tax evasion, which would bring in additional revenue and boost our economic recovery.

An organization called Canadians for Tax Fairness has pointed out that, according to Statistics Canada, in 2012, Canadian funds stashed away in the 12 main tax havens exceeded \$170 billion, which represents at least one-quarter of our national budget.

Could the leader tell us when his government will be fair to the middle class — the families who pay these taxes — and create teams at Revenue Canada that can collect this \$170 billion from rich Canadian taxpayers who are not paying taxes?

Hon. Claude Carignan (Leader of the Government): The senator is surely aware that combatting tax evasion is a priority for our government, as it appears to be for her. The Canada Revenue

Agency has created a special program to carry out regular audits in order to determine the best practices. We are waiting for this kind of decision to be made in order to develop other more stringent and effective best practices.

The Canada Revenue Agency has a solid history in the fight against tax evasion. Stringent measures have been implemented. I will name just a few, since I imagine you asked this question because you do not remember them or perhaps were not aware of them.

We have introduced more than 75 measures since 2006 to strengthen the integrity of the tax system: we must be notified of all international transfers over \$10,000; we implemented requirements for Canadian taxpayers to declare whether they have foreign income or properties; we simplified the legal process to give the Canada Revenue Agency the authority to obtain information from third parties, such as banks; and we recently invested \$30 million to combat international tax evasion and aggressive tax avoidance.

There are nearly 400 more tax auditors today than there were in 2006. The Canada Revenue Agency has made a tremendous effort to combat tax evasion, and I would just like to remind you that you voted against most of these measures.

Senator Hervieux-Payette: Not only do I have a good memory, but I spent a year working very hard with your colleagues and mine on the Banking Committee and the Finance Committee because we have a law here in Canada called the Proceeds of Crime (Money Laundering) and Terrorist Financing Act. I would like to point out that the committee chair is here, and I mentioned the title of the act for his benefit.

[English]

As per section 72.(1), it states that the act should be reviewed by the committee every five years.

[Translation]

First of all, I would like to remind everyone that we had a Throne Speech yesterday, and that the act has not been reviewed for seven years. Second, if anyone does not believe Canadians for Tax Fairness, maybe they will believe RCMP officers. Maybe those people tell the truth every now and then. They say that the outstanding amount was \$130 billion, and that is not since 2006, but for last year alone. When I say \$170 billion, that is for one year, not six or seven years. The law needs to be changed. It was neither mentioned nor even alluded to in yesterday's Throne Speech.

That is why I would like to know, first, when will the government listen to our committee's recommendations and second, when will the government move to fix a law that is already out of date and has not been reviewed for seven years?

Senator Carignan: With respect to committee work and reviewing various laws, we have the utmost respect for committee work. You are a member of the Banking Committee. You are lucky that you were reappointed to the committee and that you can participate in making decisions to identify issues that it can look at to move this matter forward. I am pleased to hear

that you support combating tax evasion. However, I would like to reiterate that we are taking every possible measure to eliminate and combat tax evasion. I would like to remind you that, as part of our Economic Action Plan and in pursuit of tax fairness, we are committed to cracking down on people who avoid paying their fair share.

I would also like to remind you of the success of our international audit program which, since our government came to power, has grown by more than 40 per cent and has resulted in the collection of almost \$4.6 billion in unpaid taxes. I would like to think that, if your figures are correct, the international auditors will continue to do their job and find tens of millions of dollars more in uncollected taxes. It is our greatest desire to move in that direction.

Senator Hervieux-Payette: I have a supplementary question. At four per cent over seven years, I have to say that you are not very ambitious. I am not disparaging the work of Canada Revenue Agency employees. There are structural problems within your government that prevent it from introducing procedures and identifying offenders. Our committee worked hard and heard experts from many countries. If your government does not take action it cannot brag about results. Have a look at the Revenue Canada website. You will see that measures taken every year to deal with offences committed by Canadians are minimal and even ridiculous.

We have to put tools in place. This also involves the Department of Justice, the RCMP, and a number of stakeholders. It is about time that your government start coordinating efforts and producing more results than just four per cent over seven years.

Senator Carignan: I am sorry. Perhaps I misspoke, but it is 40 per cent.

• (1510)

[English]

HUMAN RESOURCES AND SKILLS DEVELOPMENT

UNIVERSAL CHILD CARE BENEFIT— CHILD CARE SPACES

Hon. Jane Cordy: As other honourable senators have done, I would like to congratulate Senator Carignan on being chosen Leader of the Government in the Senate. We worked together on Internal Economy and I enjoyed working with him.

Congratulations also to Senator Martin in her new position as Deputy Leader of the Government in the Senate.

Honourable senators, the recent report by the Childcare Resource and Research Unit indicates that this government's child care policies continue to fail for Canadian families. The Harper government's Universal Child Care Benefit, introduced in 2006, after scrapping the Liberal government's national child care program — which, by the way, had the agreement of the provinces — has only marginally improved access and affordability for high-quality child care options.

Claims by this government that the Universal Child Care Benefit provides families with greater choice and better child care options are proven to be simply not true. In fact, the report states:

... this public expenditure does not appear to have delivered “choice in child care” or even improved families’ child care choices.

Can the Leader of the Government in the Senate provide this chamber with the number of child care spaces created since 2006, when this government took over, and tell us how many of those spaces are regulated spaces?

Senator Mercer: Easy question: Zero.

[Translation]

Hon. Claude Carignan (Leader of the Government): The government’s plan in regard to employment and poverty reduction also improves the situation of children.

I would specifically remind you that Canada has created more than one million net new jobs since the recession. This is added income for families that also helps children; however, 1.5 million low-income Canadians in 2011 received the Working Income Tax Benefit, increasing the funds allocated to families and to children.

The National Child Benefit and Child Tax Benefit have also been enhanced. We also established the Universal Child Care Benefit, which provides an additional \$100 per month for each child under six years and has helped pull about 24,000 families and 55,000 children out of the low-income tax bracket.

This child tax credit — which is available for each child under 18 — provides additional money for over three million children and ensures that over 180,000 low-income Canadians do not have to pay taxes. I do not think that increasing resources for families is something to be criticized.

The Speech from the Throne was also very clear about our intention to continue enhancing the disposable income of our middle-class and Canadian families and by other means outlined in the Speech.

To be honest, I expected to receive compliments on the government’s excellent Speech from the Throne, which was aimed at increasing the funding available for families. I am rather surprised that I have not received those compliments so far.

[English]

Senator Cordy: Senator Carignan is saying there were 1 million net new jobs. Unfortunately many of them are part-time jobs. People are underemployed and unemployed, and they are working part-time jobs. We know that over 17 per cent of young people in Canada are unemployed. That is a striking, unfavourable number of young people to be unemployed in this country.

[Senator Cordy]

However, that wasn’t even my question. My question was related to child care spaces. I don’t think, in the leader’s answer, unless I didn’t hear it, that he answered the question of how many child care spaces have been created since 2006. If he doesn’t have the numbers, perhaps he would take that question as notice.

Senator Carignan said in his answer that people are getting a little over \$100 a month, which is \$1,200 a year. Fortunately, I have become a new grandmother in the past year. Two of my daughters have new children.

Senator D. Smith: You don’t look it.

Senator Cordy: Thank you very much, Senator Smith. I will take that compliment.

In listening to them talk about what child care will cost when they finish their parental year, \$1,200 will cover two to three weeks of the year. That leaves 49 more weeks of the year when my daughters and their husbands will have to pay child care. Fortunately they have quite high-paying jobs and are able to do it. However, many people in Canada are struggling to make ends meet and \$1,200 a year will not go very far in terms of providing child care.

Having been an elementary school teacher, unfortunately I saw kids whose parents had to decide on food for the table or paying for child care. As a result, children were going home after school with nobody in the home for them, and that’s a sad statistic.

My next question is — and perhaps the leader can also answer the other question that I asked — how many business workplace child care spaces have been created since 2006? Business workplace child care spaces were part of the Conservative election campaign a few years ago. In May 2007 I asked Senator LeBreton this very question. I asked if the leader would look at what happened with the creation of business workplace child care spaces, and she said:

Honourable senators, we are still hopeful that businesses will create child care spaces.

She also said:

Some businesses have created child care spaces . . .

Perhaps, since my question in 2007, Senator Carignan can let this chamber know how many child care spaces in the business workplace have been created by this government.

[Translation]

Senator Carignan: With regard to employment, I would like to remind you that, of a million jobs, 90 per cent of those are full time and 80 per cent are in the private sector. With regard to the number of child care spaces, 114,000 new spaces have been created.

[English]

ADJOURNMENT

MOTION ADOPTED

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

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, October 22, 2013, at 2 p.m.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, October 22, 2013, at 2 p.m.)

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