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OFFICIAL REPORT
(HANSARD)

Tuesday, June 17, 2014

The Honourable NOËL A. KINSELLA
Speaker

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THE SENATE

Tuesday, June 17, 2014

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

Prayers.

[*Translation*]

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE ANDRÉE CHAMPAGNE, P.C.

The Hon. the Speaker: Honourable senators, pursuant to rule 4-3(1), the Leader of the Government has requested that the time for Senators' Statements be extended today so that we can pay tribute to the Honourable Senator Andrée Champagne, who will be retiring on July 17, 2014.

I would like to remind honourable senators that, pursuant to our Rules, each senator will be allowed three minutes and may speak only once, and the period for Senators' Statements will be extended by no more than 15 minutes. However, those 15 minutes do not include the time for Senator Champagne's response.

Hon. Claude Carignan (Leader of the Government): Honourable senators, as you know, on July 17, our colleague and friend, Senator Andrée Champagne, will be retiring from the Senate. I am honoured to speak today to pay tribute to Senator Champagne because she is a wonderful woman from Quebec who is well loved and respected by people throughout our province and across the entire country.

Before she began her career in politics in 1984 as a member of Parliament and a minister in the House of Commons, Senator Champagne was already well known in Quebec as an actress and pianist. She played several roles on television and on the stage. Her concern for justice and rights also led her to serve as the vice-president and general secretary of the Union des artistes.

As I said, in 1984, she was elected for the first time in her riding of Saint-Hyacinthe—Bagot, a riding she was particularly fond of. Immediately following her election, then Prime Minister Mulroney appointed her as the Minister of State for Youth, a position she held during International Youth Year. She served as a faithful ambassador of the Conservative government at the time. Her children, Patrick and Liliane, whom she adores and who, at the time, were 22 and 21 respectively, were lucky to have an extraordinary mother who was both an outstanding actress and the Minister of State for Youth, and they became her top advisors.

In 1990, Senator Champagne was selected by her peers in the other place to hold the position of Deputy Speaker, making her the first woman to fill that role in Canada.

In 2005, the then Liberal Prime Minister, the Right Honourable Paul Martin, appointed her to Senate, and she chose to sit as a Conservative senator. You can't get Senator Champagne to give up her convictions that easily!

Having worked with her in the Senate for five years now, I have gotten to know the woman behind the actress and politician. Senator Champagne is passionate about culture in general and more specifically about promoting and defending the French language. Without fail, she has been front and centre in the defence of this beautiful language.

Senator Champagne is determined, thorough, passionate, sensitive, effective and hard-working: the epitome of authenticity and perseverance. In the spring of 2007, she came down with a serious illness that brought her to death's door, but she hung on to hope and returned to the Senate the following fall. We now have a better understanding of her continued devotion to her husband, André Sébastien Savoie, who had health concerns of his own last year. Senator Champagne is very sensitive, which sometimes makes her come across as weak to those who don't know her, but we all know, dear colleagues, that she is anything but weak. Senator Champagne is a fiercely determined fighter.

In her autobiography entitled: *Je reviens de loin*, Senator Champagne tells us that she won the lottery of life. As far as we are concerned, life gave us the gift of being able to work with, get to know and admire the great Andrée Champagne.

Thank you for everything, Senator Champagne. Enjoy your retirement, and may life continue to treat you well.

In closing, I have a question for you, Senator Champagne. As the great singer, Barbara, said in 1962, "Tell us, when will you be back?"

Hon. Claudette Tardif: Honourable senators, it is my pleasure to join my colleague in paying tribute to the Honourable Andrée Champagne today.

Senator Champagne, before you retire from public life, I would like to thank you for your contribution to public debate and our parliamentary institutions.

Twice elected — in 1984 and 1988 — you served your country as the Member of Parliament for Saint-Hyacinthe—Bagot, and you have continued to serve Canada as a senator since your appointment to the Senate by Prime Minister Paul Martin in 2005.

• (1410)

You were the head of the Canadian Branch of the Assemblée parlementaire de la Francophonie (APF) for more than seven years and have served as the President of the APF since 2013. You did important work in carrying out your responsibility to promote democracy, the rule of law and human rights in the

broader francophone community, representing 49 members. I congratulate you, Senator Champagne, for your contribution and for representing Canada so well.

Throughout your parliamentary career, you were a stalwart advocate for the French language and cultural diversity. You were awarded the Ordre de la Pléiade for your determined commitment to have the Francophonie take its rightful place in today's world, and you have been a spokesperson that Canada can be proud of.

I had the privilege of working with you for almost eight years on the Standing Senate Committee on Official Languages, where I saw your commitment and attachment to the French fact in Canada. As the Deputy Chair of the committee starting in 2006, you successfully carried out your role of advancing the linguistic duality of our country. As a francophone from Alberta, I am touched by your interest in different issues and your attention to French-language minority communities.

With your considerable experience in and knowledge of the cultural realm, you paid a great deal of attention to support for the arts and culture, which should be part of a coherent and effective strategy for all communities across the country.

Allow me, honourable senator, to wish you good health and much happiness with your family as you embark on this new stage of your life. Farewell, senator.

[*English*]

Hon. David Tkachuk: The first thing you notice about Senator Champagne is that she exudes charm and she knows how to use it. The best example I have is that, as you know, I'm the Co-Chair of the Joint Interparliamentary Council of the Senate and House of Commons and Senator Champagne is head of her beloved Francophonie. Every time we would have a meeting beforehand about how we were going to deal with this budget or that budget, the only person we really feared was Senator Champagne because she would charm us out of the budget that she wanted. She always got what she wanted, and we really had to steel ourselves to deal with her commitment, her charm and her beautiful expressions in both French and English.

Her time in the Senate is only the latest chapter of what I think is a storied life. We would all like to have a life like hers — that is, to be appointed to the Senate; and, going back before that, to be a member of Parliament supported by your friends and your community in the House of Commons; to be named as a minister in the government of Prime Minister Mulroney; and to be appointed to the Senate by a Prime Minister from another party, namely Prime Minister Martin. What a storied and wonderful life you have led!

She brought much wisdom to the Senate, along with magnificent leadership of the Francophonie. She was recognized by l'Organisation internationale de la Francophonie with its appointment of Andrée as commander of l'Ordre de La Pléiade. She's also an author, having written two memoirs, but personally I admire her courage. When she contracted that disease in 2007, in Martinique, we had only 20-some senators here. She was in a coma for a while. We all prayed for her, but she came back. She would struggle, and she struggled every day when she came back. We all noticed it and how tough it was for her, but she would be here and she worked hard and supported us. We never heard her complain — not once. She has been going through the same thing now with her husband André.

It is kind of funny. Do you do this in Quebec? I know you have different names for your last name, but your first name is Andrée and your husband's name is André. That's kind of nice. It must have been easy for the kids.

Senator Mercer: Mom and dad!

Senator Tkachuk: Yes, mom and dad. Lately, she's been caring for her husband, André Sébastien, who had cancer. She has been doing this for two years. Her unconditional devotion to him and to still have enough energy to fulfill her duties as a senator is a true sign of her character. She has been our colleague, our friend and certainly my friend.

Enjoy your retirement, Andrée, with your family that you are so proud of. Sorry to see you go.

[*Translation*]

Hon. Marie-P. Charette-Poulin: Honourable senators, I want to join my colleagues in wishing Senator Andrée Champagne good health and continued success. Honourable senators, our Andrée was already a champion during her over 20 years as a CBC/Radio-Canada executive. She championed cultural development across the country, the importance of the pursuit of excellence, and the public broadcaster's unique responsibility to produce and broadcast cultural programs.

The high praise for her came back to me when we served together on the Standing Senate Committee on Official Languages and I heard her passionate speech to witnesses from CBC/Radio-Canada regarding this responsibility set out in the Broadcasting Act.

Honourable senators, one of the greatest strengths of the Senate is that because we are appointed, we're able to represent various industries. You, Senator Andrée Champagne, like your predecessors, the Honourable Jean Lapointe, the Honourable Viola Léger, the Honourable Tommy Banks and the Honourable Laurier LaPierre, have represented the cultural industry here with enthusiasm, knowledge and dignity, and I sincerely thank you for that.

Hon. Jacques Demers: I had a speech written, but my distinguished boss, Senator Carignan, already mentioned a few of the dates. Now I'd like to talk about another subject, so I'll put this speech aside and speak from the heart.

When I asked to speak, I wanted to talk about Donalda. Those who are my age will remember that character. When I came to the Senate I said to myself, "I met Andrée Champagne. I met Donalda!"

Yesterday we paid tribute to the Honourable Senator Dallaire, a great man, a Quebecer, a francophone, who is known across Canada. Today we pay tribute to a great woman, a Quebecer, a francophone, who left her mark on the world of the arts, television and entertainment.

Andrée Champagne and I have some something in common. She is a big fan of hockey. At one point, she was married to Walter Clune, a professional hockey player who played for the Montreal Canadiens. Walter Clune was a hard-working, extremely physical player. We often talked about the Canadiens, and each time they lost, Senator Champagne felt it was because they had played poorly.

What I like about Senator Champagne — although many others may not appreciate it — is her character and candor. Some people always say what we want to hear, but Andrée Champagne says things that you may not want to hear. Some hurt more than others.

• (1420)

Senator Champagne, you and your husband have faced some extremely difficult health challenges in the past few years. We have spoken about this regularly.

You have been working for over 60 years and have accomplished many things. Your husband is a pianist and teacher. What a wonderful couple you make!

You are leaving us today. In the coming days, go home and rest. However, to Quebec baby boomers of a certain age, you will always be known as the great Donalda.

Thank you, Senator Champagne. Peace be with you.

Hon. Suzanne Fortin-Duplessis: Honourable senators, it is with some sadness that I speak today to mark the retirement of a colleague and friend, Senator Champagne.

Dear Andrée, what a road we have travelled together over the years. Since our election to the other place in 1984 and our respective appointments to the Senate of Canada, we have shared a long parliamentary career, but the curtain will soon fall.

You are exiting the public stage in the same way you entered it: with grace and dignity. Your contribution is unparalleled. I wish I had your way with words so that I could properly highlight your outstanding work as Deputy Speaker of the other place and President of the Assemblée parlementaire de la Francophonie. Canada's arts and culture community has benefited from your dedication. It has also benefited from an ally who has always spoken on the community's behalf and provided incredible support to the next generation.

It was an immense pleasure to work with you on the Standing Senate Committee on Official Languages. I had the opportunity to witness your love of our French language and the efforts that you made to stand up for it, of course, but also to promote it across our great country.

My dear Andrée, it is now time for you to spend time at home in well-deserved retirement. You have served Canadians for many years, and it is now your loved ones' turn to enjoy your company. Your loving and devoted husband, Sébastien, your children, Patrick and Liliane, and your granddaughter, Laurence, will now be able to enjoy spending time with you, without having to share you with the thousands of Canadians who today are bidding you farewell.

May you enjoy your retirement to the fullest, my dearest friend.

Hon. Percy Mockler: Honourable senators, the question in my house when we were growing up was "Who is Madame Champagne?" She is a special, respected lady, a model for others, a mother, a mom of principle, the wife of an Acadian, Mr. Savoie, a grandmother and a mentor for a number of us here.

I would like to share a little story with you and perhaps even repeat some of the things that have already been said. We are saying goodbye to one of our colleagues with great emotion and with great regret. That colleague is the Honourable Andrée Champagne, a friend to the francophone and Acadian communities, the senator from Grandville. I must tell you that growing up in our house, we learned French by watching *Les Belles Histoires des pays d'en haut*.

We must not forget Andrée Champagne's great contribution to the work of the lower house, a contribution that also does her honour. Not only has she had a great career as an artist and a pianist, but we also pay tribute to her today for her great contribution to Canada's parliamentary institutions: an enviable career, says l'Acadie; an extraordinary career, Madame Champagne.

Let me tell you a little about her great roadmap, as they say in the Official Languages Committee. Before being appointed to the Senate in 2005, Madame Champagne was twice elected to the House of Commons to represent the great constituency of Saint-Hyacinthe—Bagot. In 1984, the Prime Minister appointed her Minister of State for Youth. Two years later, she was elected assistant deputy chair of committees of the whole and presided over most meetings of that kind. She was then appointed Deputy Speaker of the House of Commons in 1990, the first woman to ever hold that office.

Her leadership in both our anglophone and francophone communities has been remarkable. Senator Champagne has served Canadians as deputy chair of the Standing Senate Committee on Official Languages with flying colours. Dear friends and honourable senators, I very much appreciated her wisdom, her advice and her tact when we listened to her speak in this capacity in particular.

I thank her on behalf of the Acadians of New Brunswick for being a friend of the Francophonie, a friend of Acadia.

When we talk about Acadia, we cannot forget her spouse, Mr. Savoie, and the Savoie family. Mr. Savoie often reminds her what the roots of Acadia are, as he himself and his ancestors came from Lamèque.

[*English*]

As colleagues may recall, Madam Champagne had a very active career in acting, singing and as a pianist before being elected to the House of Commons. But did you know that she also emceed in English the opening and closing ceremonies of the 1976 Olympic Games? As you can see, we are losing a very talented senator today, one whom I was honoured to call a friend and whom I will continue to call a friend.

[*Translation*]

Although we are sad to see her move on to something else, we wish her a happy retirement and a wonderful roadmap.

Senator, if you and your family wish, please come and visit us in Acadia this summer for the World Acadian Congress. We will be pleased and honoured to have you. And as we say in Acadia, hats off, you have earned your stripes. Thank you!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw to your attention the presence in the Governor General's gallery of André Sébastien Savoie, who is an Acadian through and through, as our colleague Senator Mockler pointed out. He is accompanied by Senator Champagne's family, some friends and our distinguished colleague and a member of the Privy Council of Canada, the Honourable Pierre De Bané.

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

Hon. Senators: Hear, hear!

• (1430)

THE HONOURABLE ANDRÉE CHAMPAGNE, P.C.

EXPRESSION OF THANKS UPON RETIREMENT

Hon. Andrée Champagne: Mr. Speaker, Leader of the Government, Leader of the Opposition, dear colleagues, family and friends, who are doing me the honour of being here today.

I want to begin by offering my most sincere thanks for all the kind words some of you have offered me today. I am sure I do not deserve all this praise.

Senator Carignan, you said, "When will you be back?" The next line in the song by Barbara is "Do you even know?" The answer is no, I do not know.

Senator Tkachuk, you said that I always got what I wanted, but it took me many tries to finally get the necessary funding for the huge APF general assembly being held in the first week of July.

As I prepare to enter the next chapter of my life, and another door closes, I will look for that window that, as my mother always said, is just waiting for me to open onto hope for the future.

Today, I can't help but relive the moment in July 2005 when I received an unexpected phone call from the office of Prime Minister Paul Martin. I started to imagine what my life in the Senate of Canada might be like.

After a few failed attempts, I finally reached the then Leader of the Opposition to share the news and ask him if he would accept me into his caucus.

His response? "But Andrée, you know full well that I want my senators to be elected." I took a deep breath after a brief pause and said, "Mr. Harper, out of loyalty I wish to rejoin the caucus I was part of for nine years when I was in the House of Commons. If I am no longer welcome there, I will sit in the Senate as an independent. That's all. Thank you for returning my call."

Obviously, the conversation didn't end quite as abruptly as that. He assured me that I would be welcomed with open arms along with the other unelected senators, and he eventually added some more to the caucus. My mother always said that only a fool doesn't change his mind.

After that, I met with James Lévêque, who had been my advisor and friend for almost all of the years I spent in the green chamber at the other end of the hall. James agreed to come back and work with me, and he is here to this day. My thanks to James and his partner Louise. You were always so generous with your time.

When I leave the Senate officially a month from today, our friendship and our collaboration will have lasted 29 years. The only person who has supported me for longer than that is my friend Caroline Carel. She is as close to me as a sister and has supported me in everything I have done since the 1960s. She has been my companion in good times and in bad.

In 2005, James helped us find the piece of land we needed in the Grandville area. It is pretty far from home, in the lower St. Lawrence, close to the U.S. border. We finally found it. If a senator is appointed for Grandville, there is a nice piece of land for sale there.

When I was sworn in in the presence of my father and my granddaughter, four generations experienced the excitement. I was told that was a first. Then I took my seat.

[*English*]

During that very first sitting, Senator LeBreton took the adjournment of an inquiry in my name. I had no idea what that was all about.

Senator LeBreton: Nor did I.

Senator Champagne: It's not a system that was in use in the House of Commons, so I had no idea what I was supposed to do and how much time I would have to get it done.

[*Translation*]

In the nine years since then, I have carried out my work with the help of Jeffrey Sisk, Kelly Fletcher and, over the past few years, Natasha Entwistle, the red-headed Russian everyone knows and respects.

As others mentioned a couple of times, I left the Senate for some fairly lengthy periods. In 2007, when I returned home from abroad, I learned that I had contracted meningitis, which was followed by complications from septicemia. I spent 42 days in a deep coma in two different hospitals. I was then kept in hospital for almost another two months. After that, I went to work trying to recover, which seemed like it would never happen.

Finally, with the help of a walker, I learned to walk again. Then I learned to hold a pencil, butter my bread and, this was the hardest part, reactivate my memory. I couldn't even remember my phone number.

Last week, when the National Assembly of Quebec, my province, passed a law concerning end-of-life care — call it euthanasia, assisted suicide or dying with dignity — I shuddered to think what could have happened to me. After 40 days of unconsciousness, during which I even had a heart attack, the question on everyone's mind was: What state will she be in if she ever wakes up?

The specialists wanted to discontinue care. They didn't want to end my life; they simply wanted to stop keeping me alive. Thank goodness my partner, my children and my sister were opposed to that. They had to keep me alive until I woke up and took control of my own life again.

It was lucky that my family prevailed, because just a few days later I started showing signs of life. I have been able to spend these extra years enjoying life with my family and in the Canadian Senate.

In 2012, I had to again look at my priorities when my life partner, my dear Sébastien, was fighting cancer. I fell into a deep depression. Someone would say hello and I would start sobbing.

Today, it is important that I thank all those who took turns replacing me at committee meetings and in the chamber to allow me to be with my partner, who supported me as I went through some very trying times, during all those long months that I needed to take off before I was able to resume my activities.

All's well that ends well. Both Sébastien and I defied all the experts' rather discouraging prognoses. Still hand in hand, we look forward to the new life that awaits us on the morning of July 18.

• (1440)

Since I first came to the Senate, I have been a member of the Standing Senate Committee on Official Languages, which has been chaired by the Honourable Senator Chaput for a long time. Much of our work focused on linguistic minority groups, particularly francophones. Fortunately, we had the time and opportunity to finally hear the concerns of anglophones in Quebec. I remember that Senator Dawson and Senator Fraser came with us on part of that tour. Today, we see anglophones in Quebec who use our Senate report as a handbook. Their appreciation is heartwarming.

Senator Chaput, Sébastien and I would also like to thank you for allowing us to perform in Saint-Boniface to raise money for the first francophone theatre in the Americas, your theatre, which is in the process of getting a facelift.

As soon as I arrived in the Senate, I quickly resumed my activities with the international Francophonie. In keeping with the long-standing tradition of alternating presidents, I became the international president of the APF at the organization's 2013 general meeting in the Ivory Coast. I am thrilled that, for the first time since 1999, our Canadian branch will host the fortieth meeting, thanks to the funding Senator Tkachuk gave us.

When we finish our work in July, I will step down after just one year as the president because I will no longer have the only essential qualification for the job: I will no longer be a parliamentarian. Our colleague, Senator Paul McIntyre, has agreed to replace me, with the support of our Subcommittee on Agenda and Procedure. He just ran his fiftieth marathon, so he should have the energy needed to replace me. I sincerely thank him for doing so and wish him a successful year.

I urge all of you who are members of the APF to attend the plenary sessions scheduled to take place on July 7 and 8. We are organizing an extraordinary gala with the help of our executive secretary, François Michaud, and protocol officer Manon Champagne.

His Excellency Mr. Abdou Diouf, the Secretary General of the OIF, recently stated that it was in Prime Minister Mulroney's time that Canada was a leader in writing the international Francophonie.

It was with great pride that I tried to follow in the footsteps of my first prime minister. Many of my former colleagues provided their steadfast support over the years. I am thinking in particular of the Honourable Rose-Marie Losier-Cool and the Honourable Pierre De Bané, who served on the APF and the Official Languages Committee; and Senator Charette-Poulin, when we discussed CBC/Radio-Canada. I had a good teacher in Senator De Bané; I went to the right school.

I will very much miss my work with the APF when I retire, as is required by our Rules. I leave this place believing that I was a good soldier in times of peace and also at the most difficult times. But I also leave with a heavy heart.

I have been active in public life since 1956. My integrity has never been questioned. However, because of the tragic events of recent months, caused by a few individuals, we have all been

tarred with the same brush, the brush of deceitfulness. I have to admit that my eyes filled with tears when my one and only granddaughter told me that she had to discuss the matter at university, where she is studying communications.

As is the case every year at the end of the session, a great deal of work awaits us, and I had to greatly shorten the speech that I wanted to give. Therefore, I will simply thank you once more, and I hope that in the next few months the media will have something good to say about the Senate of Canada. It is high time that all the work done in this chamber and in Senate committees finally made the headlines. I want the words "Senate" and "scandals" to stop being inextricably linked. You can rest assured that I will be rejoicing with you when that day comes.

Abolish the upper chamber? Think about a massive company that has been around for a century and a half, and suddenly a few people are caught claiming dubious or inappropriate expenses. Would we think of shutting that company down?

As many of us approach the end of our terms in the Senate, I am reminded of when I was studying the classics and came across a phrase that could apply here:

> . . . and the combat ceased for want of combatants.

Isn't that right, Senator Joyal?

I sincerely hope that you will be joined by other highly qualified individuals as you work very hard for our country.

Honourable senators, continue the wonderful work that you do here. I was born in Quebec and still live there, and as a French Canadian, I have nothing but good things to say about our country, our Senate and most of the people who work here. Thank you for your friendship and your support.

[*Later*]

[*English*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Gino Farnetti-Bragaglia, visiting from Italy. He was rescued when he was five years old by four Canadian soldiers fighting in the Italian Campaign in World War II. Gino is accompanied by his wife, Rita Trigiani, Colonel Tony Battista, a former Military Attaché in the Canadian Embassy in Rome, as well as a group of researchers who have helped him trace his roots. They are the guests of the Honourable Senator Plett.

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

Hon. Senators: Hear, hear!

MR. GINO FARNETTI-BRAGAGLIA

SURVIVOR OF ITALIAN CAMPAIGN DURING THE SECOND WORLD WAR

Hon. Donald Neil Plett: Honourable senators, we have a very special guest with us today.

As most of you recall, a few weeks ago I introduced a motion, and that motion read:

> . . . on the occasion of the visit of Gino Farnetti-Bragaglia to Canada, the Senate of Canada express its gratitude to the four Canadian soldiers who saved his life and cared for him seventy years ago; pay respect to the families of the four soldiers; and honour the bravery and sacrifice of all Canadian soldiers who fought in the Italian campaign during the Second World War.

I spoke of the significance involved in the Italian campaign, or Operation Husky, as an estimated 90 per cent of Canadians have not even heard of the campaign. I referenced the Peace Through Valour organization, led by our former colleague Senator Con Di Nino, and the importance of groups like this who have made it their mission to ensure that the stories and sacrifices of those who have fought for freedom will never be forgotten.

I ended with a touching story of a boy named Gino. In 1944, four Canadian soldiers found a homeless and malnourished five-year-old orphan near the battle ruins in Torrice, Italy. They brought him back to camp, cared for his wounds, fed him and taught him English and the Bible. They became his tutors, mentors and best friends.

The soldiers tried to arrange for his adoption when they had to leave Italy but were unable to bring him back. He was adopted by an Italian family, and he kept in touch with his mentors or, as he called them, his "guardian angels" throughout his life. The four soldiers have all now passed away.

I am happy that Gino is here in our Senate with us today, at 75 years old — 70 years later — as he begins a week of events honouring Canada's involvement in the Italian campaign and sharing the story of the four soldiers that saved his life. As the Speaker has said, he is accompanied by his wife, Rita, Colonel Tony Battista and many researchers and friends who have helped Gino piece together his story.

On Gino's trip to Canada, he was able to spend some time with family members in Montreal, and this week he is taking part in a variety of events honouring Operation Husky. Last night in Montreal, he shared his story at a dinner and educational event at Casa d'Italia in Montreal. This evening, he is participating in a private special event in the Italian Canadian Historical Centre. On Wednesday, he is being honoured at the Canadian War Museum right here in Ottawa, at an event called Operation Husky: Then and Now, and The Story of Gino Farnetti-Bragaglia. I am honoured to be participating in this event.

On Thursday, Gino will be in Toronto taking part in the Italian Contemporary Film Festival's viewing of *Operation Remembrance*. Then on Friday, in Toronto, he will be reunited with the families of the four soldiers who saved his life so many years ago, at An Evening to Celebrate the Amazing Story of Gino Farnetti-Bragaglia to honour the valour and caring of Canadian soldiers.

I am indeed hoping to present the motion, as passed, to Gino and to the families of the four soldiers at the event on Friday.

Colleagues, please join me in giving Gino Farnetti-Bragaglia a warm welcome to Canada.

Hon. Senators: Hear, hear!

[*Translation*]

ROUTINE PROCEEDINGS

COMMISSIONER OF OFFICIAL LANGUAGES

ACCESS TO INFORMATION ACT AND PRIVACY ACT—2013-14 ANNUAL REPORTS TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2013-14 annual reports of the Commissioner of Official Languages, pursuant to section 72 of the Access to Information Act and section 72 of the Privacy Act.

ECONOMIC ACTION PLAN 2014 BILL, NO. 1

TWELFTH REPORT OF NATIONAL FINANCE COMMITTEE PRESENTED

Hon. Joseph A. Day, Chair of the Standing Senate Committee on National Finance, presented the following report:

Tuesday, June 17, 2014

The Standing Senate Committee on National Finance has the honour to present its

TWELFTH REPORT

Your committee, to which was referred Bill C-31, An Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures, has, in obedience to the order of reference of Monday, June 16, 2014, examined the said bill and now reports the same without amendment.

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

Respectfully submitted,

JOSEPH A. DAY
Chair

(*For text of observations, see today's* Journals of the Senate*, p. 1085*.)

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

(On motion of Senator L. Smith, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

• (1450)

[*English*]

QALIPU MI'KMAQ FIRST NATION BILL

SIXTH REPORT OF ABORIGINAL PEOPLES COMMITTEE PRESENTED

Hon. Dennis Glen Patterson, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Tuesday, June 17, 2014

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

SIXTH REPORT

Your committee, to which was referred Bill C-25, An Act respecting the Qalipu Mi'kmaq First Nation Band Order, has, in obedience to the order of reference of Wednesday, May 28, 2014, examined the said bill and now reports the same without amendment.

Respectfully submitted,

DENNIS GLEN PATTERSON
Chair

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

(On motion of Senator Wallace, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

CONSTITUTION ACT, 1867
PARLIAMENT OF CANADA ACT

BILL TO AMEND—FIRST READING

Hon. Terry M. Mercer introduced Bill S-223, An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate).

(Bill read first time.)

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

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

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, we do have another very distinguished visitor in our gallery. He is the newly imported ambassador to Canada from Mongolia, His Excellency Radnaabazar.

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

Hon. Senators: Hear, hear!

• (1500)

CANADA-CHINA LEGISLATIVE ASSOCIATION
CANADA-JAPAN INTER-PARLIAMENTARY GROUP

GENERAL ASSEMBLY OF THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS INTER-PARLIAMENTARY ASSEMBLY, SEPTEMBER 17-23, 2013—REPORT TABLED

Hon. Victor Oh: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-China Legislative Association and the Canada-Japan Inter-Parliamentary Group respecting its participation at the Thirty-fourth General Assembly of the ASEAN Inter-Parliamentary Assembly (AIPA), held in Bandar Seri Begawan, Brunei Darussalam, from September 17 to 23, 2013.

CANADA-JAPAN INTER-PARLIAMENTARY GROUP

CO-CHAIRS' ANNUAL VISIT TO JAPAN, APRIL 7-12, 2013—REPORT TABLED

Hon. JoAnne L. Buth: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Japan Inter-Parliamentary Group respecting its participation at the Co-Chairs' Annual Visit to Japan, held in Tokyo, Japan, from April 7 to 12, 2013.

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY NATIONAL SECURITY AND DEFENCE ISSUES IN INDO-ASIA PACIFIC RELATIONS

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

> That the Senate Standing Committee on National Security and Defence be authorized to study and report on national security and defence issues in Indo-Asia Pacific Relations and their implications for Canada's national security and defence policies, practices, circumstances and capabilities.
>
> That the Committee report to the Senate no later than December 31, 2015, and that it retain all powers necessary to publicize its findings until 90 days after the tabling of the final report.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY SECURITY THREATS

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

> That the Senate Standing Committee on National Security and Defence be authorized to study and report on security threats facing Canada, including but not limited to:
>
> (a) Cyber espionage;
>
> (b) Threats to critical infrastructure;
>
> (c) Terrorist recruitment and financing;
>
> (d) Terrorist operations and prosecutions; and
>
> That the Committee report to the Senate no later than December 31, 2015, and that it retain all powers necessary to publicize its findings until 90 days after the tabling of the final report.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET AND DEPOSIT REPORT ON STUDY OF POLICIES, PRACTICES, AND COLLABORATIVE EFFORTS OF CANADA BORDER SERVICES AGENCY PERTAINING TO ADMISSIBILITY TO CANADA WITH CLERK DURING ADJOURNMENT OF THE SENATE

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

> That, pursuant to rule 12-18(2)(b)(i), the Standing Senate Committee on National Security and Defence be authorized to sit for 2 days between Friday, June 27, 2014 and

Friday, September 12, 2014, inclusively, for the purpose of considering a draft report relating to its study on the policies, practices, and collaborative efforts of Canada Border Services Agency in determining admissibility to Canada and removal of inadmissible individuals, even though the Senate may then be adjourned for a period exceeding one week; and

That, notwithstanding usual practices, the Committee be permitted to deposit with the Clerk of the Senate the above mentioned report if the Senate is not then sitting; and that the report be deemed to have been tabled in the Senate.

[*Translation*]

LIGHTHOUSES AS IRREPLACEABLE SYMBOLS OF MARITIME HERITAGE

NOTICE OF INQUIRY

Hon. Jim Munson: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to lighthouses as irreplaceable symbols of Canada's maritime heritage and monuments that enrich communities and the landscape of this country.

[*English*]

EASTERN SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN CANADA

PRIVATE BILL TO AMEND ACT OF INCORPORATION— PETITION TABLED

Hon. Janis G. Johnson: Honourable senators, I have the honour to table a petition from the Eastern Synod of the Evangelical Lutheran Church in Canada, in the City of Kitchener, in the Province of Ontario; praying for the passage of an Act to amend the Eastern Synod of the Evangelical Lutheran Church in Canada Act, so that it may continue to call regular and special meetings under the Act despite certain provisions of the Canada Not-for-profit Corporations Act.

QUESTION PERIOD

NATIONAL DEFENCE

MENTAL HEALTH—SUICIDE PREVENTION

Hon. Terry M. Mercer: Honourable senators, today I would like to ask a question we received from Victoria McFarlane of Halifax, Nova Scotia. She asks the following:

The Canadian Press recently obtained documents under the Access to Information Act that reveal the Department of National Defence ignored suggested strategies for easing the backlog of investigations into military suicides.

In 2012, the department's director of special inquiries recommended changing the agency responsible for individual inquiries. Despite the fact that 75 cases remained incomplete at the time (in spring of 2012) — some of them dating back to 2008 — officials chose to ignore this proposed solution.

These special inquiries offer families a sense of closure; no one should be left waiting because of bureaucratic backlog or 'smothering procedures.' Where do the government's priorities lie? As Murray Brewster mentioned in a recent published article, "The lack of urgency to clear the backlog of investigations looks similar to the dawdling that went on within the bureaucracy over the long-promised plan to hire more mental health staff at defence."

Of the 75 cases that were incomplete in the spring of 2012, how many remain? Given that these inquiries are of the utmost importance to the families of loved ones who have taken their own lives, can you outline the protocol you currently have in place to ensure an expedient process?

[*Translation*]

Hon. Claude Carignan (Leader of the Government): Senator Mercer, thank you for passing on that individual's question.

First of all, I would like to say that our thoughts and prayers are, of course, with the Canadian families that have lost a loved one.

Last year, the minister informed us that he would ask the military authorities for an explanation for the delays in processing certain cases, which were preventing some families from mourning. Consequently, the Chief of Defence Staff put together a special team whose sole objective was to quickly complete all of the board of inquiry cases.

I am proud to tell you today that the time needed to hold a board of inquiry has decreased by more than half. The time frame is now seven to nine months, whereas last year, the time frame was two years. The number of pending boards of inquiry dropped by more than 80 per cent, from 54 in 2013 to currently fewer than 10.

Moreover, in recent years, the Canadian Armed Forces have made a considerable effort to support soldiers suffering from mental health disorders, such as post-traumatic stress.

The Canadian Armed Forces currently employ over 400 full-time mental health professionals and are working to hire even more.

Compared with our NATO allies, the Canadian Armed Forces are among the military forces that have the largest number of mental health professionals in proportion to the number of members.

In addition, the Canadian Forces Member Assistance Program provides a confidential counselling and referral phone line for members and their families. It is open 24 hours a day, 7 days a week. The program also includes a confidential, short-term external consultation service. The phone number to access the program is 1-800-268-7708.

Lastly, we provide mental health care in 29 clinics across Canada from Esquimalt to Halifax, as well as support throughout each Canadian Armed Forces member's career and deployment cycle.

I hope that the citizen who asked you to ask the question will be satisfied with our answer.

• (1510)

[*English*]

Senator Mercer: I thank the leader for that answer.

You told us that some of the files have been cleared, but in recent reports in *Maclean's* magazine, a series of internal department sources told the Canadian Press in a story earlier this year that repeated attempts to fill over 50 vacant positions were blocked by a combination of a smothering procedure and the spillover effects of the federal government hiring freeze.

This should be a priority of the government, honourable senators. These families deserve closure. You reported some progress, leader, but if there's one name left on the list, that's one name too many.

What can we do to speed this process up?

[*Translation*]

Senator Carignan: Senator, I feel that I have provided a complete response about the efforts and resources that have been made available to the members of the Canadian Armed Forces. I provided details on the reduction in wait times, which really is important, on the increase in the number and the hiring of specialized professionals, and especially on the 80 per cent reduction in the number of boards of inquiry. Currently, there are boards of inquiry for fewer than 10 remaining cases. We know that these are difficult situations for grieving families; every effort is made to ensure that those grieving families are affected as little as possible by any delays with the boards of inquiry.

JUSTICE

SUPREME COURT—JUDICIAL APPOINTMENTS

Hon. Céline Hervieux-Payette: My question is for the Leader of the Government. Despite all the setbacks that the Prime Minister has recently suffered at the hands of the Supreme Court, because he does his best to avoid complying with Canada's Constitution Act, here he is at it again with the appointment of Justice Mainville to the Quebec Court of Appeal. That affects us greatly because it causes a delay each time and we need another civil law judge on the Supreme Court.

Justice Mainville was appointed to the Federal Court by the Prime Minister in 2009. However, his appointment to the Quebec Court of Appeal violates section 98 of the Constitution Act, 1867, which reads, and I quote:

> The Judges of the Courts of Quebec shall be selected from the Bar of that Province.

Well, he is not a member of the Barreau du Québec.

Rocco Galati, the lawyer who successfully challenged Justice Nadon's appointment, states in his current challenge, "unconstitutionally obstinate" insistence. This illustrates the situation quite well.

Mr. Leader, when will the Prime Minister stop this bad behaviour and start obeying the highest law in Canada?

Hon. Claude Carignan (Leader of the Government): I would ask you to watch what you say. Your language must remain parliamentary.

As far as Justice Mainville's appointment to the Quebec Court of Appeal is concerned, Justice Mainville was a member of the Barreau du Québec for 33 years. He was a Federal Court judge and has been a Federal Court of Appeal judge for the past five years. He is clearly a Quebecer who is qualified to be appointed to the Quebec Court of Appeal. Given his expertise, I think he will be welcomed with open arms to the Quebec Court of Appeal.

Senator Hervieux-Payette: Mr. Leader, on the list of bad behaviour — I know that you take issue with that term, but it truly gets across the idea that our Prime Minister always waits for the Supreme Court to bring him into line — there is the defeat in the unconstitutional attempt to reform the Senate without the provinces' consent; the defeat in the unconstitutional appointment of Justice Nadon; the defeat in the attempt to retroactively increase the period of ineligibility for parole; the defeat in the attempt to create a national securities commission without the provinces' consent; and the defeat in the Omar Khadr case, in which the Supreme Court confirmed that this Canadian's rights had been violated.

Add to that the Prime Minister's unprecedented attempt to bully the Chief Justice of Canada, the Right Honourable Beverley McLachlin. Soon we can add the defeat concerning Justice Mainville's appointment to that list of bad behaviour.

It is about time that the person who claims to be the champion of law and order — and who regularly places himself above the law and creates disorder — obeyed the first law of the land.

When can we be assured that the Prime Minister will obey the Constitution Act of Canada?

Senator Carignan: Senator, I am not going to respond to your innuendoes, which, from time to time, distort the facts.

Justice Mainville, as you probably know — and if you don't, I'm going to tell you — has expertise in public sector collective bargaining. He is an expert in administrative, constitutional,

energy and environment law. He taught at McGill University and has authored many academic books on Aboriginal law. He was a member of the bar for 33 years and, as I mentioned, for the past 5 years has been a judge of the Federal Court and the Federal Court of Appeal. He is clearly eligible for appointment to the Quebec Court of Appeal, and I am convinced that he will be welcomed with open arms by his colleagues at the Quebec Court of Appeal.

Senator Hervieux-Payette: Leader, everyone in Quebec knows that Justice Mainville was on the short list of Supreme Court candidates together with Justice Nadon. Please, we are not that naive.

I believe that since the appointment of Justice Nadon was rejected, the Prime Minister has concocted another way to appoint a judge who is not eligible to sit on the Supreme Court. Justice Mainville will first sit temporarily on the Quebec Court of Appeal even though he is not eligible to be appointed to the Court of Appeal.

That's what you call doing indirectly what the law won't let you do directly, which is, of course, illegal. Otherwise, why would Mr. Galati go to court again to ensure that the Prime Minister complies with the Constitution?

Can you assure us that the government did not illegally appoint Justice Mainville to the Court of Appeal in order to eventually appoint him to the Supreme Court?

Senator Carignan: I see you are coming up with the same conspiracy theory as the leader in the other place, your cousin in the NDP. We will obviously not speculate on rumours about potential appointments to the Supreme Court.

As we have said repeatedly since the Supreme Court handed down its ruling, we will respect the spirit and the letter of the Supreme Court's ruling on the reference, regardless of what you may claim or think or what your cousins in the NDP may think.

Senator Hervieux-Payette: I don't know when the NDP became my family. I think you're getting the leaders mixed up.

The Prime Minister always claims that he is great at managing taxpayers' money and that he and his finance minister are doing everything they can to reduce spending.

I'd like to know how many millions the Prime Minister has spent to date going to court to fight cases that we already know in advance are invalid and unconstitutional. How many millions? If you don't know the amount, I'll wait for a delayed answer.

Senator Carignan: Senator, as you know, there are a lot of cases before the courts in which people are asserting rights or challenging the constitutionality of other laws or government decisions.

• (1520)

That is one of the vagaries of having a government, having legislation and living in a democratic country where people can appeal to the courts to ensure that any legislation passed complies with the Constitution. Those costs must be assumed if we want to live in a country governed by the rule of law.

Senator Hervieux-Payette: Mr. Leader, you did not answer my question. You alluded to a conspiracy theory. I do not see anything of the sort. What I see is a scheme to pass off yet another invalid appointment.

Here is my question. There will be a vacant seat on the court for a Quebec judge. Can you assure us that a Quebec judge will be appointed within a reasonable time frame and that you won't wait a year or six months to replace the retiring judge?

With three judges on the Supreme Court, Quebec has the right to be represented in each and every case. I don't want Mr. Mainville's appointment to become a pretext for eventually submitting his candidacy and, once again, delaying the process of appointing a Quebec judge to the Supreme Court.

Senator Carignan: As I said, I can see that you are coming up with the same conspiracy theory as your cousins on the other side. I will give you the same answer. We will not speculate about rumours concerning potential appointments to the Supreme Court. To my knowledge, there are already three judges who represent Quebec. We said that we will uphold the spirit and the letter of the Supreme Court reference decision concerning the Nadon case.

Hon. Jean-Claude Rivest: Honourable senators, I would like to clarify something. Mr. Mainville has been appointed to the Court of Appeal. Can the leader assure us that he will be sitting on the Court of Appeal in the usual manner for the next three, four or five years?

Senator Carignan: I think it is quite difficult to claim or give an assurance that someone will be in a position for a certain number of years. Senator Buth was appointed to the Senate. I was expecting her to be our colleague until the age of 75. However, she could not resist taking on a new challenge. She decided to leave us after being in the prestigious role of senator for less than a year, even though she was eligible to retire at the age of 75. It is therefore impossible to speculate on the length of time a person will want or will be able to hold this type of position.

However, I would like to address the insinuation that I detected in your question. There will be no speculation on rumours of possible Supreme Court appointments.

Senator Rivest: I would like to add a comment in the form of a question. The Leader of the Government's answer fuels such rumours. By not confirming that Justice Mainville will be sitting on the Court of Appeal, he himself is starting the very rumour that he is criticizing others for, namely that the government is considering appointing Justice Mainville to the Supreme Court.

Senator Carignan: Senator Rivest, you are asking me to make a commitment that Justice Mainville will sit on the Court of Appeal. Could you make a commitment that I will sit in the Senate for another 15 years? I would urge you to refrain from doing so, please.

THE SENATE

TRIBUTE TO DEPARTING PAGES

The Hon. the Speaker *pro tempore*: Honourable senators, I would like to mark the departure of two of our Senate pages.

[*English*]

Mahalia Golnosh Tahririha is our Chief Page. She recently graduated summa cum laude with an Honours Bachelor of Arts degree with a double major in Theatre and Psychology. Mahalia hopes to travel this summer and visit with family before starting the Master of Arts in Theatre program at the University of Ottawa. Down the line, she hopes to pursue a PhD in Theatre in New York City and aspires to a career blending academics and arts.

Hon. Senators: Hear, hear!

[*Translation*]

The Hon. the Speaker *pro tempore*: Vanessa Anstead is looking forward to devoting her time to Lolita Productions, her theatre company, once the page program ends. She is also finishing a bachelor's degree in international business at the Telfer School of Management. In January 2015, she will travel to Madrid, Spain, to work on her Spanish and take courses in the MBA program at ESCP Europe. Congratulations and good luck!

[*English*]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: second reading of Bill C-24, followed by all remaining items in the order that they appear on the Order Paper, with the exception of second reading of Bill S-6 which we will consider last under Government Business for today.

CITIZENSHIP ACT

BILL TO AMEND—SECOND READING

Hon. Nicole Eaton moved second reading of Bill C-24, An Act to amend the Citizenship Act and to make consequential amendments to other Acts.

She said: Honourable senators, it is my privilege to rise in respect of second reading debate on a most important piece of legislation. It is my pleasure to speak to Bill C-24, the strengthening Canadian citizenship act.

Citizenship in Canada is a privilege, not a right — a gift granted by birth or by choice and one that encourages actions on the part of its recipient. Colleagues, citizenship is defined as the fact of belonging to a community because you live in it and the duties and responsibilities that such belonging brings with it. But it is more than this. As former Indian Prime Minister Jawaharlal Nehru once said: "Citizenship consists in the service of the country."

For hundreds of thousands of people seeking citizenship, it represents two things: a personal choice they make and an affirmation of the values of the society of which they wish to become full members.

We in Canada know this better perhaps than any other nation in the world, for we are a young country and one virtually comprised of immigrants. Also, we have the highest naturalization rates in the Western world.

Since Confederation, immigration has been the fuel that has forged our great country and the key ingredient that makes Canada a country of choice for those seeking a better life, an opportunity to positively influence their society, and a place where prosperity and safety are within reach for all.

The Canada of today is richer by virtue of those who have chosen to become its citizens. Indeed, as former U.S. President Lyndon Johnson once said about the impact of immigration:

> The land flourished because it was fed from so many sources — because it was nourished by so many cultures and traditions and peoples.

• (1530)

The success of our immigration programs has not gone unnoticed in the world. As another former U.S. President, Bill Clinton, said:

> In a world darkened by ethnic conflicts that tear nations apart, Canada stands as a model of how people of different cultures can live and work together in peace, prosperity, and mutual respect.

As I just noted, Canada has the highest naturalization rate in the world, with over 85 per cent of permanent residents becoming citizens, outstripping the rates seen in Australia, the U.S. and the United Kingdom. In fact, last year, Citizenship and Immigration Canada received 333,860 citizenship applications, representing, as I have mentioned, the highest volume ever.

But if we are to continue to be a world leader in immigration and naturalization, it's incumbent upon us to keep our citizenship programs robust, sustainable and effective. That is why our government embarked upon the most sweeping reform of the Citizenship Act in a generation.

Make no mistake; this needs doing. We must improve unacceptable wait times that plague those seeking citizenship. We must take strong measures to combat citizenship fraud. We must deal with the matter of those who seek to be "citizens of convenience," who use their citizenship as a shield for purposes that fall far outside the intended provisions of Canadian identity.

The improvements this bill will bring about will continue the historical tradition of incremental improvement to our citizenship program beginning in 1910 with the Immigration Act; built upon with the Naturalization Act of 1914; entrenched in 1947 with the Citizenship Act; and further enhanced by comprehensive amendments to the statutes in 1977.

We declared our intention to refresh and invigorate the Citizenship Act in the 2013 Speech from the Throne, with a commitment to strengthen and protect the value of Canadian citizenship.

Bill C-24 delivers this by introducing comprehensive reforms to the Citizenship Act. We believe that enacting Bill C-24 will achieve these important measures. It will increase efficiency to help qualified applicants acquire citizenship sooner. It will strengthen requirements for becoming a Canadian citizen. It will combat fraud while greatly enhancing program integrity. It will enable us to honour those who serve Canada and seek to become citizens and will recognize the service of those who have served this country and deserve recognition for this through citizenship.

Colleagues, Canadian citizenship is of tremendous value. It is a major contributor to both nation-building and to our ongoing economic vitality. It is something in which Canadians take immense and unprecedented pride. It's about embracing the balance between recognizing the benefits that go with it on the one hand and taking responsibility to apply the obligations and respect the rights it grants on the other hand.

I am reminded today of the words in the first address I delivered in this august chamber five years ago. I shared with this chamber my view that our country is one of the few in the world that has realized its national potential through the hard work of immigrants. Indeed, immigrants are the flesh, the muscle and the sinew on the Canadian bone. As Richard Gwyn so intelligently pointed out, without a longstanding commitment to immigration, Canada would be quite different from what it is now: smaller, poorer, much more parochial, less powerful, less optimistic.

Today, I still believe in the value of community service. All men and women in this country must fully embrace the unyielding fact that the benefits that come from being Canadian must be a direct result of our willingness to invest ourselves fully in this country. Canadian citizenship has never been, and must never become, a flag of convenience for the so-called citizen of the world. Our country may have become a majority of minorities, but it must never be defined by its constituent parts alone.

I remind all honourable senators that we too have responsibility to those who choose the Canadian experience. As I said, we must work equally hard to fully integrate new arrivals and encourage them to take on the responsibilities of citizenship that all Canadians must assume to earn the benefits of citizenship. Citizenship is a dual commitment to respecting the gift while giving back to the country that bestowed it. It's more than just holding a passport or casting a ballot on election day. While these are both fundamental expressions of citizenship, there's much more to it than that. It's about sharing in civic life in the fullest sense.

Allow me to quote Minister Alexander as he shared in the other place his passionate view of what full expression of citizenship entails:

> Citizenship is participation in the fullest sense, participation in the needs of our neighbours, participation in voluntary organizations, participation in the economy and the economic excellence that a country like Canada has managed to achieve. These are the gains of freedom to which citizenship has opened the door over centuries, indeed millennia, and which have been achieved on a level in this country that we think is without parallel in the history of humanity.

Minister Alexander shared as well about the struggles that a true commitment to citizenship requires:

> . . . we fought in this country to have not only assemblies and honest government, free of corruption; we also fought to have accountable, responsible government. It was citizens across this country, in cities, towns, rural areas, and urban centres who paved the pathway to Confederation. They underpinned that national policy. They brought us, strong and free, into the 20th century, when the story of a larger Canada, and a Canada that eventually adopted a Citizenship Act in 1947, begins.

Colleagues, the comments by Minister Alexander speak to the critical importance of the maintenance and enhancement of the integrity of Canadian citizenship. We are a country of choice and a place of permanent residence desired by people around the world. As such, we must remain vigilant in our efforts to tackle immigration fraud head on. While thankfully the number of such instances in this country are few, we must nevertheless be attendant to deterring and preventing such behaviours altogether.

The reality is that we live in a world far different from the one in which the Citizenship Act was introduced as law in 1977. That is why we are addressing these needs with the updating of this act to better deal with today's challenges and to enhance our efficiency in serving the needs of those who choose to become Canadian citizens.

Honourable colleagues, critics of this bill assert that its provisions make it more difficult for immigrants to become citizens. Let me assure this chamber that nothing could be further from the truth. In fact, as Minister Alexander emphasized when he appeared before committee, we are making it easier to become citizens of this country by accelerating the processing of applications, by clarifying the associated rules and processes, and by enforcing the terms and conditions required for citizenship.

In respect of achieving greater efficiency, allow me share with you the new decision-making model for citizenship applications. It's a reality that currently our processing times for qualified applicants are too long, especially when compared to other first-world countries. The current backlog is upward of 350,000 applications, a clearly unacceptable level and one that is being moved quickly through the balance of this year.

Obtaining citizenship is currently a three-step process involving duplication of work. Citizenship officers review the files and prepare them for a citizenship judge. The judge approves or rejects the application and returns it to the officer, who then grants citizenship on behalf of the minister or recommends an appeal of the judge's decision.

Under the provisions of Bill C-24, the citizenship officers would be able to make decisions on applications, leaving the judges responsible for their important roles as promoters of Canadian citizenship and for administering the oath of citizenship, the final step in a much accelerated process, with less cost to Canadian taxpayers.

• (1540)

A key component to these proposed changes deals with residency requirements for granting citizenship — simply put, the period of time during which those aspiring to citizenship must be present in this country before applying for it.

We are proposing that the residency requirement change from three out of four years to four out of six. What's more, the bill also clarifies that residency means a physical presence in Canada. We're asking up-front and explicitly that those who seek to become citizens be physically present in Canada for four out of six years. Requiring this of newcomers allows for better integration into Canadian society, as understanding our nation's social and cultural norms first-hand, our customs, our landscapes, our communities and the institutions that help build them is an irreplaceable experience.

This notion of intention to reside is one that I wish to be very clear about. It relates only to the requirement to be resident in Canada for four out of six years to fully meet the prescribed requirements for citizenship. It does not create a new second class of Canadian. It does not inhibit mobility once citizenship has been granted.

Canadian citizenship entitles one to such freedom of movement, and we are asking applicants to demonstrate their sincere intention to reside in this country during the prescribed four-out-of-six-year period and to make this declaration at the front end of the process.

The choices are clear: If an applicant changes their intention at any stage during that period — that is the four out of six years — they will not become a citizen. Minster Alexander was succinct on this matter. Once a citizen, we all have the same rights, including freedom of mobility.

These new rules would apply only after passage of this legislation and its coming into force. Those with active applications or who apply before the bill's passage would do so under the auspices of the current rules. Make no mistake; we are by no means moving the goalposts for applications currently in process.

There is another area of the bill's provisions that has elicited much debate and yet is so fundamental to the protection and enhancement of Canadian citizenship, and that is the measure that permits the revocation of Canadian citizenship from dual citizens — I repeat, dual citizens — who were members of an armed force or an organized armed group engaged in armed conflict against Canada, and that would deny citizenship to permanent residents involved in the same actions.

The notion is a simple one. Those who choose to betray our country or take up arms against our military will forfeit their right to hold Canadian citizenship. Citizenship is based on allegiance. Those granted citizenship pledge allegiance to our monarch, the Queen of Canada, and to our system of government and its laws. Betrayal of this allegiance comes with a price.

Yet, even with the measures that clearly seek to deter such actions, we remain fair. We will not revoke the citizenship of anyone who has only Canadian citizenship. We do not create or cause conditions that would render an individual stateless.

There are only two models for revocation. Under the administrative model, the minister is the decision maker for revocation on the grounds of citizenship obtained by fraud related to residence, identity or criminality; and a new ground based on convictions for terrorism, high treason, treason or spying offences.

The decision can be appealed by means of an application for judicial review if leave is granted by the Federal Court. The person has 30 days to apply for leave after being notified or otherwise becoming aware of revocation. An appeal to the Federal Court of Appeal can be made if the judge certifies a serious question of general importance.

The Appeal Court's decision may be appealed, with leave, to the Supreme Court of Canada. Under the judicial model, the Federal Court is the decision maker in cases where citizenship fraud occurred through concealing serious inadmissibilities under the Immigration and Refugee Protection Act, such as organized crime or security and human and international rights violations, while adding a new ground for membership in an armed force or organized armed group engaged in conflict with Canada.

The minister commences an action in the Federal Court. Its decision can be appealed to the Federal Court of Appeal if the judge certifies a serious question of general importance. The Appeal Court's decision may also be appealed, with leave, to the Supreme Court of Canada.

Honourable senators, these are the only instances through which citizenship is revocable and they apply only to dual citizens.

Moving forward, colleagues, another element to the new rules would be that applicants would no longer be able to use time spent in Canada as non-permanent residents in meeting citizenship residency requirements. We're asking applicants to demonstrate a commitment to Canada through permanent residence.

Under the new legislation, citizenship fees, which have not gone up in over 20 years, would increase to reflect a better balance between the costs of providing the service with the fees paid by applicants. The current fee structure covered only 20 per cent of the cost of processing. The new system will see this figure rise to 50 per cent of the cost being recovered. It's important to note that the fee for minors remained unchanged. By comparison, the new

rate of $300 — compared to the previous rate of $100 — is much less than the $680 required of applicants in the United States for American citizenship requests.

The new provisions proposed in this bill seek stronger authority to define what constitutes a complete application and the types of evidence applicants must provide in support of them. Certainty that requirements are fully met at the front end of the process eliminates time wasted processing and returning incomplete applications.

Another benefit to the efficiency of the program will be achieved through amending the means of providing discretionary grants. Under the current act, the Governor-in-Council may direct the minister to grant citizenship to alleviate special and unusual hardship or to reward service of an exceptional value to Canada.

With the proposed changes to the act, the decision-making power would migrate to the minister, eliminating another extra step, while bringing our process in this regard into line with that of nations similar to ours, such as the United Kingdom, New Zealand and Australia.

We are also proposing changes to the parameters around judicial review and the appeal process that would provide access to higher courts for all applicants. Currently, an appeal of a citizenship judge's decision can be heard by the Federal Court but no higher. Decisions by citizenship officers, who have authority to decide certain cases under the act, can be judicially reviewed and challenged in a higher court.

To eliminate this anomaly, the proposed amendments would introduce a uniform system for all decisions under the Citizenship Act. Judicial review would be subject to leave of the Federal Court, whose decision could be appealed to the Federal Court of Appeal, where it can certify a serious question of general importance, thus preventing needless and spurious litigation. Further appeals would also be available to the Supreme Court of Canada.

Another efficiency that would be enacted under passage of Bill C-24 includes ways to verify citizenship in various ways, such as by electronic means rather than through the current requirement that calls for issuance of a citizenship certificate, which must be given to each successful applicant and anyone requesting proof of citizenship.

Enhancing processing efficiency and its modernization also means enacting measures where the act has been silent until now. An example of this is the lack of explicit authority to declare an application abandoned. This occurs when an applicant fails to appear for the citizenship test or an appointment with an officer.

• (1550)

A proposed amendment will provide clear authority to declare applications abandoned in such cases, at any stage of the process, based on failure to comply with a request for information or to attend an interview. This process is, however, far from arbitrary and seeks to accommodate the needs and situations of applicants. Those who fail to show for interviews are given written 30-day notice and opportunity to prevent abandonment.

Through these amendments, we're seeking to ensure that applicants can speak one of our two official languages when they apply and have sufficient knowledge of our country. We want a new Canadian immigrant, regardless of age, to be able to be fully engaged, to the best extent possible, in the community around them. Whether it be a man or woman in the workplace, a stay-at-home spouse in the neighbourhood or a child on the playground, there is a need and a direct benefit to have the tools to facilitate such fundamental elements of community life such as language. This is especially true for immigrant women, who are often alone and vulnerable in a new and different society.

That's why, under the new measures proposed, applicants aged 14 to 64 will have to meet language requirements and pass a knowledge test in either English or French. The language test for listening and speaking is at a very basic level. The age requirements are currently from 18 to 54. It's worth noting that the language and knowledge requirements put in place thus far have proven to be both successful and popular.

Equally important as an expedited and streamlined process around application is the need to reinforce the value of citizenship and to strengthen the system's integrity.

Let us be clear. Our government wants no citizens of convenience nor those who seek to become citizens for fraudulent means, regardless of reason. Crooked citizenship consultants have facilitated hundreds of individuals to do just that, and we are taking measures in this bill to put an end to it. These include provisions for a new authority to develop regulations to designate a regulatory body whose members would be authorized to act as consultants and who would monitor and collect information concerning citizenship consultants. This is similar to the measures put in place for immigration consultants.

The new regulations would require that the names of representatives or consultants be identified in citizenship applications. Failure to do so could result in the return of their application.

With regard to deterrents to fraud, the penalties for citizenship-related offences, such as misrepresentation, much like the fees for application, haven't changed since 1977. Currently, an individual who commits citizenship fraud faces a fine of up to $1,000 or up to a year in prison. Under the new provisions proposed in Bill C-24, these measures would increase. An indictable fraud offence would yield a fine of up to $100,000 and/or five years in prison, and the penalty for a summary offence would include a fine of up to $50,000 and/or two years in prison.

Steps are also being taken to refuse citizenship to those who have made representation or withheld material facts, such as whether they meet the eligibility requirements. Applicants refused under these provisions would be barred from reapplying for five years. Moreover, the proposed amendments would also make it

an offence to counsel, aid, induce or abet anyone to indirectly or directly misrepresent or withhold facts relating to a case, punishable by a $100,000 fine and/or five years in prison and, for a summary conviction a maximum fine of $50,000 or two years in prison.

Another key step in strengthening our regimen relates to permanent residents with unfulfilled conditions attached to their permanent resident status. Under the proposed changes, they would not be eligible for citizenship. Colleagues, in certain cases, permanent resident status comes with conditions that must be met in order for it to be maintained. Failure to do so can lead to removal from Canada. Currently, the act is silent regarding any provisions that prevent permanent residents from applying for and obtaining citizenship, despite the conditions attached to their residency. These amendments would remedy this.

Another gap being bridged deals with information sharing between Citizenship and Immigration Canada and its partners. Unlike the Immigration and Refugee Protection Act, the Citizenship Act does not include explicit legislative authority to create regulations to support information collection and disclosure to the department's partners, such as the Canada Border Services Agency.

Such information will assist decision makers in determining whether applicants meet the requirements. It will also help the department conduct investigations into cases of fraud and misrepresentation.

A key step in strengthening the integrity of our citizenship process deals with those who engage in criminal activity and seek to live here. Under the current rules, those who have been charged with or convicted of an indictable offence in Canada are barred from applying for citizenship. This also applies to anyone serving a sentence in Canada. Bill C-24 would expand the provisions to bar applicants for equivalent foreign conditions. Yet, we understand that there are instances where foreign convictions can be bogus. That is why we have made provisions by which persons who have been falsely charged and convicted abroad by repressive, autocratic or abusive regimes could still seek to become Canadian citizens on the basis of an administrative and, if required, judicial review here in this country.

Honourable senators, full engagement in citizenship calls for service to one's country, so it is indeed fitting that another set of provisions in Bill C-24 pays tribute to those who serve our great nation. Citizenship would be granted to children of persons born or adopted abroad whose parents are serving in the Canadian Armed Forces or working overseas for the Canadian government. Another new provision would grant citizenship sooner for permanent residents serving in our military.

Colleagues, there is one group who it would be remiss not to better serve through the reforms of Bill C-24. These are the so-called "Lost Canadians," those born before January 1, 1947, when the first Citizenship Act came into force, or, in the case of Newfoundland, before 1949.

An Hon. Senator: Hear, hear.

Senator Eaton: Those individuals have so far not been entitled to the benefits, privileges and responsibilities of Canadian citizens, such as first-generation children born abroad to war brides and servicemen. We're taking the final steps to ensure that these "Lost Canadians," the children of those who fought in the Second World War, the progeny of those most committed to serving and defending their country, enjoy the full benefit of Canadian citizenship, not just in the first generation but in succeeding generations.

As I close, I'm reminded of the words of Canada's renowned artist and writer Emily Carr, who once said:

> It is wonderful to feel the grandness of Canada in the raw, not because she is Canada but because she's something sublime that you are born into, some great, rugged power that you are a part of.

One need not be born here to lay claim to playing a role in Canada's grandness. Our immigrants, those who continue to choose to make our country home, as they have for centuries now, add to our great, rugged power and make our Canada even more sublime. These improvements to our citizenship provisions are a testament to the treasured gift of being called Canadian.

Honourable senators, our government is reforming the Citizenship Act through Bill C-24, with a clear conviction that Canadian citizenship is uniquely valuable around the world, that its acquisition must come with certain obligations and responsibilities attached to it, and that its great value must always be protected and continually strengthened.

I ask all of you to support it, and I thank you.

• (1600)

Hon. Art Eggleton: I agree with one basic point that Senator Eaton has just made: To be a Canadian citizen is, indeed, a great privilege.

Some Hon. Senators: Hear, hear!

Senator Eggleton: Canadians enjoy freedoms and opportunities that are envied the world over. Some Canadians are fortunate to have the special status of citizen conferred upon them by birth; others must show the government they merit citizenship before they may call themselves Canadians.

To strengthen and protect the value of Canadian citizenship, the very intent of this act, as it says, is commendable. As we all know, citizenship is not just about rights, but also about responsibility.

The concept of "Canadian citizen," as we know it, first became law in 1947, with the passage of the Canadian Citizenship Act. In addition to recognizing the citizenship of those born here, the act set out six criteria to be met by those wishing to become naturalized Canadians: age 21 years or older; minimum five years of residence; good character; adequate knowledge of English or

French or continuous residence in Canada for more than 20 years; adequate knowledge of the responsibilities and privileges of Canadian citizenship; and the intention to reside permanently in Canada or enter into or continue in the Public Service of Canada or a province. It also set out circumstances under which citizenship could be revoked. Broadly speaking, they were disloyalty, misrepresentation or failure to reside in and maintain a substantial connection to Canada.

There the matter stood until the passage of the Citizenship Act of 1977. This act made some significant changes to the criteria by which citizenship could be awarded and revoked. It opened it up substantially. For example, the minimum required residency in Canada was reduced from five years to three, with time spent in Canada prior to permanent resident status eligible for a partial credit towards those three years. It also removed all grounds for revocation save for fraud in the application process.

Now Bill C-24 brings about the biggest changes since that act of 1977, almost 40 years ago. There are some good provisions in this legislation: the attempts to bring more of the lost Canadians into citizenship; to reduce the waiting time, the processing time; and to deal with the issue of citizenship consultants, which has long been a controversy. But I'm afraid that a lot of these good points are overshadowed — and overshadowed with a considerable amount of criticism.

During the debate in the House of Commons, during our pre-study in the Social Affairs Committee and from a cross-section of Canadians, we have heard a great deal of concern. One witness before the House of Commons committee said the bill has "systemic design failure" that could have unintended consequences. In fact, the Canadian Bar Association representative suggested that perhaps the name of the act should be changed to "the act to discourage Canadian citizenship."

Maybe Senator Eaton is right. Maybe it will be easier to become a senator than it would be to gain citizenship.

The Minister of Citizenship and Immigration came to our committee and said that he and his colleagues "do not see any flaws in their bill." Well, honourable senators, he would say that, wouldn't he? His statement reveals one of the biggest flaws of this government, namely, that it does not heed advice offered by experts who should be taken seriously.

The flaws that have been pointed out in this bill may not be evident to Minister Alexander or to the government, but they are real, and they will make Canadian citizenship and the system that governs it less predictable. How can one possibly strengthen the system by creating uncertainty?

Witness after witness, before the house and our own committee, pointed out ways in which this bill, in particular those aspects of it that greatly expand the range of circumstances under which citizenship can be revoked, may potentially violate the Charter of Rights and Freedoms, the Canadian Constitution.

Senator Mercer: Oh, no!

Senator Eggleton: Needless to say, the adoption of the Charter creates a benchmark against which all subsequent laws must be measured. The bill before us is no exception.

Human rights lawyer Rocco Galati already said that if the government doesn't seek a Supreme Court opinion on the constitutionality of Bill C-24, he will bring forward a challenge himself. Given this government's record when it comes to the court, wouldn't it be preferable to fix the bill now rather than go through years and countless legal fees, only to end up in the same place?

Honourable senators, let me go through some of the more troubling aspects of this bill. The first is a clause that refers to where someone intends to reside after they become a citizen. First of all, they have to do the four out of six years. Clearly, they have to be in Canada half of each of those years in the four years, 183 days, but then they have to indicate an intention to continue to reside in Canada.

At first glance, that may seem reasonable. We do want new citizens to reside in Canada, not to use it as a port of convenience. However, in a globalized world, with global careers, people moving here, there, and job opportunities that exist in the kind of economy that we have created today, what happens if you have to leave the country shortly after obtaining your citizenship, either to work or to study? A lot of them go to different universities around the world or look after an ailing family member perhaps in their country of origin.

As lawyer Lorne Waldman said before the Social Affairs Committee, ". . . the way the bill is worded, if you leave afterwards, you're certainly at risk of some official taking action against you."

An official could claim that the new Canadian misrepresented their intent and could recommend revocation of their citizenship. Revoke their citizenship on those grounds? That is very serious and very troubling.

What recourse would a new citizen have if they had their citizenship revoked? Well, honourable senators, currently every citizen who has their citizenship revoked has a right of appeal to the Federal Court. However, in this bill, that is removed. Let me repeat that: In this bill that is removed.

The bill says that they have 30 days to write a rebuttal. They will get their decision from the minister or staff in writing, and they have 30 days to write a rebuttal. There's no in-person hearing; there's no oral hearing. If the citizenship officer concludes they misrepresented themselves, bang, they lose their citizenship.

Senator Moore: Wow!

Senator Eggleton: What about that right of appeal to the Federal Court? The Federal Court, under these provisions, could intervene only in a very limited way. As Mr. Waldman said, the Federal Court will intervene only if there is an error of law or a serious misconstruing of the facts. There's no real appeal from

that process. It is a very limited judicial review. The Canadian Bar Association added that before the matter is even heard by a judge, the applicant must successfully apply for leave to commence a judicial review application, which is only granted in about 15 to 20 per cent of cases. The leave decision is rendered without any personal appearance, in a summary fashion and without reason.

The kind of review that this legislation contemplates provides only for a legalistic test based on an error in law. The applicant must first seek leave of the court, as I mentioned a moment ago, and leave is granted only 15 to 20 per cent of the time. A leave application is decided via a paper review process, with no physical appearance, and no reasons are given when a leave is denied. The applicant cannot present new evidence on a judicial review and cannot make arguments on humanitarian or compassionate grounds on a judicial review. And the judge cannot substitute his or her decision but, instead, refers the matter back to a different decision maker.

That is not the kind of appeal process Canadians would expect for an appeal of the decision that would be made by a minister. That is a very extreme problem with this legislation.

One witness in the house committee said that you would have more of a right of due process fighting a parking ticket than you would if facing revocation under this bill.

• (1610)

According to David Matas of B'nai Brith Canada, the mere existence of the ministerial powers under this bill does not mean they will be abused, but the potential for abuse is always there.

Revoking someone's citizenship is very serious, but now there will be a limited recourse for someone stripped of their citizenship. I firmly believe that this is un-Canadian. This does not meet our values and tradition. It limits a new citizen's right to due process.

Honourable senators, Bill C-24 would also expand the revocation of citizenship of dual nationals to include a number of criminal offences — treason, terrorism, espionage — and, for example, in the case of terrorism, five years' imprisonment in another country for a terrorism offence and membership in an armed force of a country or organized armed group engaged in a conflict with Canada. These new conditions are very broad and are fraught with a great deal of uncertainty.

This matter of an armed force of a country or organized armed group engaged in conflict with Canada, if we had invoked that kind of thing after the Second World War, there would have been an awful lot of people who came from wartorn Europe — many of them German, many of them Italian, who fought on the other side — who wouldn't be able to come to this country under that kind of provision.

An Hon. Senator: Austrian, too.

Senator Eggleton: Austrian, yes, right.

[Senator Eggleton]

The definition of "terrorism" in some countries, I should also point out, because a conviction in another country on terrorism, five years, can also result in a revocation of your citizenship. But in some countries, it is often rooted in a political context. It is not news to us that many countries use allegations of terrorism to punish political opponents, and they often have low thresholds for convictions, unfair trials and harsh sentences.

An offence warranting a five-year sentence in one country may carry a very different sentence in Canada and may be fraught with political motives. Of course, the minister says that will all be taken into consideration and we will look at it. But then, when you get to the fact that there is an appeal at the end of the day, you are putting an awful lot of faith in not just the minister but the bureaucrats who have to administer all this.

Let's look at one particular case. There's a real case going on right now. Mohamed Fahmy is a dual Egyptian-Canadian journalist — you have been reading about him; it was in the paper again this morning — who was arrested in Egypt last year and now faces terrorism charges. I think most of us have looked at what is happening there and say, "How can this be?" But, if convicted and sentenced to five years or more, he is possibly in position to lose his Canadian citizenship.

Again, the minister said he would consult widely to ensure that the other country's legal process is fair before they would revoke a dual national citizenship. But that process is not laid out in the bill, and the potential for mishandling could happen.

Second, terrorism and other criminal offences already carry punishments under the Criminal Code of Canada. We punish offenders who violate the law through the criminal justice system. Now we are adding banishment as a secondary punishment.

As Barbara Jackman said to our committee:

> England got rid of banishment in 1868. It is contrary to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights; it is contrary to our Charter, and that creates a lot of serious problems.

It should not be up to the Minister of Immigration and his officials to punish those who violate the law. It is not just those cases of treason, espionage and terrorism. Here is what can happen, and this was in the *National Post* yesterday.

Here is a man who was born in Canada and he's now fighting deportation to another country, to India. Apparently his parents came over here. They were part of the domestic staff of the High Commissioner of India in Ottawa. They subsequently left that employment, and, subsequent to that, they gave birth to this fellow in Canada. The parents later became citizens, but he didn't. But then he got into trouble with the law and has served three years for criminal convictions for break and enter, illegal transfer of a hunting rifle and intent to traffic in cocaine. He got a three-year sentence and he's not a Canadian citizen.

Here the government is arguing, "Well, he can go to India," even though he was born here. India says they don't want him. The government is continuing to press this issue, but the difficulty is that he's becoming stateless. So what happens to him then? He ends up appealing it to the court, which is something that gets removed by this new act, but he still is operating under the current provisions and he's been able to appeal it to the court. He found out that the government made a mistake in the date of birth, because they were arguing he was born while his parents were still in the diplomatic service, which is not the case at all, according to him. He wasn't told this by the ministry. He only found this out when he went to the court for appeal. If he didn't have the right to go to the court for the full appeal, then he could find himself in a very challenging situation.

Also, what about the disparity in this case between two citizens, both born in Canada, one of whom has, say, an Egyptian father, who are then convicted of identical crimes and face vastly different punishments, namely, the possibility of deportation to a country he has never even visited. Some countries will consider a person to be one of their nationals and will consider them to be citizens even if that person never said they wanted to be a citizen. There's a reverse onus clause here. It says that if you are suspected of being a dual national, you have to prove, on the balance of probabilities, that you are not.

This, obviously, is creating two classes of citizens. If you are born in Canada, versus being a dual citizen, you are not being treated with equality.

In the Fahmy case I mentioned, if he's convicted, then he could be subject to a deportation process. But if another journalist by the name of John Smith, who had no connection whatsoever to any other country, was in the same circumstance — and there are other journalists who got arrested — he would be free and clear. Clearly, there's a difference between somebody who was born here and somebody who has dual citizenship.

Going back to this intent to reside, the person who was a Canadian by birth can go anywhere around the world — any jobs or education, everything; no problem at all. But if the person is a dual citizen, they might be subject to a revocation on the basis of someone suggesting they misrepresented their intent to reside.

That again is clearly a two-tier citizenship situation, not the kind of equality and citizenship that we're used to in this country, not the kind of equality we say that everybody is entitled to. We don't have two-tier citizenship, except this bill is going to bring it about.

Senator Tardif: Hear, hear.

Senator Eggleton: Honourable senators, the bill also promotes restrictive requirements that would disproportionately impact women, children, the elderly and blue-collar workers from being able to gain Canadian citizenship. Specifically, broader language requirements will now require applicants age 14 to 65 to pass a language test. This is called the Canadian Language Benchmark, or CLB, at level 4.

According to the Canadian Bar Association, applicants may not have the specific knowledge in English or French to pass a written or oral test, but still possess sufficient language skills needed to be a long-term contributing member of Canadian society. The bill does not recognize that it becomes substantially more difficult to learn a second language in the later years of life.

Many of the people coming over here — and it is the upper age that I'm concerned about the most here, parents or grandparents — are not coming to get jobs, necessarily. They come over here later in their life. I have seen that many times. I've represented many ethnic communities in my days at city hall and my days as a member of Parliament. In the Italian community, for example, there are all sorts of people of an older age who are in our country. They're proud to be citizens. They're proud of the contributions they've made.

• (1620)

We all know people like that. They don't have the best English and are not going to be able to take a written and oral test, as is being proposed by this legislation. They're not going to feel comfortable doing that. Many of them have literacy problems as well, so they start from a base that is very challenging for them.

A witness we had before our committee gave an example of how this change could negatively affect older people. She said:

> . . . we have many women coming out of vulnerable situations, whether or not they're coming out of a refugee camp, whether or not they've experienced torture so Canada has offered protection. To then expect those folks, who may not even been literate in their first language, to then learn an official language and have to sit for a test, we believe it's unnecessary and unfair.

That's quite true. I think we know that circumstance can exist.

Also, this bill will no longer allow temporary immigrant workers, international students, or live-in caregivers to apply their time spent in Canada to their application for permanent residency. Oh, well, the minister says, that sort of levels the playing field.

We're trying to attract many of these people, many students; we want them to come. We want to get the best and brightest in this country. For years, thousands of caregivers have lived in the homes of people in our communities and they learn a great deal about this country in the time they're here. Instead of trying to make it easier for them to become citizens, we will now make it more difficult.

A Toronto resident wrote me to express his concern with the change. He's concerned that this provision will disproportionately impact one specific group of immigrants which he belongs to, and that is the Canadian experience class. International students arrive to Canada very young, grow up in Canada, build careers in Canada, meet significant others in Canada, pay Canadian taxes and work in Canada. Why should this attachment be discounted now? These are exactly the people we should be encouraging to become citizens. This goes against logic.

The previous Minister of Immigration, Jason Kenney, said:

> These are the kind of bright young people we're trying to recruit . . . .

> . . . data which tell us that younger immigrants tend to do better over their lifetimes in Canada, those with higher levels of language proficiency and those with Canadian degrees and diplomas.

Now we're turning our backs on them.

Similarly, there will be a doubling of citizenship fees. Senator Eaton made reference to the fees. It was made earlier this year through regulations. Those applicants are now required to pay $300 for the application in addition to something called a $100 Right of Citizenship Fee. That's a total of $400, and that's double.

Child applications are now $100 plus that additional $100 fee for the right of citizenship, a total of $200. If you have a family of five, two adults and three children, that's $1,400 just to process a citizenship application. If they're rejected, they forfeit that money.

Consequently, these high application fees will immediately discourage some from applying for Canadian citizenship; that would include refugees and large, low-income families. These fees also do not include expensive language training. They're now probably going to have to go through language training to be able to do the oral and written tests, and that typically costs upwards of $200.

The minister said that compared to other countries, Canada's citizenship fees are lower. That was pointed out by Senator Eaton. That may be true, but in other countries, such as the United States, low-income people can have their fees waived. That doesn't exist in Canada.

Honourable senators, regarding the processing of this bill through Parliament, let me make this point: Why are we faced with this sudden urgency to pass a bill that sat in the House of Commons between first and second reading for three whole months?

Senator Cordy: Shame.

Senator Mercer: Are they dragging their feet over there again? They can't get their act together.

Senator Eggleton: The desire to finish up as many jobs as possible before the summer adjournment is understandable, but it does not explain why this bill wasn't placed before us weeks ago.

Then we were asked to perform a pre-study here in the Senate. Why this combination of delay and rush, delay and rush? It certainly is not conducive to proper and deliberate sober second thought of this bill.

Senator Munson: No respect, none.

Senator Eggleton: Representatives of the Canadian Bar Association say passing this bill is a huge step being taken without any real national debate or discussion about whether Canadians want the changes that are being proposed.

In 1977, the changes were accompanied by a white paper and cross-country forums. We, on the other hand, are expected to pass this bill within a few days with no cross-country hearings from the public whatsoever.

The months that have passed since this bill was introduced certainly don't lead one to believe that the government regards this bill as urgent. One witness before the House of Commons Citizenship Committee remarked that as it has been almost 40 years since the last major revision of Canadian citizenship laws, it may well be another 40 years before we do it again.

Senator Mercer: I hope not.

Senator Eggleton: He said it is important that we get it right, that we get it right from the beginning.

Honourable senators, despite the flaw in this process, the Standing Senate Committee on Social Affairs, Science and Technology will now consider the bill formally, and I will be introducing amendments for consideration to help address some of the concerns and issues that I've talked about in this second reading debate.

Senator Mercer: We need your help. Well done.

The Hon. the Speaker *pro tempore***:** Continuing debate, Senator Joyal.

Hon. Serge Joyal: Thank you, Mr. Speaker.

I would like to thank the Honourable Senator Eaton for her presentation of the bill and Senator Eggleton for his analysis of it.

I didn't participate in the pre-study of this bill. I listened carefully, though, to both interventions. I have a conceptual apprehension about the way the right to revoke citizenship is framed in the bill.

There are two sets of rights defined in the Charter of Rights and Freedoms. I will draw the attention of my colleague Senator Baker in relation to this. They are the rights that pertain to everyone or every person.

For instance, the Charter states that everyone has the following fundamental freedoms: freedom of conscience and religion, freedom of thought and freedom of association. There are other rights, for instance the right to life and security of person. Everyone has the right to life, or everyone has the right to be secure.

Section 11 relates to any person charged with an offence, so there are the groups of rights that pertain to everyone and every person.

Then there is another group of rights in the Charter, especially section 3, that specifically mentions citizens. In other words, to have those rights you have to be a citizen.

In section 3, every citizen of Canada has the right to vote in an election of members of the House of Commons. Or section 6, the mobility rights; every citizen of Canada has the right to enter, remain in and leave Canada. Those two sets of rights are intertwined in our legislation.

Canada signed the Universal Declaration of Human Rights, section 15 of which states quite clearly that anyone is entitled to a nationality. In other words, once you are born on a land, on a territory, you immediately enjoy the protection of that state. This is a very old concept. It's a concept that dates back to the Romans.

• (1630)

Anyone who has learned the antiquity history of Greece or Italy will remember that you could be a citizen of Sparta or Athens or Rome, but those who were not within the precincts of those cities could not enjoy the rights that were granted to those citizens.

There have been two classes almost since time immemorial, and the Charter, in a way, recognized that there are two sets of rights; but I am puzzled in relation to this bill. I was born in Canada and my ancestors came to Canada in 1659, almost at the same time as Senator Eaton's. I could be stripped of my citizenship if I took arms against Canada or I had — let me state what the bill says — membership in an armed force against Canada, or I was a spy or was convicted of treason.

Well, in my humble opinion, if my citizenship could be revoked, it should be revoked under limits that are reasonable in a free and democratic society, section 1. If we affect section 6 of the Charter — that is, "Every citizen of Canada has the right to enter, remain in and leave Canada" — then Parliament can legislate but only with the limits provided in section 1, which is subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

So if that limit exists in relation to citizenship, it will be viewed by the court according to the Universal Declaration of Human Rights, section 15, plus the Convention on the Reduction of Statelessness of 1961 because Canada is part of those two conventions.

In other words, I'm not convinced of this approach. I have not studied it in depth, and I apologize for that, honourable senators, but again, if this approach is right, it means that I can lose my Charter rights as protected by the Constitution of Canada without the full protection of due process. I draw the attention of my colleague Senator Baker to what section 12 of the Charter says. It's easy; I'll read it: "Everyone has the right not to be subjected to any cruel and unusual treatment or punishment."

There would be no doubt that seeing my citizenship revoked could be seen as unusual and cruel punishment. If I am subjected to that, I have the full protection of the other sections of the Charter in terms of due process. So if it is due process, it's certainly not what the Honourable Senator Eggleton has been describing to us in terms of what is natural justice and what somebody can expect, like me as a Canadian citizen, to enjoy under the Constitution if I do something wrong, like taking arms against Canada. If I take arms against Canada, I expect that my process and my punishment, which could be at the end, in theory, revocation of my citizenship, will be done fully in accordance with the spirit and the letter of the Charter.

Honourable senators, I draw your attention to this because I tried to understand the conceptual framework of this bill and how we can reconcile the substance of the bill with the fundamental principles that are enshrined in the Charter and in the Constitution and the international obligations that Canada subscribes to.

I put my notes together listening carefully to Senator Eaton and Senator Eggleton, but I hope that the committee will have an opportunity to look into those issues further because certainly someone somewhere will raise those issues and it will find its way into court. I think in this chamber, the chamber of sober second thought, it is expected that those issues should be canvassed and aired and a proper interpretation found so that the bill meets the test of the court on the basis of the principles that are enshrined in the law of the land.

Hon. Jane Cordy: Senator Joyal, would you be willing to take a question?

Senator Joyal: Yes, if I have enough time.

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

Senator Cordy: Thank you very much. It's always so helpful to have a constitutional expert in our midst because you certainly are able to zero in. You said you didn't know the bill very well, but you've certainly been able to zero in quickly on what I believe are the main concerns and issues with the bill. Those would be the "intent to reside" aspect of it and revoking citizenship — about which you spoke at great length and very knowledgably — and with respect to the rights of Canadian citizens and that we shouldn't have two classes of Canadian citizens.

First, I don't believe that we should be revoking Canadian citizenship, and I don't believe that we should have two classes of citizens, and that's what this bill will give us, two classes of citizens.

You talked about the definition of a terrorist and being charged, and I have great faith in the justice system of Canada, but I'm greatly concerned about the justice system in some other countries around the world. We know the case of Nelson Mandela. He was considered by many of us to be a freedom fighter, but in his country he was considered to be a terrorist, and he was jailed. We have given Nelson Mandela honorary Canadian citizenship, so we could, I guess, say that he has dual citizenship. Somebody like Nelson Mandela, who was found guilty in his country, although we felt he was a freedom fighter, could in fact have his citizenship revoked because he was found guilty in his country.

I'm wondering if you find it difficult to believe that these decisions could be made based on what would happen in another country. First of all, I think that if you're a Canadian citizen, you're a Canadian citizen, you're a Canadian citizen, and if you break Canadian laws, then you should face consequences as any Canadian citizen, be put in jail or whatever the consequences happen to be, but I'm concerned that we will be basing some of these judgments on what happens in other countries.

Senator Joyal: Very quickly, Your Honour, I think the honourable senator has raised the fundamental elements in relation to the criminal justice system. As a Canadian citizen, if I take up arms or spy against my country, I would face, as we say in French, the *rigueur* of the law, the weight of the law, because it's a criminal act, and it's well spelled out in the Criminal Code. I have no quarrel at all that if I do that I will have to face the court system, the justice system, and I could be punished. But if I'm punished, I want to be punished within the framework of the Criminal Code with the protection of the Charter of Rights and Freedoms and with my right of full defence and on the representation of sentences under section 12, unusual or cruel punishment. That's what I expect as an individual, that as a citizen I will be protected. That is why I strongly believe in the Constitution of Canada, because the Constitution of Canada is the guardian of my rights, whatever I do, legal or illegal. That's the nature of the system. That's why we believe in the rule of law. That's where we are protected.

When I see that a punishment as dear as the revocation of citizenship is done through a process that is not managed within the confines of the Constitution of Canada but through an administrative process of the minister, I feel that there is something there that hurts the rationale of the system the way we have devised it in the Constitution in relation to criminal justice.

• (1640)

In my opinion, to revoke citizenship because somebody has spied, or has committed treason, or has — again that wording — participated in the membership of an armed force against the country, if those are crimes, they have to be sanctioned as crimes. It is not the minister or a minister who, through his own administrative needs, could come to those conclusions and decide to impose a sanction on a Canadian citizen. To me, there's something wrong there. There is something that hurts the principles of the system.

That's why, as I say again, I confess that I might not have gone through the understanding of the bill. Again, I hope the committee will do that once it receives this mandate from the house. Those principles are so fundamental that before we do that, we should really be satisfied that this is in sync with what we expect the Constitution means.

Senator Eaton: Senator Joyal, I'm not the constitutional expert you are. I understood from the bill that if I'm a dual citizen — let's say I'm Canadian and American — and I'm caught spying against Canada or using arms against the Canadian Army, then I would be tried in a Canadian court, found guilty and sentenced, and it is only then that the minister would consider a revocation of my Canadian citizenship, which would now make me an American. That is obvious, if I'm going to spy against my country, Canada, or take up arms against it and I am a dual citizen. Do you have a problem if the person is tried in a Canadian court?

[*Translation*]

The Hon. the Speaker *pro tempore***:** Senator Joyal, before you answer the question, would you like to ask for five more minutes?

[*English*]

Senator Joyal: Yes. On the contrary, I think the whole process should take place in court. If the minister wants to go to court and represent that the ultimate sanction should be the revocation of citizenship, this is for the court to hear. This is for the judge or the sentencing judge, if you want. As my colleague Senator Baker would explain, it is for the sentencing judge to be seized with that request or intervention from the Minister of Immigration and seek revocation of citizenship as punishment because I would have been found guilty if I had dual citizenship. I have been listening carefully, and this is only in the context of dual citizenship, but there could be a lot of discussion about valid dual citizenship; however, I close the parentheses.

It's only in those cases where I feel that the procedure of revocation of citizenship should take place, and not in an administrative context. As you properly said, the full court system of Canada has the steps for sentencing and for being found guilty of one of the crimes that you mentioned in your presentation.

That's where I feel the bill might be defective because, when the judge comes to the conclusion that I should be revoked of my citizenship, I will defend myself under section 12 of the Charter and then it will be for the court to decide whether this is cruel and unusual punishment in the overall context of the case.

I'm not against the principle of revoking citizenship. I understand it could happen in an ultimate case, but there are many parameters before we arrive there and those parameters have to be checked by the court. Canada has international obligations, as I mentioned, and in those cases, the Supreme Court of Canada — I could quote at least three cases where before deciding on extradition, they looked into what the obligations of Canada are in relation to that third country. You may know some of the details of those cases.

That's why I feel that it is much more proper to live within that legal court system than the administrative court system when you're imposing, as I said, the ultimate sanction, which is in fact equivalent to the medieval sanction of exile. What we would be doing is, in fact, exiling somebody. As I mentioned, this is a penalty that disappeared from the books a long time ago.

I am concerned about this, and you are right to say that the court system is the best wall against administrative discretion when you implement the toughest penalty on someone, which is, as I say, equivalent to exile.

[*Translation*]

The Hon. the Speaker *pro tempore***:** I wanted to know if you had another question.

Senator Eaton: Thank you, I'm done.

[*English*]

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?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker *pro tempore*: Those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore*: Those against the motion will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker *pro tempore*: In my opinion, the "yeas" have it.

Some Hon. Senators: On division.

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

REFERRED TO COMMITTEE

The Hon. the Speaker *pro tempore*: When shall this bill be read the third time?

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

ELECTORAL BOUNDARIES READJUSTMENT ACT

BILL TO AMEND—THIRD READING—
DEBATE ADJOURNED

Hon. Denise Batters moved third reading of Bill C-37, An Act to change the names of certain electoral districts and to amend the Electoral Boundaries Readjustment Act.

She said: Honourable senators, I am pleased to speak at third reading of Bill C-37, the riding name change act, 2014. This bill would change the names of certain ridings established by electoral boundaries commissions following the last decennial census. Specifically, the bill would amend the 2013 representation order to change the names of 30 ridings. It would also amend the Electoral Boundaries Readjustment Act to change the name of the riding for the Northwest Territories.

Senators debated the bill at second reading on June 12. It was then referred to the Standing Senate Committee on Legal and Constitutional Affairs. I would like to thank my fellow members of the Legal and Constitutional Affairs Committee for their timely review of this bill.

Our committee heard from the Leader of the Government in the House of Commons and the Chief Electoral Officer before proceeding with its clause-by-clause review of the bill.

Minister Peter Van Loan emphasized that the bill reflected the input of all members of the other place. He noted that the bill reflects 14 changes requested by the New Democratic Party, 12 changes requested by the Conservative Party, 3 changes requested by the Liberal Party and 2 changes requested by an independent member. This is in fact a multi-party bill rather than a government bill.

The Chief Electoral Officer stated:

> The provisions of Bill C-37 do not create any issues for my office, and we will be able to implement them as part of our preparation for the next general election.

He further stated:

> I am pleased to see that changes proposed by Bill C-37 are made under one single bill and during the current session of Parliament.

This allows the changes to be implemented with fewer costs and disruptions. This bill is not the first of its kind; indeed, Parliament has changed the names of ridings several times in the past outside of the commission process.

Bill C-37 is similar in approach to the bill that was passed by the previous government, following the adoption of the 2003 representation order. By adopting this bill swiftly, we want to provide assurance to members that the names of their ridings will be changed in accordance with their wishes, as the democratically elected representatives of their communities, before the next election.

• (1650)

This is also being done with the agreement of all parties in the House of Commons. I would like to stress that this legislation was developed on consensus and received unanimous consent in the House of Commons. I ask that all honourable senators support the bill in this chamber.

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

An Hon. Senator: Question.

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

(On motion of Senator Fraser, debate adjourned.)

[*Translation*]

YUKON ENVIRONMENTAL AND SOCIO-ECONOMIC ASSESSMENT ACT NUNAVUT WATERS AND NUNAVUT SURFACE RIGHTS TRIBUNAL ACT

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Fortin-Duplessis, for the second reading of Bill S-6, An Act to amend the Yukon Environmental and Socio-economic Assessment Act and the Nunavut Waters and Nunavut Surface Rights Tribunal Act.

Hon. Grant Mitchell: Honourable senators, today I am pleased to speak to Bill S-6, An Act to amend the Yukon Environmental and Socio-economic Assessment Act and the Nunavut Waters and Nunavut Surface Rights Tribunal Act.

I agree with the comments made by Senator Lang during the study of this bill. In general, I agree with his explanations and his analysis of the principle of the bill.

However, I have to admit that what I am saying scares me a little because every time I agree with the government, I seem to be setting myself up for problems.

[*English*]

I am taking a risk here, but I am by and large quite in favour, certainly, in principle, of Bill S-6, and I am persuaded by our colleague Senator Lang, who speaks with great passion of the North and is one of the greatest advocates of his region amongst us. You can't go to the Yukon and to Whitehorse, for example, without Senator Lang having to show you whatever it is that has been newly built, whatever organization it is that is doing something special, and if he's not showing you up there, he's talking about it down here. He has done an excellent job in depicting and capturing the principle and describing the detail of this bill.

I won't repeat a lot of that, just emphasize that the bill does two things. It will amend the Yukon Environmental and Socio-economic Assessment Act — the act that governs environmental assessment frameworks in the Yukon — and it will amend the Nunavut Waters and Nunavut Surface Rights Tribunal Act. That's an act that manages and regulates the use of waters in Nunavut.

What is interesting about this bill, among other things, is that it's much of the same kind of initiative as was recently captured in in Bill C-15, which was integral to the devolution of powers to the Northwest Territories, and it's also consistent with a previous bill, Bill C-47, some time ago.

Essentially, this bill will devolve certain powers to Yukon and Nunavut. These are powers that are devolving as a matter of progress in what I think can adequately and properly be called a process of nation building. We are maybe in the middle stages of creating three new provinces for our nation. Over time, I hope we will find that one day, sometime in the future, these three territories will eventually become provinces and bolster and strengthen this nation of Canada.

Somebody brought to my attention that from the time Canada declared Alberta as a province to the time that it actually got full control over its resources took at least 15 to 20 years. It's not as though within our history we haven't seen this process before, and we are in the midst of this process now. It's quite a moment, in fact.

When we had the Premier of the Northwest Territories before us for Bill C-15, I was chairing that day because our colleague Senator Neufeld could not be there — he's an excellent chair — and I was able to call everybody together to have a picture with the premier to capture the moment of nation building, because that act did and this act does as well.

It's designed specifically to enhance regulatory processes, reduce the complexity of these processes, reduce regulatory overlap and, in doing so, reduce uncertainty in the economic development process in these territories.

It is designed to that extent largely with a focus on promoting economic development in the North, and of course we're all in favour of economic development in the North. It's certainly a region that is rich with natural resources and human resources. It's an area that is doing well in certain parts, not so well in other parts and can use the assistance of strong economic development policies to ensure a strong economic and social future for those areas.

There has been, I think, quite adequate consultation. It's complicated up there in these territories. You have federal, territorial and Aboriginal interests. Some interests are more defined than others because in many cases they are defined by land claim developed treaties or land claim settlements. In other cases, those have yet to be accomplished. So it is very complex, and the fundamental core of this bill gets to that and is an effort to make all of that better and to make processes in the North better.

I think that we will find, after the process of reviewing this bill in committee, coming out and summarizing it in third reading, that in fact this bill will have a very good chance of accomplishing what it has set out to accomplish.

I would like to make a couple of points in the context of what this bill is trying to accomplish and in the context of economic development in the North, not to diminish that portion of the bill but because I think a couple relevant of things need to be said.

First, everything we do to promote economic development in the North should be put in the context of the negative impact of climate change. Climate change is beginning to have, I think it's fair to say, a profound impact on the economic circumstances of

the North. In particular, it is the infrastructure of the North and the lengths to which the construction of infrastructure in the future will have to go to make sure that it can be sustained in a melting permafrost.

• (1700)

I was at a presentation just last week of a scientist who was doing a great deal of work on permafrost in the North pointing out just how much more it is going to cost to build a given road in an area that once had permafrost which didn't melt and now has permafrost that is melting. The cost can be profound.

On the one hand, while we're promoting economic development by streamlining the environmental review processes in the North, I think we have to be very cognizant of the fact that this could be one step forward and two steps back. In some senses, climate change may actually be taking the ground out from under the feet — if I can use that analogy — of economic development in the North. We are not doing enough to discuss that and, at this point, discussion of that in an elevated, intense way is also an exercise in nation building that we have yet to embrace.

That brings me to the question of streamlining environmental review processes. As I said, in the North — the Yukon, Nunavut and Northwest Territories — it is complicated. There is a great deal of overlap and uncertainty because of the various interests that are intertwined in those regions.

It is not entirely, I believe, that environmental processes have been cumbersome only because of overlap, failure to specify deadlines or complexity. I'm not so sure in the North because I'm not as versed in those, but certainly in the South, to some extent there is delay in environmental project review processes because people are drawn to these processes. People who are concerned about the environment, about climate change in particular, are drawn to these processes because they may be the only official, public place where members of the public can have some structured input into policy-level considerations of climate change and other environmental issues.

If you have a concern with these issues in this country today, you see them not widely discussed in your legislatures, your Senate or your Parliament. In fact, it is very difficult to engage in productive debate on those issues in our legislatures because of the political circumstances that surround them.

You have nowhere to personally see them discussed more broadly in the public. You have nowhere personally to become involved in that discussion. I think because of that, people have been attracted to the environmental project review processes, and they have bogged them down.

Simply because we have streamlined these processes doesn't mean that we have solved the problem entirely of delay of environmental review.

We have had in our history times when huge issues have confronted the country and because of that, the political leaders and others have structured public debate in a way that has been traditional to our parliamentary process and government; that is, royal commissions. Somebody reminded me of that a while ago, saying, "The Royal Commission on Bilingualism and Biculturalism, while at the time was very controversial, may well have saved this country because we addressed the issue before it became insurmountable." Yes, it created a great deal of tension, give-and-take, debate and some angst, and much more at times. There is no question about that. I notice the Speaker nodding at least with some agreement. He lived through that in Quebec where perhaps the greatest tensions were found. The Bilingualism and Biculturalism Commission allowed an open, public hearing on that, and it allowed us to debate and discuss an issue that was very important to our country.

I will just step back and finish by saying we need to consider that kind of process to debate and discuss the climate change process, and I think that will have implications for the North, of course. It will have implications for supporting Bill S-6, which I am rising to speak in support of in principle, and that I declare I support in principle.

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?

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Martin, bill referred to the Standing Senate Committee on Energy, the Environment and Natural Resources.)

[*Translation*]

CRIMINAL CODE
CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—THIRD READING—
DEBATE ADJOURNED

Hon. Jean-Guy Dagenais moved third reading of Bill C-489, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (restrictions on offenders).

He said: Honourable senators, I am pleased to speak in favour of Bill C-489, an important bill that proposes amendments to the Criminal Code and the Corrections and Conditional Release Act in order to better protect victims by strengthening the conditions imposed by the court to prevent offenders from having contact with victims. These amendments honour the government's commitment to ensure that victims' rights are fully recognized by the justice system.

When Bill C-489 comes into force, it will enable us to ensure that the conditions to prevent offenders from having contact with victims, witnesses and other people are reviewed and imposed more regularly by the courts and the Parole Board of Canada. These amendments are necessary so that victims of crime can live their lives without fear of being followed, watched and harassed by those who committed crimes against them.

Specifically, this bill proposes to amend a number of existing provisions that allow restrictions to be imposed on offenders subject to probation orders, conditional sentence orders, prohibition orders for child sex offenders, peace bonds for sexual offences against a child, and probation orders made under the Corrections and Conditional Release Act.

The bill proposes an amendment to section 161 of the Criminal Code, which deals with restrictions placed on child sex offenders. Currently, section 161 requires that the sentencing court consider imposing conditions, in addition to any other sentence related to the offence, on offenders convicted of the child sex offences listed therein. The offender can be subject to those conditions for life.

The current list of conditions that the court must consider includes, for example, prohibiting the offender from being in a public place such as a park, playground or community centre, or prohibiting the offender from holding a job that would place him or her in a position of trust or authority towards a child.

Bill C-489 further proposes amending section 161 by also requiring the court to consider issuing an order prohibiting certain offenders from being within two kilometres of the victim's residence or any other distance or any other location mentioned in the order, depending on what the court deems appropriate. This new geographic restriction means that, when appropriate, the child victim is fully protected from any type of contact.

Bill C-489 also proposes adding new mandatory conditions to probation orders stipulating that the offender must refrain from having any contact.

• (1710)

Honourable senators, probation orders are the sentences that are most often imposed when someone is convicted of a crime in Canada. According to the "Adult criminal court statistics in Canada, 2011/12," probation is imposed in approximately 45 per cent of all guilty cases, which makes for about 111,000 probation orders a year. This information comes from the 2011-12 Integrated Criminal Court Survey conducted by the Canadian Centre for Justice at Statistics Canada.

Under the existing provision, a probation order can be imposed as part of a sentence when an offender is sentenced to less than two years in prison. The probation order can remain in effect for up to three years following the offender's release, and failure to meet any conditions of the probation order constitutes a criminal offence punishable by up to two years in prison.

Right now, there are two types of probation conditions: mandatory and discretionary conditions. There are three mandatory conditions that the court must impose under the existing legislation:

(*a*) keep the peace and be of good behaviour;

(*b*) appear before the court when required to do so by the court; and

(*c*) notify the court . . . of any change of . . . address . . . [or] employment.

The court can also impose one or more of the nine optional conditions set out in subsection 732.1(3) of the Criminal Code. What is more, the court has the residual discretion to impose any other "reasonable" condition.

I would like to point out that, right now, there are no provisions, either in the list of mandatory conditions or in the list of optional ones, that prohibit the offender from having contact with a victim, even though the court can use its residual discretion to impose such a condition. According to a relatively recent survey by Statistics Canada, under the current provisions, the court used its residual discretion to impose a condition requiring the offender to have no contact with certain persons in approximately 35 per cent of probation orders. This information comes from the article "Outcomes of Probation and Conditional Sentence Supervision" published in *Juristat* in 2006.

Bill C-489 changes those outcomes by amending the list of mandatory conditions set out in subsection 732.1(2) and obliging the sentencing court to impose a condition requiring the offender to abstain from communicating with any victim, witness or other person identified in a probation order.

Bill C-489 also provides for some flexibility and allows victims or other individuals to waive the condition requiring the offender to abstain from communicating, but only if they provide the court with written consent. What is more, the court can also refuse to impose that condition if it finds that there are "exceptional circumstances." In my opinion, these two exceptions to the mandatory condition that offenders abstain from communicating with the victim are reasonable, and they make the amendment fair and balanced.

Finally, every time the new condition is not imposed, the sentencing judge must provide the reasons for his decision. I am of the opinion that requiring the judge to add these reasons to the

file will help victims because it will ensure that they understand exactly what circumstances the court believed met the criteria.

Bill C-489 also proposes a similar amendment to section 742.3 of the Criminal Code regarding conditional sentence orders, also known as house arrest. That makes sense because offenders who are given conditional sentences can often continue to work or go to school in their community under very specific conditions. It therefore makes sense that the new mandatory condition would also apply to these offenders, with the same exceptions, namely, the consent of the victim or a court decision finding that there are exceptional circumstances.

Bill C-489 also proposes to amend the sureties to keep the peace in section 810.1 of the Criminal Code. As I understand it, those sureties to keep the peace are used against individuals who are not serving sentences, but who are considered at high risk of committing a sexual offence against a child less than 16 years of age. The court can impose all the conditions that the judge deems appropriate for protecting public safety, and the conditions can remain in effect for a maximum renewable period of two years. Bill C-489 proposes to amend this provision by adding a condition that prohibits communicating to the list of existing conditions that a judge could consider. It is my opinion that this will mean that conditions prohibiting communication are imposed more often when such orders are issued.

Finally, Bill C-489 seeks to amend the Corrections and Conditional Release Act to require that the releasing authority — either the Parole Board of Canada or the head of an institution — impose reasonable and necessary conditions on offenders, including the prohibition on communicating or geographical restrictions, if a victim or any other person has provided a victim statement. I believe that this is an appropriate amendment because it includes all offenders sentenced to at least two years of imprisonment, who therefore become subject to parole provisions under the Corrections and Conditional Release Act. This amendment will ensure that this group of offenders is subject much more frequently to conditions that prohibit communication.

[*English*]

Honourable senators, I fully support this bill. It will prevent convicted offenders released into the community from contacting their victims as well as witnesses and other persons. It is a direct response to the concerns of many victims across Canada who continued to suffer at the hands of their offenders, even though they were still under an active sentence for their crimes.

[*Translation*]

This legislative measure is consistent with many other initiatives taken by our government in recent years to give a voice to victims before, during and after the justice system deals with the offender.

I hope that all senators will support this bill.

(On motion of Senator Jaffer, debate adjourned.)

[*English*]

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

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

Hon. Bob Runciman: Honourable senators, I rise today to speak in support of Bill C-290, An Act to amend the Criminal Code (sports betting). This is not only a simple bill, but it is a familiar one to senators.

I say it is a simple bill because it has just two clauses. The first clause repeals paragraph 207(4)*(b)* of the Criminal Code, and the second clause says the bill comes into force on a date to be fixed by order of the Governor-in-Council. The effect of this change is to repeal the prohibition on wagering on a single sporting event, while ensuring that such betting will be regulated by the provinces.

When I say that this bill is a familiar one to senators, I mean that in the previous session of Parliament, after this bill came to us in the winter of 2012, following unanimous approval in the other place, this bill generated considerable interest and debate in this chamber — and considerable controversy, I could add.

• (1720)

I won't speak long today, and I won't repeat what I've previously said on this matter. However, I do want to talk a bit about how gambling is regulated in our federal system. It is, primarily, a provincial responsibility. In fact, contrary to what many believe, Bill C-290 would not legalize single-event sports wagering. It would, however, open the door for the provinces to pass legislation to permit it.

Nine of ten provinces — every province except Newfoundland and Labrador — have either written the federal government or spoken out publicly in support of this bill. Not all of them have determined whether they will offer single-event sports betting, but they want the right to decide. They question why the Senate — the house of the provinces — is denying them that option; and they're not alone. The Canadian Chamber of Commerce passed a resolution in September 2013 urging the Senate to approve Bill C-290 in order to allow the provinces "to decide whether or not, and under what conditions, wagering on single sporting events will be permitted to occur."

It is important to note that sports betting is already legal and widely practised in Canada. There is no moral distinction between what is already permitted and what is likely to occur if Bill C-290 becomes law. The provinces currently offer betting on professional sports, but they are limited to parlay betting or

wagering on more than one game in a single bet. Canadians wager roughly $450 million a year in this legal, regulated sports betting system offered by the provinces.

However, it's difficult to correctly predict the outcome of multiple games. In other words, the odds of winning a parlay bet are not favourable, which is why most Canadians who bet on sports opt for the underground system of single-event sports betting. No one knows for sure how much Canadians bet on single sporting events, but it is believed to be in the billions — perhaps $10 billion or more. This flourishing underground industry creates a host of problems. For example, it makes it difficult to identify and treat problem gamblers.

Ontario spends $50 million a year on education, research and treatment of problem gambling through the Ontario Ministry of Health and the Ontario Lottery and Gaming Corporation. Some will say that's a drop in the bucket, but it is $50 million more than organized crime or offshore gambling website operators are spending on problem gambling. When gamblers who wager illegally run into problems, their preoccupation becomes preventing personal injury rather than seeking treatment. This is a huge barrier to recovery, as noted in a 2009 study for the Centre for Addiction and Mental Health. That same study found that illegal gambling is an important source of revenue for organized crime. So instead of those revenues going to build schools and hospitals, they're going to further the interests of criminal enterprises. When criminal or offshore interests are controlling the sports betting markets, it vastly increases the threat of match fixing.

Regulated and monitored sports betting, far from being a threat to the integrity of sport, is the best way to prevent abuses since it allows them to be detected. I will not stand here and say that provincially run sports betting will eliminate the offshore and illegal market, but I am confident it would have a significant impact. Most people, if given the choice, will opt to spend their money in a regulated, above-board system.

We heard from some opponents of the bill that the money will stay with illegal and overseas operators because they will offer better odds. But everything I've heard from experts indicates this theory is not at all accurate. These bookies and offshore operators are not charities; they are in it to make money. Illegal and grey-market bookies use the Vegas odds because to do otherwise and offer a betting line designed to attract customers rather than ensure there is an equal amount of money on each side of a bet would result in massive losses.

Honourable senators, I know there are some strong feelings about this bill, but I think we need to keep in mind an essential truth: This bill is not about the desirability of gambling; it is not about increasing gambling; it is about regulating it. In the time it takes me to deliver this brief speech, dozens of Canadians will lay down their money on a World Cup soccer game or major league baseball game. They'll do it with bookies at the end of the bar, or with an organized crime representative, or with an offshore website, or on a website with servers located right here in Canada. Let us not pretend that this is a debate about the evils of gambling or even of single-event sports betting, because sports betting is here, and it is thriving.

Honourable senators, this is a debate about whether the Senate should thwart the will of an overwhelming majority of those in the other place and whether we should deny the wishes of the provinces we were sent here to represent. This is a debate over whether we prefer sports betting to take place in a regulated, monitored environment with the revenues going to provincial governments or to remain in the shadowy underworld where it now exists.

(On motion of Senator Fraser, debate adjourned.)

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Michael L. MacDonald moved second reading of Bill C-483, An Act to amend the Corrections and Conditional Release Act (escorted temporary absence).

He said: Honourable senators, today I'm very pleased to rise in support of Bill C-483. This proposed legislation has been amended in the other place to ensure that the escorted temporary absence scheme can be effectively implemented while respecting the original intent of the private member's bill. As it stands, Bill C-483 would go a long way toward ensuring stronger and more consistent case management of offenders serving life sentences imposed as a minimum punishment. Effectively, we are talking about those who have been convicted of first-degree or second-degree murder and those convicted of high treason.

There are two types of escorted temporary absences or ETAs. Allow me to take a moment to explain the difference between the two. First, we have non-rehabilitative escorted temporary absences. These are granted to an offender out of necessity, such as when an offender needs to attend a court proceeding or to receive medical treatment not available within a penitentiary. Given that these types of absences are obligatory, they are not an indication that an offender is participating in his or her correctional plan but are simply a mechanism to allow for temporary exit, under escort, from the penitentiary out of legal or medical necessity.

We also have escorted temporary absences for rehabilitative purposes. These may be granted to offenders who are engaged in their correctional plans. They assist offenders in their rehabilitation and gradual reintegration into society. Rehabilitative ETAs are granted for a number of purposes, such as community service, community-based rehabilitative programs, family contact and parental responsibilities. Again, these ETAs are also temporary by nature and may be for as short as a few hours or several days, depending on the circumstances, but always under escort.

For both types of ETAs, the criteria for granting release are outlined in the Corrections and Conditional Release Act. They focus on the risk posed by the offender and require a structured

release plan in every case. Under the current system, non-rehabilitative escorted temporary absences for medical reasons, court or coroner's inquests may be granted at any time by an institutional head of Corrections Canada, given the nature of the absence.

• (1730)

However, for rehabilitative ETAs, the Parole Board of Canada is currently the decision-making authority from the start of the sentence up until day parole eligibility. For example, in the case of someone whose parole eligibility is set at 25 years, day parole eligibility would begin at 22 years. For the first 22 years, the parole board decides whether or not to approve the rehabilitative ETA.

Once the offender has served that first part of the sentence, in our example 22 years, the Correctional Service of Canada takes over authority to grant rehabilitative escorted temporary absences.

The rationale for this approach has been that as someone gets closer to parole eligibility, the case management efforts should be stepped up to help prepare the individual for eventual full parole consideration. A successful track record of ETAs would demonstrate to the parole board that someone is trustworthy and likely a good candidate for further re-entry into the community.

Under the proposed legislation before us, the escorted temporary absence scheme for this category of offenders would change. Authority to grant escorted temporary absences for rehabilitative purposes could potentially remain with the parole board for an offender's entire life sentence. We would be giving the Parole Board of Canada the authority to continue authorizing ETAs after an offender has reached day-parole eligibility by removing the automatic transfer of releasing authority from the parole board to the Correctional Service of Canada at day-parole eligibility.

The nuance here is that once an offender has passed day-parole eligibility and has been granted and successfully completed a rehabilitative ETA by the parole board, the authority to grant future rehabilitative absences will be transferred to the Correctional Service of Canada. However, if an offender does not successfully complete a subsequent escorted temporary absence, for example, by breaching a condition of the release, decision-making authority will revert back to the parole board.

Honourable senators may ask themselves, why does this matter? Isn't the current system working? We know that, at the current time, 99 per cent of ETAs are successful, and we know that these types of ETAs are an essential tool in the criminal justice system. They can act as good indicators for an offender's behaviour and progress and can help the Correctional Service of Canada decide whether or not to recommend an offender's release on parole.

Why, then, would victims call for changes to the system? Why would they ask for the authority to remain with the parole board throughout the entire time the offender remains behind bars? Simply put, they want a voice in the process, and they want to be aware of how decisions are being made to grant escorted temporary absences for rehabilitative purposes.

Victims of crime and their advocates have long called on government to move ahead with measures that give them a meaningful role when decisions are made about an offender leaving a federal institution — whether it is a temporary absence, day or full parole. They want to be informed and they want to be empowered.

Let's look at the example I provided earlier — as the law stands today — for an offender serving a life sentence who is eligible for full parole at 25 years. For the first 22 years of the sentence, the decision-making authority for ETAs for rehabilitative purposes rests with the Parole Board of Canada. During that time, when the parole board reviews an application for this type of absence, it is obligated to inform victims. If the parole board is holding a hearing to review the application for an ETA, victims have the opportunity to attend the hearing.

That is the process for the first 22 years of the sentence. After the 22-year mark, releasing authority for these absences rests with the Correctional Service of Canada. Once decision-making authority is transferred to the Correctional Service of Canada, decisions are rendered by wardens, who consult with institutional parole officers — the people charged with assisting offenders in their rehabilitation and community reintegration — as well as with the Correctional Service of Canada victim services officers.

However, there are no formal hearings when the institutional heads at the federal institution make decisions on escorted temporary absences. Victims want an opportunity to participate in the decision-making process for ETAs after an inmate has reached day parole eligibility, and that is what this bill would give them.

The changes this bill proposes fall in line with this government's work to keep victims informed and involved. As honourable senators know, this government has introduced several changes in recent years to strengthen victims' role in the conditional release system.

In 2012, the Safe Streets and Communities Act ushered in some meaningful changes that assured that victims can participate in parole board hearings and that they are better informed about the behaviour and management of offenders.

Furthermore, this government recently introduced the victims bill of rights act and supported private members' bills related to extending mandatory review periods and providing victims with more details about an offender's release. These bills all work towards the common goal of ensuring that victims have a voice in our criminal justice system and they complement the legislation before us.

Giving the parole board greater decision-making authority over escorted temporary absences would give victims a greater role in the process. I believe this is an important bill; it does good work, and I ask all honourable senators to join me in supporting its passage. Thank you.

Hon. Joan Fraser (Deputy Leader of the Opposition): I have the impression there is a senator who wishes to ask a question, Your Honour.

Hon. Anne C. Cools: Will the honourable senator take a question?

Senator MacDonald: Of course.

Senator Cools: The bulk of your speech seemed to be addressing victims and victims' rights respecting the transfer of power between the National Parole Board and Corrections Canada. Every inmate who is sentenced and serving in a penitentiary or a correctional institution has been found guilty. Therefore, there is no question of innocence or guilt. Already determined, they are serving sentences. However, the business of parole and remission are not the business of determining innocence or guilt. Those have already been determined in a court by a judge, with their sentences declared.

Honourable senators, remission, parole and all of those matters come from that great bundle of the sovereign's powers that we call clemency and mercy. Clemency was what the word "parole" meant. The inmate gave his word — *je donne ma parole* — that he will do no more wrong. That is how penitentiaries were named, after the term "penance." Inmates did penance and, hopefully, were rehabilitated or reformed.

In this whole bundle of powers that are clemency and remission, that cluster of those powers, including parole, what are the victims' rights? What are the victims' rights in that bundle of clemency and mercy powers?

Senator MacDonald: Senator Cools, I'm not quite sure I follow the logic of your question, but it seems to me when I look at this bill and what it's proposing to do, it's really applying to the last three years of the parole eligibility of the person who is incarcerated. It appears that the bill intends to address the concerns that victims and their families have and to address whether the last three years of eligibility for parole will be transferred from the parole board to the corrections board or whether it will stay within the purview of the parole board.

I believe it's a way to assure victims that when the parole eligibility of people who are convicted of very egregious crimes is up, the victims and their families are not forgotten about at the tail end of the process and they have an opportunity to address the issue towards the last three years of the parole eligibility.

I think it's a very straightforward bill. I don't find it too complicated or challenging to sponsor and speak to because I think it addresses something for most people. There is a broad consensus that victims have felt isolated in the decision-making process over the years and forgotten about by the system, and this is just one small way of ensuring that the victims and their families have an opportunity to have a little bit of a say, a little bit of an overview, in the final decision-making process.

• (1740)

Senator Cools: Perhaps I was not clear. The parole eligibility date is a preordained date that is determined by the sentence. It means the date, by statute, by which the inmate becomes eligible not for parole but to apply for parole. The process is quite a difficult, weighted and heavy process. That's what the parole eligibility date is, just that date. Every inmate, once he is sentenced, becomes aware of that parole eligibility date, and most inmates tend to work hard toward that date.

The question I was putting to the honourable senator is a constitutional question with respect of the powers of monarchs and sovereigns that control and distribute clemency as a way of encouraging and supporting inmates to do better and to do good. The days of throwing a person in prison, leaving them there and throwing away the key are over.

I was wondering what the constitutional basis was on which these changes are being founded. It is clear that victims want to have information and should have information, but you have not demonstrated to me that victims have a role in the administration of clemency. That is the sole prerogative of the sovereign of this country. That is why there is a parole board because, many years ago, the wise and the deep thinkers decided that the whole process of parole should be brought more closely into the whole administration of justice. A process was created and a board created by appointees who are expected to learn and to master the circumstances and review all of those cases.

My interest is more the constitutional ground on which this bill stands.

Senator MacDonald: Honourable senators, I don't profess to be a constitutional expert or a constitutional lawyer. In terms of the constitutional ground of the bill, I guess you can't really determine that unless a challenge was given to the Supreme Court of Canada, and it was challenged in court.

I certainly am under the assumption that these things would be constitutionally sound, and there has been no change in terms of the existence of the parole board or the Correctional Service Canada. They still exist. It just seems to be a mechanism to allow people who are victims in this process to have a little more input when it gets to the point in time where paroles can be extended or applied for.

Do I have an answer to your question? I guess I don't. I certainly assumed it would meet any constitutional challenge, and I guess we can only wait and see if there is a challenge in the future and get a full determination.

Senator Cools: I would like to speak to this bill at some point in time. Perhaps I could inquire as to what the two sides have agreed.

Senator Fraser: I wonder, Senator Cools, if I could move the adjournment now, and we can have a conversation.

Senator Cools: I do wish to speak to this item at some point.

Senator Fraser: I understand that.

Senator Cools: That is fine.

(On motion of Senator Fraser, debate adjourned.)

[*Translation*]

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Pierre-Hugues Boisvenu moved second reading of Bill C-479, An Act to amend the Corrections and Conditional Release Act (fairness for victims).

He said: Honourable senators, I am proud to speak today to nine major amendments that Bill C-479 would make to the Corrections and Conditional Release Act. My two colleagues who rose before me spoke about other bills at second reading stage, which, together with this bill, are vital to the reform of the Parole Board that will truly rebalance the rights of criminals and the rights of victims.

[*English*]

First of all, I would like to highlight the important contribution of the sponsor of the bill in the other chamber, MP David Sweet.

[*Translation*]

In addition, over the past year, the Minister of Public Safety, Mr. Blaney, and the Minister of Justice, Mr. MacKay, have shown remarkable and ongoing leadership in advancing victims' rights. As you know, last summer the ministers conducted public consultations on the draft victims bill of rights in every province. Although the objective of these consultations was to discuss the government's intention to introduce a draft victims bill of rights, the comments and suggestions received during this consultation are still being studied today.

[*English*]

Indeed, I myself have participated in these consultations. The victims of crime have claimed loudly and clearly that they want to be integrated into the process of the criminal justice system. They no longer have the title of "spectator" and, as such, will never be forgotten again. They want to fully and concretely participate in the process.

[*Translation*]

Thanks to the will and determination of these victims, the objective of Bill C-479 is being realized. I am also proud to say that this bill will make it possible to continue the excellent work done by the two ministers I just mentioned.

There are two key components to Bill C-479, the fairness for victims of violent crime act. The first focuses on strengthening the voice of victims of violent crime and providing additional support to victims in the parole process.

The second seeks to modify parole and detention review dates, giving the Parole Board of Canada the option of increasing the interval between parole hearings for violent offenders. Both of these components will make it possible to act on the changes that victims, their families and advocates like the Federal Ombudsman for Victims of Crime have urged for many years. It's about time to bring these to fruition.

I remind honourable senators that this bill will primarily apply to violent offenders. As I've said many times in the past, I don't think that any definition could ever convey the scope of these crimes and the trauma these victims experience. These are heinous crimes that are often premeditated and always senseless.

I'd like to point again to two statistics from the 2007 Sampson report, which underscored the alarming trend on violent crime. I remind senators that this report was the basis for this reform of the Canadian prison system, which focuses on holding criminals accountable as part of their rehabilitation process.

This report, named after the former Ontario minister of correctional services, Rob Sampson, cited changing offender profiles. Nearly 60 per cent are now serving sentences of less than three years and the vast majority of them have a history of violence. One in six now has known gang or organized crime affiliations. One in four criminals in Quebec has ties to organized crime and, as a result, this province has the dubious record of having the highest organized crime rates in the country.

• (1750)

Today, I am participating in the debate on this bill on behalf of the victims of crime to whom I have been giving a voice for over 12 years. Unfortunately, I am also doing this on behalf of thousands of Canadian families, in memory of their loved ones who were murdered.

I am sure that many of my colleagues have never attended a Parole Board of Canada hearing. Let me tell you the story of a few families who have gone through this difficult experience.

I always try to put myself in the shoes of the victims, or the victims' loved ones, who have to keep going through this gut-wrenching experience every time the offender reapplies for parole under the current process. The victims and their loved ones go along with this process not because they are compelled by law, but rather out of love and a concern for justice.

In the Carretta family, Cathia was murdered by her ex-spouse, Jean-Claude Gerbet; the Jarry family lost their son Simon, murdered at the age of 18, in 1999; the Dion family lost their son Stéphane, murdered at the age of 14, in 1992. All these families, and many others, have one thing in common: They all feel that their experience with the Parol Board of Canada was disappointing and, above all, that the rights of the criminals grossly exceeded their own.

Take, for example, the case of serial murderer Clifford Olson, who killed 11 innocent young victims. For over a decade, he applied and reapplied to the board for parole hearings. In most cases, he never showed up, or when he testified, he revictimized the families. To him, behaving like that was a game that may have given him the same thrill as when he murdered his victims.

[*English*]

There are dozens of families who have to live, at every occasion, with a huge amount of stress, knowing that they have to request to attend the hearing and learn at the last minute that everything was postponed or simply cancelled.

[*Translation*]

However, when they returned home, those families had to wait for the criminal to submit another application for parole. This harassment went on for years, and the victims' loved ones had to submit statements again and go through the whole range of emotions that followed. Why does it happen that way? Because, at the moment, the law gives all the rights to the criminals in the process of these hearings.

I could tell you about that professor in Montreal, Valery Fabrikant, who murdered four of his colleagues. For years, he continued to harass the victims' families and abuse the rules of the Parole Board, which are still set up in the criminals' favour.

These examples clearly show the intent of this bill in terms of statements by victims and their families and in terms of the modification of the parole review process.

This bill would extend mandatory review periods for parole. This means that if an offender convicted of a more serious violent offence is denied parole for the reasons I mentioned earlier, the Parole Board would have to review the case within five years rather than the current two years.

[*English*]

The Parole Board of Canada should be more aware of the needs of victims of crime and their families in order to be present during the hearings and be witnesses of the procedure.

[*Translation*]

It should also give more serious consideration to any statement presented by victims or their families.

The bill would also require the board, if requested, to provide victims with information about the offender's release on parole, statutory release or temporary absence, as well as provide victims with information about the offender's correctional plan, including progress toward meeting rehabilitation objectives.

Honourable senators, let's make the changes in Bill C-479 happen. Victims' families have called for these changes because there are thousands of tragic stories like the ones I told today. Violent offenders have committed unspeakable crimes. Families have suffered irreplaceable loss. These victims, their families and our communities need to be certain that offenders are truly on the road to rehabilitation. If they are not, the Parole Board of Canada will have the tools it needs to delay their release.

[*English*]

In implementing the changes that I'm proposing in Bill C-479, we would show respect to victims and their families. Such changes have been adopted elsewhere in the world, as in California, New Zealand and the United Kingdom.

[*Translation*]

In closing, I would once again like to quote from an editorial printed on March 2, 2012, in my local newspaper, the *Hamilton Spectator*:

> . . . the [Parole Board of Canada] also has a responsibility to victims of crime. For those victims, the parole board is virtually the only source of information about the status of the person who committed the crime against them. . . [S]ome local victims of crime don't feel well-served by the board. That must change.

I have read dozens of quotes like this in Quebec newspapers, and every time I have wondered why the rights of criminals and victims and victims' families were not equal in the eyes of the parole board.

Honourable senators, these are all of the reasons why I did not hesitate to sponsor Bill C-479, An Act to Bring Fairness for the Victims of Violent Offenders. This measure will give the Parole Board of Canada the necessary and essential tools it needs to better serve victims, their families and all Canadians.

Thank you.

(On motion of Senator Fraser, debate adjourned.)

[*English*]

NATIONAL SECURITY AND DEFENCE

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL—STUDY ON THE MEDICAL, SOCIAL, AND OPERATIONAL IMPACTS OF MENTAL HEALTH ISSUES AFFECTING SERVING AND RETIRED MEMBERS OF THE CANADIAN ARMED FORCES AND THE SERVICES AND BENEFITS PROVIDED TO MEMBERS AND THEIR FAMILIES—NINTH REPORT OF COMMITTEE ADOPTED

On the Order:

> Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Black, for the adoption of the ninth report of the Standing Senate Committee on National Security and Defence (budget—study on mental health issues affecting serving and retired members of the Canadian Armed Forces—power to hire staff and power to travel), presented in the Senate on June 5, 2014.

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, yesterday we had a brief discussion on this particular motion. Senator Cools is now in the chamber and it is adjourned in her name. I've spoken with her and she has agreed to yield the floor to me. If all senators, in the presence of Senator Cools, agree —

Hon. Anne C. Cools: So that everybody knows, it is really true.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

STUDY ON STATUS OF CANADA'S INTERNATIONAL SECURITY AND DEFENCE RELATIONS

TENTH REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE— DEBATE ADJOURNED

The Senate proceeded to consideration of the tenth report of the Standing Senate Committee on National Security and Defence entitled: *Canada and Ballistic Missile Defence: Responding to the Evolving Threat*, tabled in the Senate on June 16, 2014.

Hon. Daniel Lang: Honourable senators, I move:

> That the report be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Defence being identified as minister responsible for responding to the report.

The Hon. the Speaker: On debate, Senator Lang.

Senator Lang: Colleagues, I'm pleased to rise and speak about the Standing Senate Committee on National Security and Defence report, which examines Canada's international security and defence relations, including but not limited to relations with the United States, NATO and NORAD.

The report entitled *Canada and Ballistic Missile Defence: Responding to the Evolving Threat* has been unanimously agreed to by the committee.

I wish to acknowledge the members of the committee who have worked in a cooperative and collaborative manner to produce this report. I would especially like to recognize Senator Roméo Dallaire, who brought this study idea forward and who lent his personal expertise and professionalism to all aspects of the committee's work.

• (1800)

Before I return to the details of the report, I would like to personally thank the other members of the steering committee. Senator Wells joined mid-course, taking over from Senator Nolin, who had been called to more pressing responsibilities as our Speaker *pro tempore*. I would also like to thank the happy warrior, our now-retired colleague —

The Hon. the Speaker: Honourable senators, it being six o'clock, is there agreement not to see the clock?

Hon. Yonah Martin (Deputy Leader of the Government): There is agreement not to see the clock.

Senator Lang: I would also like to thank the happy warrior, our now-retired colleague Senator Hugh Segal, for his leadership and guidance during the course of our work on this important report for Canada.

Finally, I wish to acknowledge the political staff from both sides of the chamber who brought their dedication, passion and commitment to this subject and the writing of the report. Specifically, I wish to recognize Caitlin Gropp, Claudine Courtois and Naresh Raghubeer. Together with the committee and library staff named in the report, and Ms. Francine Pressault from Senate Communications, these individuals provided valuable guidance and advice through the process.

Now to the details of the report.

Since December of last year, your committee has been hearing evidence from a range of witnesses who have knowledge and expertise on the capabilities and the importance of the ballistic missile defence program for the defence of continental North America. We also heard from critics of ballistic missile defence.

We began our study by reviewing the events that led to Canada initially proposing to be part of the U.S. BMD program in 2004 and then the decision to withdraw in February 2005 in response to domestic political considerations.

A number of reasons were presented to the Canadian public for this reversal of policy at that time. We learned that the critics of the day questioned the rationale for participation in this program, stating that the threats we faced were theoretical; the program was the first step in the weaponization of space; the program caused an imbalance in the deterrence of the world's nuclear powers; and that the program was unproven and would be ineffective. These critics said that if it did work, the Americans would protect us in any event because it was in their interest.

Ten years later, your committee examined whether or not these reasons for not participating in the ballistic missile defence program were still valid.

During the course of our hearings, we heard from two well-respected parliamentarians, the Honourable Bill Graham and the Honourable David Pratt, who served as ministers of defence

during that era. Both testified that the decision not to enter into an agreement with our U.S. counterparts was a mistake and that it is imperative for Canada's security interest to become a full partner in ballistic missile defence.

The Honourable Mr. Pratt told the committee:

> . . . from the issue of ballistic missile defence destabilizing the international security architecture, that's simply not the case. . . . those arguments made in 2004 have not stood the test of time at all. . . . I think there's so much compelling evidence to the contrary, when we look at what our NATO allies have done in terms of their support for ballistic missile defence; we have 28 NATO nations saying that they endorse the need to protect their populations against rogue missiles, and Canada has been saying all the right things at NATO but not doing anything when it comes to our own situation here in North America.

I refer now to the Honourable Mr. Graham, who warned the committee:

> It seems to me we're outside of an extraordinarily complex and amazingly new form of weapons system that will affect our security but which we are foreign to decisions around its development. I think that's a dangerous place to be.

For his part, the Honourable Mr. Pratt went on to express his view that Canada's current BMD policy does not serve its national interests:

> . . . I can't understand why we would forfeit aspects of our national security by not working with the Americans directly to implement this system, because that's what we're doing, effectively. Yes, we would have some knowledge with respect to the warning, but beyond that, what is there? There's really no role for Canada at this point. I think that's something we have to correct.

The committee heard that ballistic missile defence is becoming a part of defence for Eastern Europe under the auspices of NATO and expanding into South Korea, Australia and Japan.

Over the course of the study, your committee made a visit to Colorado Springs, the headquarters of NORAD and USNORTHCOM, where we were hosted by General Jacoby, Commander, and Lieutenant-General Parent, Deputy Commander of NORAD, for two days of intensive briefings.

We learned that the ballistic missile defence program was in place and working but, at the same time, not as accurate and effective as they would like. We also learned that the ballistic missile defence was undergoing intensive modifications to improve its accuracy and effectiveness. At the same time, the program is being expanded in Alaska, and another site in eastern continental United States is under active consideration.

During the course of its hearings, the committee also heard that the threats that North America faces from rogue states such as North Korea and Iran are very real and becoming more and more significant.

In December 2012, some 18 months ago, North Korea demonstrated to the world that it has the capabilities to launch a ballistic missile that could reach continental North America. After defying numerous United Nations Security Council resolutions, North Korea was now in a position to threaten our security. These threats are of great concern, given the fact that the regime possesses nuclear warheads capable now of reaching North America.

As General Jacoby said, the "theoretical threat" has become a "practical threat," meaning North Korea now had the means to act on their verbal threats to attack North America.

The committee also learned that there's no guarantee that the U.S. ballistic missile defence program, the way it is presently designed, will protect Canada. In fact, we heard testimony that Canadian security interests are at risk because we are not involved in the planning or the execution of the U.S. ballistic missile defence. Presently, Canadians are vulnerable to a ballistic missile attack — because of the decision not to be involved.

The committee learned that Canada is actively involved in supporting the U.S. BMD through our involvement in NORAD, where we exercised joint responsibilities with the U.S. for early detection and warning of incoming threats and intrusions into North America.

If Canada were to enter into discussions with our U.S. neighbours to become fully involved in the ballistic missile defence program, the question will be asked: What about costs? From our perspective, this is up to the two governments to resolve if and when decisions are taken.

Presently, we are fully involved with the protection of North America, under NORAD, except in the case of a ballistic missile attack. In this scenario, Canada will provide early satellite detection warnings, but our military officials will be asked to leave the room when North America, including Canada, is faced with a ballistic missile attack.

Having to do so complicates a seamless defence partnership between Canada and the United States — one that is unique in the world as we both share responsibility for the defence of each other's territory.

As we look forward, the committee asked Lieutenant-General Parent, our deputy commander at NORAD, how his role might change were Canada to decide to participate in U.S. ballistic missile defence. He told the committee:

> It would practically remove a caveat for the aerospace defence of North America. It's seamless and one change of command with one focus and unity of purpose. What it means practically is that I would not necessarily be asked to leave the room when there are discussions that lead to a ballistic missile defence engagement.

Then he went on to say:

> It would also probably allow our scientists, in terms of research and development — because we have some science and technology people working at NORAD from Canada

— to look at it and see if there are Canadian scientific developments that could help the system.

Lastly, it would make General Jacoby's job easier if a missile comes close to the border; his decisions would be much simpler to decide whether he elects to defend Canada or not.

I want to also further refer to the Honourable Bill Graham, and I want to quote again. He testified and stated as follows:

Participating in BMD would help preserve NORAD and Canada's overall security relationship with the United States. Furthermore, in my view Canadian involvement in the BMD program would give us a voice in the creation and use of BMD, thereby strengthening and not weakening our sovereignty.

Further, the Honourable Mr. Pratt stated that he sees Canada's participation in ballistic missile defence as "an opportunity to express and display goodwill in relation to that critical defence arrangement."

• (1810)

Colleagues, having heard from all viewpoints, including an assessment of the significance of the threat faced by Canada and the United States today, the committee believes that Canada must become a partner in U.S. ballistic missile defence in order to protect Canada's security and national interest. To achieve this, your committee is unanimous in recommending that the Government of Canada enter into an agreement with the United States to participate as a partner in ballistic missile defence.

Hon. Joseph A. Day: Thank you, Your Honour.

I would like to thank the Honourable Senator Lang for his report and the detail in which he explained what is in the report. There was clear consensus in our committee over the last several meetings that this is the direction we should be going, but I confess, because of other pressures and because Defence and Security was meeting outside of its normal times — and I regret this — I did not have an opportunity to participate in the final drafting of the report. That's why I was listening very carefully to what you indicated were the results of our deliberations over several months in relation to this particular matter. Everything you said I fully support.

Honourable senators, I have not yet had a chance to read the report, but I certainly shall. My suspicions are that your statement that it was unanimous among the committee members can be verified, even though I haven't read the report yet. I'm not sure that our good colleague Senator Dallaire has had an opportunity to participate to the same degree that he would like to have, either.

Congratulations, and thank you for that.

(On motion of Senator Mitchell, debate adjourned.)

BUSINESS OF THE SENATE

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I ask leave of the Senate to let the remaining items on the Order Paper stand and go immediately to the Notice Paper.

Hon. Senators: Agreed.

[*Translation*]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE TEMPORARY FOREIGN WORKER PROGRAM— DEBATE ADJOURNED

Hon. Pierrette Ringuette, pursuant to notice of June 10, 2014, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to:

Review the temporary foreign workers program and the possible abuse of the system through the hiring of foreign workers to replace qualified and available Canadian workers;

Review the criteria and procedure for application assessment and approval;

Review the criteria and procedure for compiling a labour market opinion;

Review the criteria and procedure for assessing qualifications of foreign workers;

Review interdepartmental procedures and responsibilities regarding foreign workers in Canada;

Provide recommendations to ensure that the program cannot be abused in any way that negatively affects Canadian workers; and

That the Committee submit its final report no later than March 31, 2015, and retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

She said: Honourable senators, in April 2013, this same motion was presented to you with a view to analyzing all the interdepartmental components of the Temporary Foreign Worker Program.

Since it was dropped from the Order Paper with last fall's prorogation, and following a number of public statements by Minister Kenney about a complete review of the program, I decided to wait for that review and not reintroduce this motion last fall.

However, I am sure that you will agree that things are going from bad to worse in the way the program is being implemented. For several months, the news has been full of unacceptable examples.

Since last year, when Royal Bank employees had to train foreign workers and then lose their jobs to them, we have never been made aware of the corrective actions that the minister took on behalf of those employees.

The same thing happened with the Chinese-owned and -run mine in British Columbia. The company brought in 200 Chinese workers to replace Canadian miners. We don't know what kind of corrective measures were taken, if any.

Our country's greatest wealth is its human resources. However, here in the Senate, we don't have a standing committee dedicated to that important resource. We have committees on energy, transport, communications, banking, trade, fisheries, agriculture, defence and so on.

Honourable senators, without human resources, none of those sectors would be viable. I believe that it is time we had a standing committee on human resources to conduct ongoing studies and make recommendations to the government.

[*English*]

In the meantime, if my motion had been referred to committee last year, at least we would be in a position to make preliminary recommendations to the minister, who seems very desperate to have some.

The Temporary Foreign Worker Program has grown from 101,000 to 338,000 in the last decade, with work visas for up to four years. A report also indicates that the following federal government departments have received labour market opinions to hire temporary foreign workers: the Public Health Agency of Canada, Health Canada, the Department of National Defence, Public Safety Canada and Agriculture and Agri-Food Canada.

When the program was first put in place in 1973, it was designed for highly specialized workers: scientists and engineers. Then the program was expanded to seasonal workers for agriculture activities. From 1973 to 1993, in 20 years, the Temporary Foreign Worker Program issued roughly 50,000 labour market opinions. With these numbers, we would and should expect — and had expected — that a reasonable control was in place. This is absolutely not the case today.

The program, created in 1973 to help our businesses move into high-tech development, has become a problem for unemployed Canadians as well as well-intentioned foreign workers.

The program, designed to control between 25,000 and 50,000 temporary foreign workers, is totally inadequate to control 338,000 workers. It is unfair to both Canadians and foreign workers.

Over the last few years, too many budget cuts have helped to develop this fiasco. Cuts to Statistics Canada's data collection program, to Service Canada offices, at our Foreign Affairs offices, at Citizenship and Immigration offices and cuts at Canada Border Services all enhance the inability of the government to have a proper control mechanism.

Imagine that we have foreign workers, from airline pilots to potential actors, from miners to McDonald's, while we all know that Canadians, at a decent Canadian living wage, are available for these positions.

Because of the closure of so many Service Canada offices, Canadians have a very hard time identifying employers looking for workers in their locality, in their region and nationally. The connectivity has been removed. Last month, 39 per cent of the unemployed were so discouraged that they reportedly stopped looking for work.

The reduction in our labour market data from Statistics Canada has also created a major void. Regional data is no longer available, therefore disabling efficient provincial and federal labour market policy to implement required trade training, mobility enhancement and the real migration necessities.

• (1820)

Honourable senators, I recommend that you read chapter 8 of the spring 2014 report from Auditor General Michael Ferguson, entitled "Meeting Needs for Key Statistical Data — Statistics Canada." All his recommendations need to be complied with to have informed, appropriate policies.

The issuance of a labour market opinion by Employment and Social Development Canada is necessary in order for Citizenship and Immigration Canada to provide a temporary worker visa to an employee. Ten years ago, an employer had to advertise for an employee for at least three weeks before a labour market opinion was granted. Today, the employment advertising only needs to be public for one week on any website.

In regard to advertising, the *Huffington Post* recently published an article involving immigration consultants. It reads as follows:

> A new twist and Canadians can't use it. Only foreign workers having access to over 50,000 employers.
>
> Immigration consultants, many of them in Western Canada, are apparently now specializing in pairing up employers and temporary foreign workers.
>
> One online advertisement placed in several provinces even pledges to help temporary foreign workers find employers, instead of the other way around.
>
> "Are you looking for an LMO (labour market opinion) employer?" asks the ad placed by Edmonton-based Global Hire on Kijiji, the online classified advertising service.
>
> "I have access to 800 LMO jobs right now. Also, I have the complete list of ALL companies with LMOs in Canada. Over 50,000 employers. Do you have friends and family who want to come to Canada to work? I can help."

To obtain a labour market opinion, the employer must fulfill a number of conditions: The job offer must be genuine; the wages and conditions are comparable to those offered by Canadians; the employer has made efforts to hire and train Canadians for these positions and to demonstrate a labour shortage and the transfer of needed skills; and last, but not least, it has to be short-term employment.

Honourable senators, "short term" is not four years. This is my view, and I believe it is the view of most Canadians. A temporary work visa used to be at the most for one year.

Last April, the C.D. Howe Institute published a telling study on the Temporary Foreign Worker Program, and the Alberta Federation of Labour also provided information in regard to the impact the program has locally.

In the fall of 2009, former Auditor General Sheila Fraser reported the following in chapter 2, page 12:

> CIC and HRSDC have not clearly defined their respective roles and responsibilities in assessing the genuineness of job offers and how that assessment is to be carried out. As a result, work permits could be issued to temporary foreign workers for employers or jobs that do not exist. In addition, there is no systematic follow-up by either department to verify that in their previous and current employment of temporary foreign workers, employers have complied with the terms and conditions under . . . which the work permits were issued. . . . Furthermore, weaknesses in the practices for issuing labour market opinions raise questions about the quality and consistency of decisions being made by HRSDC officers.

I want to remind you that that was a report done in 2009 — five years ago — and we have not witnessed any corrections by either of these departments.

That report should have the departments and Parliament request a temporary freeze of the program in order to put in place the necessary protocols. Instead, the program increased the number of labour market opinions, and the number of temporary foreign workers went from 204,000 in 2008 to 338,000 in 2012.

Employment and Social Development Canada still, to this day, does not follow up, particularly on the condition that the employer must train a Canadian for the job. It is a condition to receive a labour market opinion and a visa.

You should also be alarmed by the fact that the information on the 338,000 temporary foreign workers in Canada within the department of Citizenship and Immigration Canada is not shared with the Canada Border Services Agency. That in itself should be a cause of concern to us all.

Honourable senators, we should also be concerned about reports of death threats and coercion upon foreign workers in Canada. That is totally unacceptable. Here again, there is no control mechanism in place to do any follow-up.

[*Translation*]

I think the Temporary Foreign Worker Program serves a purpose. It should be the exception and not the rule when it comes to policies and programs that are designed to fulfill our short- and long-term human resources needs.

I am therefore asking that you agree to my motion so that we can examine the situation and make the necessary recommendations so that this program functions properly.

Thank you for your attention.

(On motion of Senator Bellemare, debate adjourned.)

(The Senate adjourned until Wednesday, June 18, 2014, at 1:30 p.m.)

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