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Thursday, May 7, 2015

The Honourable LEO HOUSAKOS
Speaker

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THE SENATE

Thursday, May 7, 2015

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

JAFAR PANAHİ

Hon. Linda Frum: I rise during this Iran Accountability Week to speak again on behalf of Iranian filmmaker Jafar Panahi. I am paired with him through the Global Iranian Political Prisoner Advocacy Project.

There has been a development since I spoke about him last year. Three months ago, Mr. Panahi's film *Taxi* won the Golden Bear award at the Berlin International Film Festival — a film he made in spite of severe strictures placed on him by Iran's regime. I congratulate him for his courage in making this and other films while forbidden to do so, and for receiving this award from his peers.

In 2010, Mr. Panahi was arrested while in the midst of making a film. Why? Because Mr. Panahi makes films about the human condition in Iran — the hardships faced by women, children and the poor.

For the sin of trying to make a film about the events that followed the 2009 Iranian election, Mr. Panahi was sentenced by the Revolutionary Court to six years in prison and banned for 20 years from political activity, making films, granting interviews and travelling abroad. Although his six-year jail sentence has not been enforced, at any time it could be, such is the arbitrary nature of Iranian justice.

In the meantime, Mr. Panahi continues to be officially prohibited for 20 years from making films, from granting interviews and from travelling outside Iran. As Mr. Panahi himself has expressed during forbidden interviews:

They freed me from a small jail, only to throw me into a larger prison when they banned me from working. . . I have to just keep trying to find opportunities to break out from time to time.

I'm fed up with surreptitiously making everything in very confined spaces, and not having the freedom to work as I used to. . . It makes me feel sick thinking of all these projects I'd like to do, but I don't have the ability to make them.

Despite this, honourable senators, according to the entertainment publication *Variety*, Mr. Panahi has made three films since being banned from doing so. In addition to *Taxi*, they include *This is Not a Film* and *Closed Curtain*.

Honourable senators, filmmakers around the world recognize the talent of Jafar Panahi — and they have spoken out against Iran's suppression of his talent. If Mr. Panahi can make award-winning films such as *Taxi* when prohibited from doing so, when having to sneak around to do so, and manage to get them distributed abroad, think what a contribution he could make to his country and to the world if he were free to express himself.

Honourable senators, I urge that we all think about the plight of Jafar Panahi and, indeed, all in Iran who face injustice from their own government.

SASKATCHEWAN

TRANSGENDER RIGHTS

Hon. Lillian Eva Dyck: Honourable senators, on March 31, 2015, the Saskatchewan legislature in Regina raised the transgender pride flag as part of International Transgender Day of Visibility and the province's Transgender Awareness Week. Saskatchewan is the first provincial capital to raise the transgender flag at the legislature, and this signals a very positive step forward in the recognition and protection of transgender rights in Saskatchewan.

Last December, the Government of Saskatchewan passed an amendment to the Saskatchewan Human Rights Code to prohibit discrimination on the grounds of gender identity. Gender identity was added to the list of prohibited grounds for discrimination in Saskatchewan.

Additionally, with the backdrop of the current debate in the chamber on Bill C-279, I would also like to bring to the attention of the chamber a trend that is occurring in Saskatoon. More and more high schools across the city have been establishing their own gender-neutral bathrooms to allow students to freely express their gender identity without feeling anxiety. Instead, it creates an environment of inclusion. The purpose of these washrooms is to make sure every young person feels safe and comfortable at school at a time when they may feel anxiety over their identity.

While more can be done to protect and bolster transgender rights in Saskatchewan and in the rest of Canada, I would like to congratulate the Saskatchewan legislature and TransSask Support Services for their continued work to ensure that transgender Canadians have equal protections under the law.

ASIAN HERITAGE MONTH

Hon. Victor Oh: Honourable senators, it is with great pride that I rise today to speak on Asian Heritage Month. This month of May marks the fourteenth annual celebration.

It is an ideal occasion for Canadians to celebrate the beauty of various Asian cultures and to highlight the long and rich history of Asian immigrants and their contributions to the prosperity of Canada. In the context of a global world, it is more important than ever that we not only preserve and protect, but also celebrate cultural diversity and heritage.

In celebration of Asian Heritage Month, organizations engage Canadians in festivities and events across Canada. As a resident of Mississauga, I am proud that our city hosts Ontario's largest multicultural festival, Carassauga. Last night, the Taste of Asia on the Hill event was very well received by diplomats and parliamentarians alike.

On Parliament Hill, there are interparliamentary groups working with our Asian counterparts to foster contacts and express views of international interests and concerns. Having senators of Asian heritage in this chamber is in itself a testament to Canada's ethnic and cultural mosaic.

As a senator of Singaporean descent and a proud member of the Chinese-Canadian community, I am pleased that such initiatives encourage members of our community to learn more about their cultural identity while fostering cross-cultural ties with fellow Canadians.

Honourable senators, this year Asian Heritage Month honours Asian Canadian athletes, both past and present, for their contributions to sports at the national and international levels. It coincides with the proclamation of the Year of Sport by His Excellency the Right Honourable David Johnston, Governor General of Canada.

• (1340)

Through Asian Heritage Month, we preserve the rich heritage of Asian culture and build bridges of understanding between different cultural groups. In a broader sense, it is promoting the Canadian values of mutual understanding, respect and multiculturalism.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw your attention to the presence in the gallery of a delegation led by the Honourable Mr. Peter Phillips, Minister of Finance and Planning of Jamaica. He is accompanied by Her Excellency Janice Miller, High Commissioner of Jamaica to Canada; Mr. Brian Wynter, Governor, Bank of Jamaica; Mr. Bruce Bowen, Senior Vice President, Caribbean Region, Bank of Nova Scotia; Mr. Devon Rowe, Financial Secretary; and Ms. Helen McIntosh, Ministry of Finance and Planning. They are the guests of the Honourable Senator Meredith.

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

Hon. Senators: Hear, hear!

[Senator Oh]

GEORGE BRADEN

Hon. Dennis Glen Patterson: Honourable senators, I rise today to pay tribute to my very capable senior policy adviser and long-time associate, Mr. George Braden. I feel privileged to have had the benefit of his experience, wisdom and dedication these past almost six years. He's been a highly trusted adviser and a respected member of the Senate team who has won great esteem from everyone we have interfaced with over these years, particularly in the resource and government sectors.

George is a long-time Yellowknife resident and political science graduate of the University of Alberta who obtained his master's degree from Dalhousie University in 1976.

In 1977 to 1979, Mr. Braden was the principal adviser to the Honourable Bud Drury in diagnosing the chafing frustration of colonial and non-democratic rule in the Northwest Territories and the lack of progress in settling land claims.

Then in 1979, George was elected MLA for Yellowknife North. Colonialism was alive and well in the N.W.T. then: The federally appointed Commissioner and his deputy chaired the cabinet and ran key departments. George Braden and later Senator Nick Sibbeston led the transition when these appointed colonial officers gave up their powers to elected representatives of the peoples of the N.W.T. This was done through diplomacy — without anger or upheaval.

Mr. Braden's leadership in this peaceful and historic transition was reflected in his peers having chosen him as the Leader of the Elected Executive of the N.W.T. — precursor to premier.

George and his colleagues — and I was privileged to be one of them — went on to make history in settling land claims. Mr. Braden has stated that he's always been proud that the N.W.T. is "... one of the first jurisdictions in Canada where we have a policy to share resource revenues with Aboriginal people."

He was also the first leader in the long and ultimately successful process to assert the rightful place of the territories in First Ministers' Conferences and constitutional reform.

When the Constitution was patriated, George Braden was co-chair of the N.W.T. Special Committee on the Constitution, which I believe was instrumental in the successful lobby of Prime Minister Trudeau and his cabinet to include the recognition of Aboriginal rights in the Constitution, in section 35. Senator Joyal knows that; he was then Secretary of State when that historic decision was made.

Mr. Braden was also the commissioner of the highly acclaimed N.W.T. pavilion at Expo '86 which showcased the fur industry, exclusively employed N.W.T. residents, was celebrated for muskox burgers served at the pavilion restaurants and was a runaway favourite of fairgoers, hosting 1.5 million visitors over six months.

For many years Mr. Braden ably represented the N.W.T. in the North at the federal level as Deputy Minister of Intergovernmental Affairs before coming to the Senate. Today

George continues to wield his fine brand of dry humour, keen intelligence, humility and humanity to support improvements for northerners.

Mr. Braden is currently on sick leave. I know my honourable colleagues will join me in congratulating him on his tireless lifetime devotion to public service and wishing him well in his current health challenges.

PRINCE EDWARD ISLAND

ELECTION RESULTS

Hon. Elizabeth Hubley: Honourable senators, on Monday, Islanders came out in droves to elect the members of what will be our province's sixty-fifth general assembly.

We take voting seriously on Prince Edward Island. We know our votes count. As a result, we traditionally have high voter turnout rates. This election was no different — 86 per cent of eligible voters cast a ballot.

It was close in some districts, and there may yet be a recount or two, but unofficially Premier Wade MacLauchlan and his Liberal team won 18 of the 27 seats, forming a third majority government. The Progressive Conservatives won eight seats to become the official opposition.

Notably, Green Party leader Peter Bevan-Baker made history as the first Green Party MLA ever elected in the province. He has proven to be a thoughtful man. I have no doubt he will make his voice heard in the legislature.

Over the course of the campaign, Premier MacLauchlan urged a more positive approach and called on the parties to appeal to their better nature. By and large, it happened. The premier hopes that this attitude will prevail once the MLAs take their seats to govern our province.

Politics on P.E.I. can be a wild game, so I would like to acknowledge each and every candidate, from all parties, who had the courage to put their names forward. It is not easy to run for public office — I know from experience — but it is absolutely necessary for the health of our democracy. Individuals who heed that call are to be commended.

In the end, 27 were chosen to represent their fellow Islanders in the legislature. I would like to wish Premier MacLauchlan and all the MLAs the very best for the next four years.

NATIONAL LIFE JACKET AND SWIM DAY

Hon. Nancy Greene Raine: Honourable senators, next Monday is Life Jacket and Swim Day on the Hill.

Fresh water is one of Canada's greatest assets. Our nation boasts hundreds of thousands of lakes with clean fresh water and beautiful swimmable coastlines and hot summer days.

National Life Jacket and Swim Day on the Hill is to promote swimming and water safety to Canadians, from learn-to-swim lessons to swimming being part of Sport for Life.

Swimming is a great form of moderate physical activity. It's a great sport for families because it is free and for the most part very accessible and it is a "Sport for Life."

We also want to promote the prevention of drowning. Nearly 500 Canadians drown every year, and drowning rates among new Canadians are three times higher than the general population. These incidents are preventable with swimming lessons and the use of life jackets. Initiation to water safety, even starting at age 1, is very important. Drowning can happen fast, sometimes in as little as two minutes.

Honourable senators, if you are on the Hill this Monday, please come by the front of Centre Block at 3:30 to meet some of the leaders in swimming and water safety in Canada.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw your attention to the presence in the gallery of participants from the Internship Program for Tibetans, which is run by the Canadian Parliamentary Friends of Tibet. They are: Sonam Chokey; Pema Tsering; Tenzin Palyoun; and Chemi Lhamo. They are the guests of both the Honourable Senator Martin and the Honourable Senator Jaffer.

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

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

COMMISSIONER OF OFFICIAL LANGUAGES

2014-15 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2014-15 annual report of the Commissioner of Official Languages.

[English]

PUBLIC SAFETY

CANADIAN SECURITY INTELLIGENCE SERVICE— 2013-14 PUBLIC REPORT TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Canadian Security Intelligence Services public report for the fiscal year 2013-14.

PIPELINE SAFETY BILL

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-46, An Act to amend the National Energy Board Act and the Canada Oil and Gas Operations Act.

(Bill read first time.)

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

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

• (1350)

ANTI-TERRORISM BILL, 2015

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-51, An Act to enact the Security of Canada Information Sharing Act and the Secure Air Travel Act, to amend the Criminal Code, the Canadian Security Intelligence Service Act and the Immigration and Refugee Protection Act and to make related and consequential amendments to other Acts.

(Bill read first time.)

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

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

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

ANNUAL MEETING OF THE WESTERN GOVERNORS' ASSOCIATION, JUNE 9-11, 2014—REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the 2014 Annual Meeting of the Western Governors' Association, held in Colorado Springs, Colorado, United States of America, from June 9 to 11, 2014.

ANNUAL MEETING AND REGIONAL POLICY FORUM OF THE COUNCIL OF STATE GOVERNMENTS' EASTERN REGIONAL CONFERENCE, AUGUST 3-6, 2014—REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States

Inter-Parliamentary Group respecting its participation at the Fifty-fourth Annual Meeting and Regional Policy Forum of the Council of State Governments' Eastern Regional Conference, held in Baltimore, Maryland, United States of America, from August 3 to 6, 2014.

ANNUAL NATIONAL CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS AND THE ANNUAL MEETING OF THE COUNCIL OF STATE GOVERNMENTS-WEST, AUGUST 9-13, 2014—REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Annual National Conference of the Council of State Governments and the Annual Meeting of the Council of State Governments-WEST, held in Anchorage, Alaska, United States of America, from August 9 to 13, 2014.

WINTER MEETING OF THE WESTERN GOVERNORS' ASSOCIATION, DECEMBER 6-7, 2014—REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the 2014 Winter Meeting of the Western Governors' Association, held in Las Vegas, Nevada, United States of America, from December 6 to 7, 2014.

[Translation]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

ELECTION OBSERVATION MISSION OF THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE PARLIAMENTARY ASSEMBLY, NOVEMBER 30, 2014—REPORT TABLED

Hon. Ghislain Maltais: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Europe Parliamentary Association respecting its participation at the Election Observation Mission of the Organization for Security and Co-operation in Europe Parliamentary Assembly, held in Chisinau, Moldova, on November 30, 2014.

[English]

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

ANNUAL MEETING OF THE ASIA PACIFIC PARLIAMENTARY FORUM, JANUARY 11-15, 2015— 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

[Senator Martin]

Association and the Canada-Japan Inter-Parliamentary Group respecting its participation in the Twenty-third Annual Meeting of the Asia Pacific Parliamentary Forum, held in Quito, Ecuador, from January 11 to 15, 2015.

QUESTION PERIOD

EMPLOYMENT AND SOCIAL DEVELOPMENT

LAPSED FUNDING FOR PROGRAMS

Hon. Jim Munson: My question is to the Leader of the Government in the Senate. As leader, you are aware that the CBC, through Access to Information, has reported a shortfall of \$97.1 million to 16 programs with Employment and Social Development Canada. As you know, this money has not been spent as promised and is back in the pockets of the government. This is the largest lapse since 2008.

Youth Employment and Literacy and Essential Skills both had shortfalls in spending at time when Canadians are looking for full-time work and youth are waiting to enter the job market. The most disturbing for me is the Opportunities Fund for Persons with Disabilities, which failed to receive one quarter of its \$38.8 million budget. It is upsetting, Mr. Leader, because I constantly hear from Canadian families who live with disabilities basically begging for more help, more resources and better opportunities. They need this funding.

Mr. Leader, can you explain why this funding was returned to the government's bank account instead of helping Canadians with disabilities? Why wasn't this money spent on people with disabilities who so desperately need it?

[Translation]

Hon. Claude Carignan (Leader of the Government): As you know, our government is in the habit of spending available funds wisely. Your criticism pertains to a program where there was money left over from what was budgeted. However, we have to remember that that money is taxpayers' money. When the government decides to allocate money to projects that help Canadians, that money may not all be spent in the same year, so it goes back into the fund. It is entirely appropriate to proceed in that way rather than create useless expenses and bureaucracy, which is what a certain Liberal government was in the habit of doing.

[English]

Senator Munson: Oh, my! We're talking about today. We're not talking about the past. This money was promised and should have been spent during this period. It is the biggest lapse in seven or eight years. These folks were expecting this money.

I know you can't answer today, but I want to know exactly which programs have been delayed. I would like to know the criteria to participate in these programs and the exact number of

approved and denied applications for these under the Opportunities Fund for Persons with Disabilities. If you can't answer that today, could you answer soon?

[Translation]

Senator Carignan: Senator, as you know, budgets and funds allocated to a program have to be used for that program. When funds are not used, it is to be expected — and it is appropriate — that they return to the consolidated revenue fund. That is what we do every year, and I believe it is a good practice.

I know that you don't like talking about the past, which probably dredges up bad memories. Nevertheless, it's important to remember bad practices of the past in case you should decide to try them again.

[English]

Senator Munson: Mr. Leader, the rate of youth unemployment is more than double that of adult unemployment; and 50 per cent of persons with a disability are unemployed. You said something about wasting money moments ago — why spend money on different programs? You also said that it is a natural thing for money to go back into the government bank. I don't think it is a natural thing. Your government made important funding commitments in the recent budget for employment programs targeted at persons with disabilities. I want to praise you for that. That's a good thing. But failing to follow through on those pledges is not acceptable. Employing persons with disabilities, as you would know, or should know, builds a stronger economy. We're talking about an investment in people, Mr. Leader. Wouldn't you agree?

• (1400)

[Translation]

Senator Carignan: Honourable senators, our government is in the habit of spending money wisely. As far as young people are concerned, we have paid out over \$500,000 in apprenticeship loans and grants to young Canadians.

I sincerely believe that you should support our Economic Action Plan, which will improve trade and training and reduce taxes. With this plan, we will create jobs and lower taxes instead of creating them — the Trudeau tax — and returning to deficit spending, then cutting services to the public in order to make up the projected \$2 billion shortfall of the first Trudeau era.

[English]

Senator Munson: I have a further supplementary, honourable senators.

You have to watch the fine print these days; you talk about spending money wisely and then there's spending money in a partisan way. When we tried to watch the hockey game last night something got in the way because there was, as you mentioned, this action plan and these happy Canadians running around and

doing all these wonderful, happy Canadian things. You say this is not partisan politics, two or three months before the election, but you're spending taxpayers' money on that kind of advertising. Then, at the very bottom of the screen, when you're really anxious to get back to the hockey game, which is really relevant, are the words "pending parliamentary approval."

Is that being honest with the Canadian people?

[Translation]

Senator Carignan: I imagine that you watched the hockey game on CBC, since it is free. I watched the game, too, and I must admit that I was rather disappointed with the outcome. I did not set my recorder to filter the ads, senator. I think it is important to inform Canadians about the programs that are available to them — especially those that help reduce taxes — so that they can take advantage of all the services and tax benefits they are entitled to and keep more money in their pockets. It is their money.

[English]

Hon. Jane Cordy: The government has already been chastised for advertising programs that have not been approved by Parliament and yet it doesn't seem to matter because they continue to do so despite that.

I would like to go back to the Youth Employment Strategy fund: \$30 million of that fund was lapsed by this government. This is money that was approved by both houses of Parliament. Clearly both houses of Parliament felt that money was important in light of the high unemployment numbers for the young people of Canada. Thirty million dollars was lapsed for the Youth Employment Strategy.

You said it's great this money has been lapsed because we don't want useless expenditures. Are you suggesting the money approved by both houses of Parliament — \$30 million for the Youth Employment Strategy — was a useless expenditure?

[Translation]

Senator Carignan: As far as funding for youth employment programs is concerned, we created apprenticeship loans and grants. More than \$500,000 in loans and grants has been paid out to Canadians.

With regard to the large amounts spent on advertising, I would like to remind you that we are still looking for the \$40 million from the sponsorship scandal. We would really like to recover that money in order to continue creating wealth and investing in programs. I know that you have some friends who may have an idea about where to find that money, so if you should think to talk to them, we would like to know more about that.

[English]

Senator Cordy: Every time there is no answer we go back to this — the same rhetoric. You can always pull out the talking point on that one when all else fails.

[Senator Munson]

VETERANS AFFAIRS

LAPSED FUNDING FOR PROGRAMS

Hon. Jane Cordy: The amount of \$1.1 billion meant for veterans, money that was passed by the House of Commons and the Senate, was lapsed. Are you suggesting that \$1.1 billion for veterans was a useless expenditure?

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator, I know that you were a teacher. If you were in the habit of correcting your students' tests by having them say something they never said, I wonder what the results were at the end of the term.

FINANCE

FINANCIAL INSTITUTION REGULATIONS

Hon. Céline Hervieux-Payette: We will change the subject, even though it is not a very pleasant one. In today's edition of the *Le Devoir*, the Managing Director of the International Monetary Fund, Christine Lagarde, warned the international financial community about the current risks to financial stability. She said that the culture of the banking system was mostly to blame. Ms. Lagarde believes that banking regulations and bank management practices are weak. That said, a few pages further on in this same newspaper, we learn that total compensation for the CEO of the Toronto Dominion Bank, Ed Clark, rose by 10 per cent in the past year to \$11.4 million. That is a small point. In a public speech, when talking about his rather prolific career, he said that it would be much more difficult from now on for our banks to make profits. He said that just after he gave himself a 10 per cent raise on his \$10 million salary.

I want to know if your government is listening to the concerns expressed by the managing director of the International Monetary Fund regarding the activities of the banking and financial sectors and the risks facing the global economy ever since banks in Canada and elsewhere took over securities companies. The banks are using them to play both sides of the field.

Have you thought about what you can do to prevent another crisis in the banking world?

Hon. Claude Carignan (Leader of the Government): It is widely recognized that we have one of the best banking systems in the world. As for bank fees, we believe that Canadians deserve to keep their hard-earned money. That is why we have taken action to extend no-cost banking options to over 7 million Canadians, including students and seniors.

I want to remind you, senator, that our government is also taking concrete action to protect consumers. We have banned the distribution of unsolicited credit card cheques. We have limited anti-consumer business practices and eliminated expiry dates for prepaid credit cards. We have also introduced rules requiring that terms and conditions be disclosed clearly in credit card applications and contracts.

With respect to bank fees in particular, which you referred to at the beginning of your question, I think our government is acting quickly and effectively.

• (1410)

Senator Hervieux-Payette: At the International Monetary Fund meeting last month, which Mr. Oliver did not attend, the IMF called out Canada directly and said that the situation in our country's housing market is critical. Yesterday, Fitch Ratings, which gives Canada a good financial rating, echoed these concerns.

Maclean's magazine interviewed Minister Oliver, who said that he was not concerned about the situation and that Ms. Lagarde was likely getting her information from unqualified people. Fitch Ratings and economists agree: 25 per cent of Canadian taxpayers are in debt and pose a risk to the real estate sector. I would like to know who is right, Ms. Lagarde or Mr. Oliver?

Senator Carignan: You should ask your leader, Justin Trudeau, to reconsider his position on tax-free savings accounts, because 600,000 seniors earning less than \$60,000 max out their contributions and will benefit from these measures. There are 11 million Canadians with a tax-free savings account, and they are primarily low- and middle-income earners. Half of TFSA holders earn less than \$42,000 a year. Our government has lowered taxes for families and seniors. It's clear that on the other side they want to abolish these benefits for Canadians. The TFSA is an extremely important tool for encouraging Canadians to save and lowering debt.

BUDGET 2015—TAX-FREE SAVINGS ACCOUNTS

Hon. Céline Hervieux-Payette: When I hear that your government, and especially your Prime Minister, would like to do away with the Canada Pension Plan and that we should manage our pension funds ourselves, he must certainly be forgetting the people who earn between \$29,000 and \$40,000 a year.

Mr. Speaker, could you call the senators to order? I don't interrupt you while you are talking. Please be quiet.

[English]

The Hon. the Speaker: Order. Honourable senators, when a fellow senator has the floor, let's try to refrain from catcalls and exchanges back and forth. Let's have the decency of allowing the senator to pose her question and letting the leader answer the question.

[Translation]

Senator Hervieux-Payette: Thank you, Mr. Speaker. I was talking about Canadians who earn between \$29,000 and \$40,000 a year. From 1999 to 2009, their incomes increased by 48 per cent, while the incomes of those who contribute to a TFSA — meaning taxpayers who earn \$100,000 or more a year — increased by 98 per cent. Tell me how individuals who earn \$40,000 a year can save \$10,000 a year once they have put food on the table, a roof over their heads and clothes on their backs and travelled to and

from work. How can they put \$10,000 a year into a TFSA? People who are earning \$100,000 a year are getting a leg up on low-income earners by doubling their incomes.

Hon. Claude Carignan (Leader of the Government): That is why it is important to create jobs, take measures that will leave more money in Canadians' pockets, and lower taxes for families instead of raising them. We are also talking about the Universal Child Care Benefit, which helps the vast majority of low- and middle-income families. Our government also adopted new measures for families. Senator, perhaps you are not already aware of this, so I would like to draw your attention to the fact that our new measures, combined with those implemented in 2006, will provide up to \$6,600 in tax relief for the average family of four.

Through our initiatives, the small business tax rate will be lowered by nearly 50 per cent, which will promote job creation and economic growth. Our Economic Action Plan is intended to lower taxes, balance the budget and create jobs. Meanwhile, your leader, Justin Trudeau, is planning to raise taxes and make cuts to services to balance the budget, which will bring us back into a deficit situation. He will be looking for \$2 billion, whereas we were looking for \$40 million before. Mr. Trudeau will have to find \$2 billion.

Senator Hervieux-Payette: I would like to add a comment about your major benefits for families. Don't forget to tell them that the benefits paid to families with children will now be taxable. In other words, you are giving them four quarters and taking a loonie. These families won't end up with any extra money in their pockets. What I want to know is how individuals who earn between \$29,000 and \$40,000 a year are supposed to contribute money to their TFSA.

Senator Carignan: I invite you to wait until early July, when Canadian families receive their extra cheque for the higher amount. You will tell them that the government did not give them four quarters and take a loonie. It gave them money that belonged to them.

[English]

HEALTH

FIRST NATIONS HEALTH CARE IN NORTHERN AND REMOTE REGIONS

Hon. Wilfred P. Moore: My question is also for the Leader of the Government in the Senate.

Leader, yesterday I asked about the Auditor General's Spring 2015 Report 4, which examined remote First Nations communities in northern Manitoba and Ontario. It was indicated that the results of that study were alarming. I would like to mention another alarming example of a health issue that impacts our First Nations people living in Canada's North.

According to the *Canadian Medical Association Journal*, cases of rickets among First Nations children in Canada's North are on the rise. Dr. Leanne Ward of Children's Hospital of Eastern Ontario here in Ottawa, first raised this issue and gave public notice of it back in 2007.

This is a disease associated with the Charles Dickens' London, England, era of the 1830s. Today it's associated with poverty, food insecurity and a lack of country foods in the diet of our northern First Nations people.

First Nations children under six months of age have severe symptoms of the disease, including skeleton deformities, fractures, heart failure and seizures. This is unacceptable.

Can you tell us and assure the chamber that First Nations in Canada's North can look forward to immediate and effective action to erase this insidious disease?

[Translation]

Hon. Claude Carignan (Leader of the Government): A significant amount of money goes to First Nations health. The government invests \$2.5 billion a year in Aboriginal health programs and services. It provides access to services 24 hours a day, seven days a week on 80 reserves for more than 91,000 people. It provides home care and community care on 500 reserves and \$1.1 billion a year for prescription drugs, medical transportation, dental care and other services on reserves. The 2015 Budget includes \$2 million a year to provide services to promote mental health in Aboriginal communities. There is a whole host of measures that will benefit the First Nations in terms of health care. The money is available to meet all the First Nations' health care needs.

[English]

Senator Moore: Leader, there is indeed a level of measurement with regard to the level of health services in the North. Health Canada has set those levels at the nursing stations, which we talked about yesterday.

• (1420)

Those are triage emergency services and outpatient non-urgent services. However, the Auditor General found that Health Canada cannot assure that these nursing stations meet this level of service.

Again, I'm going to ask: Why has the government not provided to First Nations communities in northern Manitoba and Ontario a level of service that the government has made a commitment to maintain. It's one thing to say you're going to do it. Maybe we're getting back to the unspent money. If we don't look after this, leader, it's going to cost us more down the road. I'm urging you, first of all, to answer the question. If you can't do it today, I'd like to know what we're going to do to rectify the situation. We've heard that only one in 45 nurses is properly trained. We have heard that the nursing stations, the buildings, aren't properly maintained. I would like to have an answer.

[Translation]

Senator Carignan: As I said yesterday on the topic of mandatory training for nurses, it is important for Aboriginal people to have access to health care providers. Nurses on reserves are educated, skilled, trained and licensed. We will redouble our efforts to ensure that, in addition to having a degree, they also meet the training requirements.

[Senator Moore]

We want to encourage practitioners to work on reserves, so we are going to forgive the Canada student loans of doctors and nurses who work in remote regions. We will also implement a recruitment and retention strategy for nurses who have just completed their studies and introduce means to help graduates integrate.

Since February alone, we have received over 250 applications a month for this program. We will continue to work along those lines.

[English]

Senator Moore: I was encouraged yesterday when you said that you had an increased number of applicants. I think that's terrific. But I'm going to back to what I mentioned yesterday. The Auditor General found that only one in 45 nurses has the mandated course to be administering to First Nations peoples. That was pointed out by the Auditor General in 2010.

What has been done since 2010 to date to put in place the courses that are needed? Your own government, the federal government, has mandated that these courses be in place and be taken by the nurses who want to administer to our First Nations people in the North. What has taken place since 2010 to ensure that those qualifications will be available and will be met?

[Translation]

Senator Carignan: As I said, we welcomed the Auditor General's report. We thank him for it, and we will continue to redouble our efforts to ensure that nurses meet the department's training requirements.

Since 2006, funding for Aboriginal health has increased by 31 per cent. Over half of First Nations reserves have fewer than 500 inhabitants. At certain times of the year, there is no road access, which prompted the creation of 215 telehealth sites. That is why we will continue to encourage recruitment of skilled health care providers.

[English]

Senator Moore: With regard to the applicants, I'm not sure just what they are for. Are they for nursing positions, and are they for nursing positions in more urban reserves or on more remote reserves that we have in the North?

[Translation]

Senator Carignan: This is about recruiting and retaining nurses in remote regions.

[English]

Senator Moore: These are for Northern and remote communities. Do you have an indication? Maybe you could provide that. I would like to know where those jobs are. It's more attractive, of course, to be working on a reserve that's near an urban centre, but our committee visited a number of reserves where — housing is one thing — health and the lack of the basics that we have in the South, as they say, screamed out. I would

hope that a balance, a good number of those 250, is people who really want to provide service and work in the northern communities.

[Translation]

Senator Carignan: Senator, I will convey your comments to the minister.

[English]

The Hon. the Speaker: I would like to advise the chamber that the time for Question Period has elapsed.

ANSWER TO ORDER PAPER QUESTION TABLED

VETERANS AFFAIRS—VETERANS WORKING IN THE DEPARTMENT

Hon. Yonah Martin (Deputy Leader of the Government) tabled the answer to Question No. 14 on the Order Paper by Senator Downe.

ORDERS OF THE DAY

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Tom McInnis moved second reading of Bill C-12, An Act to amend the Corrections and Conditional Release Act.

He said: Honourable senators, it is my pleasure to rise as the sponsor of Bill C-12, also known as the drug-free prisons act. There is no question that drug use in our penitentiaries adds danger for our correctional officers. In addition, drugs in prison are a threat to the rehabilitation of our inmates. It is a fact that some 75 per cent of offenders entering the federal correctional system have issues with drug or alcohol addiction or abuse.

Indeed, in many cases, the offence that led to their incarceration in the first place can be linked to their involvement with drugs or alcohol.

The use of drugs while in custody can have a negative impact on rehabilitation, especially for those offenders whose substance addiction is connected to their likelihood of reoffending. One has to note that almost 95 per cent of offenders who are seeking rehabilitation in our facilities are being provided with services. Correctional Service Canada has also implemented an early detection system so that, whenever an offender is entering a facility, corrections is able to evaluate if there is a need to provide some support resources.

Even the most committed individuals with substance addictions have difficulty recovering in an environment where they can access drugs, which is why this legislation is so important. Let us remember that the vast majority of offenders incarcerated in federal prisons are serving determinate sentences. That means the vast majority of offenders will eventually be released back into the community.

What are the consequences for the safety of our communities if these offenders are not able to address their addiction problems prior to their release into the community?

Drugs in prison put the rehabilitation of offenders at risk. They put the safety of our communities at risk, and they most certainly put the safety and security of federal penitentiaries and those who work in them at risk.

Indeed, the concern over the damaging impact of drug use in prison is one reason the government appointed an independent review panel in 2007 to explore ways to improve our correctional system and enhance public safety.

Based on the panel's recommendations, Correctional Service Canada began a transformation agenda in 2007 to help maximize its contributions to public safety over the long term.

In support of this transformation, through the Economic Action Plan 2008, \$122 million over five years was allocated to support new measures to control the smuggling of drugs into federal prisons, an investment significant in both size and importance.

Honourable senators, some Canadians following this debate at home may think of federal prisons as places where the doors are always locked and there is little movement in and out. Certainly, federal prisons are secure places, but opportunities for individuals to smuggle drugs into these institutions still remain. Garbage trucks and food trucks come and go. Family and friends visit. Not just correctional officers, but all sorts of employees and contract workers enter and leave the institution every day: cooks, cleaners, clerical staff, laundry workers, counsellors, plumbers, electricians, doctors, nurses, teachers and others.

• (1430)

Drugs have been thrown over prison walls inside dead birds. Bows and arrows have been used to get drugs over prison walls, compromising the safety of staff and offenders alike. Drugs have been found in diapers of infants, brought in for a visit of a parent or grandparent in prison.

Now there are reports of unmanned aerial vehicles, UAVs or drones, being used to smuggle drugs, contraband and other unauthorized items into prisons.

This is the type of challenge our correctional service is facing.

To combat this, there has been a significant expansion of the Correctional Service's Detector Dog Program. As just one example, in October last year, correctional officers doing a routine check with two drug detector dogs discovered a cache

of drugs worth more than \$200,000 in the parcel storage area at the medium security Joyceville institution near Kingston, Ontario. Quite amazing.

Correctional Service Canada has also been able to establish stronger partnerships with law enforcement agencies, enhancing the supervision of offenders in the community and strengthening its ability to obtain security intelligence in communities as well as institutions.

In 2011, the government introduced the Safe Streets and Communities Act, which included additional measures to address drugs in prison. With that legislation in place, those caught trying to sell drugs on prison property are now subject to tough, mandatory minimum sentences.

Further, honourable senators, now 10 per cent of the inmate population must undergo random urinalysis drug testing every month. Every federal inmate found to be in possession of illicit substances will face appropriate disciplinary charges. In the case of any offender granted parole but not yet released from an institution who fails or refuses to provide a urine sample, the offender's parole could be cancelled.

Senators, at the end of 2013-14, the federally incarcerated population in Canada was 15,295.

In fiscal year 2010-11, there were just under 1,300 drug seizures. Just three years later, in fiscal year 2013-14, the number of drug seizures in federal correctional institutions had almost doubled to more than 2,400.

Correctional Service Canada is seeing a positive impact from the implementation of measures to ensure that 10 per cent of the inmate population is tested every month.

In 2013-14, Correctional Service conducted 16,518 urinalysis tests in penitentiaries, a 114 per cent increase in testing as compared to fiscal year 2011-12.

Every inmate in an institution is subject to the random urinalysis selection process, thus contributing to the government's commitment of having every federal inmate be tested at least once every year.

The random testing is in addition to the drug testing that correctional staff can demand an offender undergo if there are reasonable grounds to support a belief that an offender has taken an intoxicant.

I would note that if an offender refuses to take a drug test, the refusal is treated similarly to a positive test.

The testing regime, I think, is very important. It is an important deterrent.

Correctional Service Canada is also fulfilling the second part of our commitment. Any offender found in possession of drugs is now automatically referred to law enforcement for appropriate

action. This is just common sense. The laws apply whether you are in the community or in prison, and these tools will help Correctional Service Canada enforce these laws in our penitentiaries.

With the implementation of more frequent testing and tougher enforcement, the percentages of positive tests and of offenders refusing to take a test have declined, a strong indication that the availability of drugs in the system has also declined.

This bill also provides that any offender applying for parole who failed a drug test will be denied parole. Honourable senators, the drug-free prisons act would amend the Corrections and Conditional Release Act in two ways. First, the act would state categorically that the Parole Board of Canada has the legislative authority to cancel an offender's parole when an offender refuses to submit to a drug test before the offender is released into the community.

In other words, if an offender who has been granted parole fails or refuses a drug test while still in the institution, Correctional Service Canada would be required to report this information to the parole board. This would ensure the board has the opportunity to take this information into consideration in deciding whether or not to cancel the offender's parole.

The second change would provide the parole board with explicit legislative authority to impose a condition relating to the use of drugs or alcohol during conditional release. This would apply particularly in cases where drug or alcohol abuse or addiction was a factor in the offence that led to the offender's incarceration.

Should an offender violate this condition, there would be consequences for this breach, and the offender could be returned to the penitentiary.

This is a simple matter of public safety. Where illicit drug use has been shown to be a factor in the commission of an offence, it seems more than reasonable that the offender in question should be required to refrain from illicit drug use while on conditional release.

It is a matter of public safety, and it is also a matter of holding offenders accountable for their actions, to take responsibility. That is what rehabilitation is all about, understanding that actions have consequences and that we are all responsible for our own actions.

Senators, today every offender undergoes a thorough, professional assessment during their first 90 days of incarceration. That assessment covers everything from an offender's social and economic history to problems with drug or alcohol addiction or abuse.

Based on this assessment, a correctional plan is drawn up for every offender, including, where necessary, participation in programs to help the offender deal with substance abuse problems. This means that as soon as offenders begin serving their sentence, they are being provided with the tools that will help them reintegrate successfully into society, free of addiction to alcohol or drugs. As well, offenders who test positive for drug use

may be offered the opportunity to participate in one of a range of internationally accredited substance abuse programs provided by Correctional Service Canada.

These programs enable offenders to learn to manage their patterns of substance abuse with the ultimate goal of decreasing the chance that they will reoffend. These programs are working, and that is why we must continue to provide the resources the correctional system needs to deliver on this important aspect of rehabilitation.

These changes will help to ensure offenders understand they are accountable and will be held accountable for their behaviour.

These changes will provide offenders with greater incentive to participate in substance abuse programs, and thus they play an important part in our government's effort to eradicate illicit drugs in federal prisons.

Senators, in the other place, this bill received unanimous approval. I am confident that honourable senators will see the wisdom here in these amendments and join me in supporting the successful rehabilitation of offenders and enhancing the safety of our prisons and our communities.

Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Campbell, debate adjourned.)

• (1440)

ADJOURNMENT

MOTION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of May, 6, 2015, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, May 12, 2015, at 2 p.m.

Hon. Ghislain Maltais (Acting Speaker): Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Nancy Ruth, seconded by the Honourable Senator Patterson, for the second reading of Bill S-225, An Act to amend the Criminal Code (physician-assisted death).

Hon. Denise Batters: Honourable senators, I rise to speak today to Bill S-225 about assisted suicide. This bill proposes allowing adult Canadians diagnosed with an illness, disease or disability that causes “intolerable” physical or psychological suffering the right to request a physician-assisted suicide.

Let me begin by saying that I have a great deal of sympathy for individuals and families who find themselves in a situation where they are forced to deal with these end-of-life issues. When faced with extreme physical pain, a terminal diagnosis and no possible hope of recovery or quality of life, I can understand why some believe that assisted suicide may be their only option for a merciful death.

But I do have very serious concerns about this legislation, particularly as it could rely solely on psychological suffering as sufficient cause for ending one's life. Even before this bill was introduced in the Senate, I advised Senator Nancy Ruth that I would be unable to support her legislation, in any way, if “psychological suffering” remained in this bill. Obviously, it has remained and, as such, I simply cannot agree with this bill even being passed on to the Senate committee for further study. I want to outline my concerns on this, for your consideration, my honourable colleagues.

As many of you know, the issue of suicide is very personal to me. I lost my husband, former Member of Parliament Dave Batters, to suicide in 2009, after his struggle with severe anxiety and depression. I unfortunately do have some knowledge of how the suicidal mind works. I certainly know first-hand how the lives of loved ones are so significantly impacted after one decides to make that very final choice.

In this chamber, Senator Nancy Ruth has indicated that she has chosen to include “psychological suffering” as a grounds for assisted suicide in the interests of equality for those suffering with mental illness. I understand her aim, honourable colleagues, for I would be the last person to suggest that someone struggling with mental illness should receive less equal treatment under the law. However, I do think, in the context of assisted suicide, that mental illness carries with it certain considerations that are not the same as that of physical illness. It is generally less visible in a physical sense. On its own, it is not terminal. Its treatment often involves a different, more intimate relationship with medical providers. So while psychological suffering may be just as unbearable as physical suffering, these two things are not the same and, I submit, should not be treated as such in the legal context of assisted suicide.

As I mentioned, mental illness and depression, in and of themselves, are not terminal illnesses. Yet Bill S-225 would extend the right to access assisted suicide to those suffering from these afflictions. In fact, this legislation does not require a terminal diagnosis for any illness, mental or physical.

And lest you should find it a stretch that the state would actually offer the option of assisted suicide to those suffering from psychological suffering in the absence of physical suffering, let me assure you that we have already begun to see this happen in European jurisdictions that have legalized euthanasia and assisted suicide.

An article in the German newspaper *Der Spiegel* recounts of one-end-of-life clinic in The Hague:

Among the patients here was a woman with a pathological fear of grime and bacteria who had a washing obsession as well as a 63-year-old man who feared loneliness after his retirement. In both instances, doctors here helped the patients to die.

Recently, the clinic was reprimanded for aiding the suicide of a 47-year-old mother suffering from a bad case of tinnitus, ringing in the ears. The clinic was reprimanded because “not all treatment options have been exhausted.”

Bill S-225 does not even require that, honourable senators.

Another case, considered before the Dutch Supreme Court in 1994, concerned a perfectly healthy 50-year-old mother of two sons who had both died in their twenties: one of cancer, the other by suicide. Overcome with grief, she determined that she wanted to join them. She wanted a physician to help her kill herself so she could forever rest in the grave between her two sons. She refused bereavement therapy and treatment by antidepressants. The doctor who aided her suicide is quoted as saying, “Intolerable psychological suffering is no different from intolerable physical suffering.” Does that reasoning sound familiar, honourable senators? That is the type of argument that is being set forth in Bill S-225.

Ultimately, the Dutch Supreme Court did choose, wrongly in my opinion, to expand the criteria to encompass psychological suffering in the absence of physical illness. George Annas, a Boston University health law professor, said of the decision, “If you are worried about the slippery slope, this case is as far down as you can get.” Indeed, honourable senators. And as legislators we have a responsibility to avoid any such slippery slope here in Canada.

As you are all no doubt aware, the Supreme Court of Canada ruled earlier this year to overturn its previous decision banning assisted suicide and to allow for assisted suicide in some cases. The court declared that the blanket prohibition on assisted suicide was void:

... for a competent adult person who (1) clearly consents to the termination of life and (2) has a grievous and irremediable medical condition (including an illness, disease or disability) that causes enduring suffering that is intolerable to the individual in the circumstances of his or her condition.

The judgment is careful to say, however:

The scope of this declaration is intended to respond to the factual circumstances in this case. We make no pronouncement on other situations where physician-assisted dying may be sought.

The Supreme Court has suspended the application of this judgment for 12 months, ostensibly in order to allow Parliament the opportunity to create legislation in the area of physician-assisted suicide.

Proponents of assisted suicide cite recent studies and polls indicating support some form of assisted suicide. The 2014 Ipsos-Reid “Dying with Dignity” poll, so often cited, indicates 88 per cent approval, they say. Upon closer examination of the question asked, though, it becomes clear that respondents to this poll were agreeing with the statement:

... people should be able to decide for themselves when and how to die if they are terminally ill or have an intolerable quality of life ...

“Terminally ill,” honourable senators, is a term which is neither in Bill S-225 nor the Supreme Court’s most recent decision.

I have talked to many people in Saskatchewan and across this country regarding this issue. Many of those initially express that they are supportive of the concept of physician-assisted suicide. But what they support, honourable colleagues, is not what we find in this legislation. Bill S-225 is not limited to terminal illness or to disorders that are medically untreatable or even to physical pain or suffering.

Almost without exception, the people I have spoken to are supportive of assisted suicide only where there are significant safeguards in place and no other options available. They assume only those who are terminally ill and/or incapacitated would be eligible for physician-assisted suicide. When I have told people that this legislation would allow for those with psychological suffering to get help to end their lives, people are stunned and horrified. None of us wishes to see another person suffer in any way. But we cannot step off the precipice of a moral cliff that Canadians are not prepared for, honourable senators.

In any event, the Supreme Court’s recent decision on assisted suicide has opened a national discussion on this issue. I think it would be an enormous mistake to pass this legislation as it currently stands, before the federal government has had time to consult widely with Canadians and the provinces on this matter.

I am not altogether comfortable with the Supreme Court’s definition of what qualifies one for assisted suicide, either. I believe its definition leaves the door too wide open to interpretation, especially in regards to mental grounds for assisted suicide. But it is worthy of note that this judgment did not explicitly spell out psychological suffering, as does Senator Nancy Ruth’s bill before us.

• (1450)

Assisted suicide is a complex and multifaceted issue, and one that must be considered carefully. Any legislation in this area must be specific and precise in order to establish the necessary safeguards to prevent abuse, for what hangs in the balance is Canadians’ lives, honourable senators, and we cannot lose sight of the gravity of that.

Assisted suicide flies in the face of the traditional suicide prevention model. As the Mental Health Commission of Canada’s website states:

The goal of suicide prevention is simple: to reduce the factors that raise the risk of suicide while increasing protective factors, like resilience and hope.

And what is one of the biggest factors in determining whether someone is more likely to complete suicide? Access to the means to do so, which is exactly what this legislation would give those in a desperate situation, honourable senators.

Suicide is a choice between life and death. It is final. For many people feeling desperate to end their emotional pain, the prospect of having to take their own lives is just daunting enough to prevent them from doing it. It is not conscionable that we should be making that choice easier and more accessible for them.

To someone living with severe mental illness, such as severe anxiety or depression, does their suffering feel intolerable to them? Undoubtedly. I have witnessed this. I respect it, and I do not dispute it. But does this legislation adequately address the complexity of such final decision making where mental illness like depression is involved? I would suggest that it does not.

In the first place, individuals who consider suicide can change their mind back and forth a few times, depending on their mental condition and circumstances at the time. Furthermore, statistics show that many people who complete suicide do so after one or more suicide attempts. Those attempts, tragic as they are, may be that opportunity for that person to finally receive the necessary resources to help them deal with or successfully treat their mental illness. Of course, if a lethal dose of medication is prescribed by a doctor to end that patient's life instead, and that medication is consumed, there is no opportunity to change that patient's mind or to seek help. There is only certain and final death.

In Bill S-225, the time between the signing of an individual's request for assisted suicide and the completion of that suicide is 14 days. I submit that such a period of time would be insufficient for many individuals to even get an appointment with a psychiatrist, much less truly decide whether their own life is worth living. In the case of illnesses such as depression and anxiety, which often involve distorted thoughts and can be episodic, 14 days is simply not a sufficient safeguard.

Also, the murky definitions within the bill are quite frankly inadequate. For example, can someone in the throes of severe depression or anxiety be considered to be of sound mind? It seems to imply a certain capacity for rational thought. Depending on the severity of the mental illness, rationality may be possible, or it may not, but is killing oneself a truly rational choice? I'm not sure it could be argued to be so. Or if it can, and if someone with depression is capable of rational thought, then is their illness so severe as to be deemed intolerable?

The fact of the matter is that, in this legislation, those definitions are subjective. The psychological suffering must be "intolerable to that person and cannot be alleviated by any medical treatment acceptable to that person." So there may be reasonable treatments available to you, and perhaps those treatments could work to successfully alleviate your intolerable psychological suffering, but if you choose not to try, then the state must help you end your life.

Ultimately, the decision to grant your request for suicide rests with two physicians, defined under the legislation only as doctors of medicine licensed to practise in the province or territory you

are in. Bill S-225 further stipulates that the consulting doctor, and only the consulting doctor, must be "qualified by specialty or experience to make a professional diagnosis and prognosis regarding the person's medical condition."

Again, what exactly does that mean? Would a general practitioner qualify to make a professional diagnosis on mental illness? As they can prescribe antidepressants, and do so every day, it seems reasonable to assume they could qualify, and yet there is a wide gulf of knowledge about mental illness between a GP and a psychiatrist.

Neither the assisting nor the consulting physician is required to have treated the patient before or to have particular knowledge of the patient's medical history. In the absence of the physical symptoms that would likely be present in a physical disease, on what is a doctor to base his or her evaluation of "intolerable psychological suffering"? Another doctor's notes? A patient's word? The very final option of suicide should not and must not be offered in the absence of such crucial safeguards.

Furthermore, if a physician deems a person's mental or psychological suffering to be too intolerable, does that not in itself eliminate hope? Couldn't diagnosing a patient's depression as intolerable dissuade that patient from considering other alternative treatments, medication, et cetera, which could treat them and ultimately keep them alive? Doesn't that contravene the physician's motto to "first, do no harm"?

Certainly the ethical implications might be even more significant for psychiatrists. Bioethicist and author Jacob M. Appel has written:

The nature of psychiatric therapy differs from that of other medical treatment in the degree of attachment between caregiver and patient. This distinction is recognized in various regulatory codes, and most glaringly in the rules banning romantic relations between psychiatrists and former patients, even many years after care has ceased. Moreover, psychiatrists are trained to prevent suicide—an outcome widely regarded by the profession as a failure. This conflict of interest places the psychiatrist in the unpleasant bind of choosing between a patient's wish and the standard of care in the field. Psychiatrists might even attempt to avoid treating such rational but chronically suicidal patients in an effort to avoid this choice.

Obviously, no one would be well served by such an eventuality.

Bill S-225 is scant on the details of the process for determining whether to grant assisted suicide or not. What kind of evaluation will a doctor be conducting to determine whether the only possible option for a patient is assisted suicide?

Under this legislation, an applicant for assisted suicide defines what is intolerable for him or herself. In fact, Bill S-225 stipulates that the suffering "cannot be alleviated by any medical treatment acceptable to that person." This does not say that all other avenues for treatment must be explored before assisted suicide is considered.

This isn't legislation to be used only in the event of a treatment-resistant mental illness, for example. The patient only has to deem all other forms of medical treatment to be unacceptable.

Could I have five more minutes, honourable senators?

The Hon. the Speaker: We will offer Senator Batters an extra five minutes.

Senator Batters: Thank you.

The patient only has to deem all other forms of medical treatment to be unacceptable. With that and a diagnosis, on what basis could these doctors refuse to grant assisted suicide?

Will there be any consultation with the patient's family or friends? I would suspect not, for privacy reasons, but how then to ensure that the doctor advising the suicidal patient has a fulsome picture of the totality of the patient's possible resources? Might extended intensive therapy help a patient heal themselves, repair fractured relationships or rebuild the vital support networks that might give that patient some reason to have hope — some reason to live?

Honourable senators, the preservation of hope for that mentally ill person is, to me, the absolute paramount consideration.

Are we as a society abrogating our responsibility and obligation to help mentally ill individuals by offering them this state-sanctioned suicide? Shouldn't we be focusing instead on providing those supports?

This legislation raises far too many questions and provides next to no answers, but I can tell you the answer I would give, honourable senators. I have lived on now almost six years without my loved one. I have picked up the pieces and moved forward, trying to create something meaningful out of our personal tragedy. And yet not a day goes by when I don't wonder if there might not have been another way out for Dave — another counsellor, another medical treatment, another conversation that might have made the difference. Because of the finality of Dave's choice, we will never know.

There is a saying in the suicide prevention community: "Suicide doesn't end the chances of life getting worse, it eliminates the possibility of it ever getting better."

Honourable senators, this is Mental Health Week, so I think it is particularly important to turn our focus to providing real options for those who are struggling with mental illness, not arm them with the means to more easily access the devastatingly final choice of suicide.

We cannot move forward with this deeply flawed legislation, honourable colleagues, as it is currently worded. Canadians support alleviating the suffering of others, but not in these circumstances. I cannot stand in this esteemed chamber and vote to further study a measure that could condemn other Canadian families to suffer the same fate I have, to become the unwilling survivors of suicide.

[Senator Batters]

Those who endure psychological suffering need our support, resources and promise that we will never give up on them, even when they can see no option but to give up on themselves. Canadians deserve better, honourable senators. I encourage you all to join me in defeating this bill. The lives of our loved ones who suffer with mental illness might just depend on it.

Some Hon. Senators: Hear, hear.

(On motion of Senator Seidman, debate adjourned.)

• (1500)

REFORM BILL, 2014

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Tannas, seconded by the Honourable Senator Ataullahjan, for the second reading of Bill C-586, An Act to amend the Canada Elections Act and the Parliament of Canada Act (candidacy and caucus reforms).

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, let me say at the outset that there are few if any parliamentarians for whom I have greater respect than for the originator of this bill, Michael Chong. You could go back 50 years and count on one hand — and have fingers left over — the number of people who have had the courage and principle to resign from cabinet on a matter of principle, and Mr. Chong did that.

Having done that, he didn't walk away in a huff. He has dedicated enormous energy in the ensuing years to fighting for the renewal, the improvement of Parliament. I have very great admiration for his principles, for the courage he has to stand by them and for the tenacity he has shown in acting on them.

He has called this bill the Reform Act, 2014, but I suppose it would be 2015 if it passed. That is a title with great historical resonance. It reminds us that the cause of parliamentary reform is unending.

Not long ago I read a wonderful book by the British historian Antonia Fraser about the fight at Westminster for the Reform Act of 1832. Parliamentary reform is not a new cause. It won't ever end because societies evolve, public needs evolve, technologies evolve. We must permanently bear in mind the need to reform ourselves and our practices in order to take those things into account.

In particular, with this bill, Mr. Chong wants to reverse recent decades' unhealthy trends in parliamentary existence. Who among us can say that he is wrong to want to reverse those trends?

Who among us does not feel grave concern about the way Parliament has been disempowered in recent decades under successive governments? It gets worse with each government,

which means that the present government, in my view, has made matters even worse than they had been hitherto, but the trend has existed for decades from government to government. Power has shifted steadily away from parliamentarians to what we often call the centre, the Prime Minister's office or the leader's office, and often to people in those offices, unelected staffers who by now often have even more authority than cabinet ministers. This trend has been and is increasingly a truly massive distortion of the fundamental principles of a Westminster-style parliamentary system.

In our parliamentary system, ultimate power is supposed to reside not with anybody's office, but with parliamentarians. That is what responsible government means. I can still hear the voice of my history teacher in Grade 8 hammering into us what a great victory it was to achieve responsible government. Responsible government is government that is responsible to Parliament, not the other way around.

That is what Mr. Chong wants to restore. I can only applaud his good intentions and also his very clever ability to get this topic on to the public agenda. He has made it a matter of public conversation, which is more than the rest of us have been able to do.

Good intentions don't always get us where we want to go. When I look at this bill, I have several reactions to it. One is that this bill's presumed transfer of powers back to MPs, not so much to senators, is to some extent illusory. Where it is not illusory, its greatest effect too often is not to disempower the centre; it is to disempower the members of the political parties at the foundation of the system we have in this day and age. It is contrary to the trend of recent decades in Canada where we have worked in all parties to empower party members. In that way, I believe this bill would have the perverse effect of discouraging citizens' engagement with politics and, Lord knows, we don't want to discourage citizens' engagement with politics.

More fundamentally, I have another reaction, and that is to wonder to what extent one-size-fits-all legislation should intervene in the choices and practices of political parties which are, and should be, different from each other. One of the reasons we join one party as distinct from another is because the party we choose is different from that other one not only in its ideology, but in its practices, traditions and approaches to great matters.

I'm not the only one with this concern. When this bill was before a committee of the other place, the eminent political scientist Ned Franks, appearing as a witness, said:

I really wonder about the extent to which Parliament itself should tell caucuses and parties how their internal politics should be governed. I really do. Historically there's been a big difference between parties both within Parliament, outside Parliament, and the relationship between the two.

I agree with Professor Franks. It's one thing to have legislation designed to ensure a level playing field in elections. I think that's good because what we're doing is enabling all Canadians to have

a fair and equal chance to choose among the competing parties. However, when it gets down to the point where legislation is being passed to affect internal party matters and for that matter, parliamentarians' freedom of choice and action, I think we're going a good bit too far down the road of meddlesome intervention by the state.

Let me take this bill's proposals in order. The first one is the clause that would ostensibly remove the party leader's present power over who gets to be a candidate. At the moment, as we all know, party leaders have to endorse candidates who run under their party's banner. I say this is the most illusory part of this bill, because who are we kidding? The bill says that a person or persons authorized by the political party shall endorse the prospective candidates. Well, name me the party leader who isn't going to control the person or persons who get to make that endorsement, and I have a bridge in Brooklyn to sell you.

• (1510)

Then, moving on, we come to Mr. Chong's definition of a caucus. Normally you can skip by definitions but, in this bill, the definition of a caucus is central to everything else it does, other than the endorsement of candidates. Mr. Chong's definition of caucus is

a group composed solely of members of the House of Commons who are members of the same recognized party.

Well, I hope all you senators on the other side of the aisle are preparing to be independent the way we are over here.

Senator Mitchell: You have just been kicked out of your caucus. It's a two-tier caucus.

Senator Fraser: Mr. Chong offers a bit of an explanation for this definition, which I consider to be, shall we say, disingenuous. He says that the Parliament of Canada Act already has a definition of caucus that involves only members of the House of Commons and that the other definition that involves us refers to the Senate caucus. But the definition of the House of Commons caucus in the Parliament of Canada Act — it's not actually defined, but the reference to it involves the composition of the Board of Internal Economy. Well, that is a House of Commons committee. We would not expect senators to be eligible to sit on a Commons committee, would we? Then the other place where caucuses are referred to is in the long section referring to the extra allowances that go to people who hold various leadership positions.

That has nothing to do with the more fundamental role of a caucus, which in my view is, in large measure, to be, if you will, the interface between the party and Parliament. It's because of that, the role of that interface, that I would think long and carefully before passing a law to say that senators shall not be members of a caucus, because depending on the moment and the party and the persons involved, there are senators who have a great deal to contribute to the interface between party and Parliament. That has always been true on both sides of the aisle, and I think it stands sufficient chance of continuing to be true that it would be unwise to pass legislation banning them.

Mr. Chong says there could still be a national caucus, you know. Nothing would prevent the Senate caucus and the House of Commons caucus from getting together. But the senators would continue to be second-class citizens because they would have no vote in the crucial matters that this bill would turn over to caucuses.

I really don't think that defining a caucus in this manner is a matter for the law. Different parties will have different approaches to caucus, and their views may change over time. You will recall that a bit over a year ago the leader of the Liberal Party of Canada decided that Liberal members of the Senate would no longer be members of his national caucus. Well, I may have my own views about the way he did that and about the long-term implications of the choice he made, but I have not disputed for one second his right to do that, unfettered by any legislation. Legislation should neither forbid nor require specific membership in a caucus. That is a matter for the members of the caucus and for the leaders of the parties involved, as far as I'm concerned.

It goes on. The bill then says that the caucus chair must be elected. Now, I happen to believe that chairs of caucus should be elected. Every caucus I've ever been part of has had elected chairs. National caucus of the Liberal Party, Quebec caucus, Senate caucus, women's caucus — all have had elected chairs, and I think that's an admirable system. But as members on the other side know, it isn't necessarily the way all parties and caucuses have organized their affairs. I feel pity on some occasions for parties that don't have this admirable democratic principle, but I don't doubt that that system that exists on other side has been adopted for reasons that make sense to those who live by those rules. I'm just glad that I don't. Again, the law should not be determining how caucuses govern themselves. It really should not.

Now we get to the biggest one of all: party leadership. Under this bill, 20 per cent of caucus members, that is 20 per cent of the MPs in a given party, would be able to require a leadership review vote. Now, 20 per cent is not many. That's just one out of five. If 20 per cent did write to the caucus chair saying, "We want a leadership review vote," the caucus chair would have to call a secret ballot vote of the caucus members on whether or not there should be a full-fledged leadership convention process. A simple majority of the MPs would be able to throw their party into turmoil. There are so many things that are dubious about this proposal that I hardly know where to start.

Again, Mr. Chong's heart is in the right place. He wants to revert to the way parliaments functioned back in the days when governments knew they were responsible to Parliament. In the old days, caucuses did choose their leaders. But 19th-century methods are not necessarily what we need in 21st-century Canada.

In Canada, for many years now, we have been moving steadily toward acknowledgment that party leaders should be chosen, and removed where necessary, by party members. We have continuously expanded the accessibility of that decision to ordinary party members. We used to have delegated conventions, and the fix was in about who got to be a delegate, and then we improved that so that the choice of delegates was more open and transparent, and we moved to make sure there would be proper representation of all sectors of society and

regions among the delegates, and then we moved to giving every member of the party a vote. Most recently in my government — my party, sorry — I wish it were my government. In the party to which I am proud to belong, we allowed people who were simply supporters of the party to vote for the leadership. The object of that was to open and to democratize the process. That is what we have been doing in Canada. Mr. Chong's bill would throw total confusion into that.

It's true that it's not easy to remove a leader once he or she has been chosen. I hope we have another "she" before I die. Removal should be difficult, because leaders often have to make difficult decisions and they can't function properly if they every waking moment have to be looking behind their back to say, "Oh, my goodness, am I going to be displeasing 20 per cent of my caucus members?" But opportunities do arise to get rid of inappropriate leaders, notably after an election has been lost. In my view, this system would lead to serious, damaging instability.

I'm struck all over again every time I read the example of Australia.

• (1520)

In Australia, in 2010, the caucus of the Labor Party, which was in power, ousted its prime minister, Mr. Kevin Rudd, and they replaced him with an insurgent MP, Ms. Julia Gillard. However, Mr. Rudd did not go quietly into that good night. He kept fighting. That was in 2010. By early 2012, Mr. Rudd felt strong enough to mount his own challenge to Ms. Gillard. It didn't work that time, but he kept fighting. A year later, in March 2013, he tried again. It didn't work, but he still didn't go away. He kept fighting, and in June of 2013, he finally won, and he got them to oust Ms. Gillard and rename him party leader. In this process, he put not only his party but also the whole Australian political system through three years of uncertainty and instability — not necessarily a desirable outcome. What's fascinating, however, is that no sooner was he back in the saddle than he changed the system.

Nowadays, in the Australian Labor Party, a leadership ballot aimed at removing a prime minister can take place only if 75 per cent of caucus members sign a petition and, even then, only on the basis that the leader has brought the party into disrepute, which is quite different from adopting decisions that I just happen not to agree with, or failing to give me a cabinet job, or other reasons for people to become disgruntled.

Here at home, more recently, we have seen the fascinating example of Manitoba, where there was a rip-roaring caucus rebellion leading to a leadership convention at which — oh, boy — the party said, "Sorry, we like the leader we've got." I'm not a member of that party, I'm not a Manitoban, but I hate to think about the stresses and strains that that whole sequence of events put on the government, on the caucus and fundamentally on the party. It's not something we should be prepared to launch lightly.

You could argue — I would argue — regarding the idea that this particular 20 per cent is enough to launch a vote and that 50 per cent is enough to launch a full leadership race, that who is actually empowered by that is the malcontents. There will always be, in any human institution, a certain proportion of malcontents, people who are disgruntled.

An Hon. Senator: Like —

Senator Fraser: Yes, I do, actually. You, like me, worked in newsrooms and know it's true. There are lots of malcontents in newsrooms. It's human nature. The leader doesn't understand me; the leader doesn't agree with me; the leader isn't doing what I think the leader should do; time to get rid of the leader. Those people will be just as prevalent, maybe more prevalent, in politics as anywhere else.

Well, it's only going to take 20 per cent of caucus under this bill. I think it was Senator Wells who pointed out, in an exchange with Senator Tannas, that, in the caucus to which I no longer belong, there are 32 members, which means that seven people could start the process of unseating a leader who was endorsed, chosen, voted in by nearly 25,000 Canadians; seven versus 25,000. I have to believe there is something profoundly undemocratic about that proposition.

Now, I suppose the silver lining may be that even all this may, in fact, also be illusory because, in order for these rules to apply, the caucus of each party would have to vote after each election on whether to accept these rules or not. There's a Hobson's choice. You accept the rules and you've accepted a really rotten system. You don't accept the rules, and can you imagine what the people in the press gallery, the people on the open-line shows and your email boxes are going to say? That's why I think the illusory thing works either way, however you slice it.

I wish I didn't believe this, but I actually do believe that if this bill passes and takes effect, the actual effect will be almost the opposite of what so many Canadians hope for — indeed, what Mr. Chong hopes for — namely revitalization, a modernization, an opening up of Parliament. I don't think that's the way it will work. I'm afraid that in many ways the effect will be the opposite.

So here I stand, dumping from a great height upon the only piece of legislation we've seen in a long time that attempts to improve Parliament. It would be fair to say, "Well, then, what would you do if you don't like this bill?"

My solution sounds simpler than it is, but it is, in essence, quite simple. It is for us all, in both chambers, simply to do our jobs — not just bend to the will of the leader, or the leader's staff, or ministerial staff when we don't agree, when, after careful reflection and study, we don't agree with what we are being asked to vote either for or against, for that matter.

Every single member of either chamber, in my view, has the duty to consider carefully whether it is in the public interest to vote for a specific piece of legislation or a specific proposed amendment. We have increasingly, in both chambers, been failing in that duty. Virtually every vote is considered to be a whipped vote, even on many private members' bills. But what are the people of Canada paying us to do? They are not paying us to be the "trained seals" that you often hear disparaged. You hear that disparagement because we so often do behave that way. Our first duty is to the people.

There is a natural tendency to say I want to side with my team. There is nothing wrong with that, as long as you do not believe that your team is doing something that is actually wrong. There

are reasons why we belong to our different parties. There is a team spirit involved with that, and I think that's a good thing. But we have to exercise independent judgment. What can our leaders do to us if we do exercise independent judgment? Not much. Maybe they can expel us from caucus. So? What's more important: voting for what you believe is right or having dinner at Stornoway or 24 Sussex? Honestly.

In this chamber we have, in recent months, passed bills that we knew contained flaws. We knew they were in error — and now I'm not talking about partisan divisions about good or bad policy; I'm talking about actual errors in bills — and we passed the bills anyway. We're supposed to be the chamber of sober second thought. It may be that it would be appropriate for the two chambers of Parliament independently to change their own rules and practices, as distinct from the law, in order to encourage more independence.

One thing that would be so simple to adopt, that comes up again and again but never gets implemented, is the British system of the three-line whip where some three-line whip votes really are matters of confidence, and for those you are expected to stand with your party. But then other levels are not so important, and MPs at Westminster are much freer to vote their conscience on those votes.

• (1530)

Things like that can be done without passing one-size-fits-all legislation. If we're serious about parliamentary reform, those are the steps we should be investigating, and I think Mr. Chong would be a wonderful person to lead that drive.

He keeps trying. He obviously has tenacity and courage. If, as I hope, this bill does not pass in its current form, I hope very much that he will not give up, that he will bend his admirable talents to fixing problems that can be fixed with fewer foreseeable, though unintended, unfortunate consequences.

I would love to be able to support this bill, but as it is written, colleagues, I'm afraid I cannot.

Hon. Grant Mitchell: Honourable senators, I hadn't planned to speak specifically at this moment, but I have been inspired by my colleague's comments. I would like to emphasize them, and for some of them I agree entirely with what she has said.

I would begin at a general level to say that it is not easy to be the leader of a caucus — government or otherwise. Having been the leader of one, I'm quite aware of the tensions and pressures, and I am sure that anybody in this room today who has been a leader or is a leader will vouch for the fact that it isn't a particularly easy job. Although I haven't been in the government caucus for very long, but even to the extent I was, my experience is that it isn't entirely true that leaders have the kind of absolute power that some pundits and analysts actually want to ascribe to them.

Those who have sat in a government caucus, I'm sure, have seen moments where even one of the prime ministers who many of us believe has more power than many prime ministers, if not all

prime ministers before him, and is interested in holding that power, was probably overestimated as to the significance of his presence and power within that caucus.

It is not as though this Prime Minister, or any prime minister or leader, is surrounded in the political process by weak people or by people who simply roll over to everything that they ask for. I know that there are intense debates in every caucus. Every caucus I have ever been in, there are intense debates.

One thing that rang true with me from what Senator Fraser said is the problem of destabilizing the leadership of a party, particularly the leadership of a governing party, on the one hand. That is to say that in Canada I believe we do need strong federal leadership. This is a country that is not particularly easy to govern, and to weaken that leadership and destabilize it is problematic.

As I say, there are ways to restrain it, and it is restrained in many ways. Sometimes that restraint wanes, but overall, and on average, there are pretty significant restraints.

I would also say, in defence of the opposition and the importance of opposition, that if it's difficult for a prime minister or a premier to completely control a caucus, and I believe that to some extent it is, it is extremely difficult for a leader of the opposition. There are far fewer tools in the arsenal of an opposition leader to control a caucus. This legislation would mitigate against opposition parties and party leadership much more strongly than it would even mitigate against the strength and the distractions that might be faced by a prime minister or a premier of a province.

That is another reason why I have a certain degree of difficulty with it. It is not unlike the problem of recall. When you have recall, it is seldom that a backbencher, or even a minister, is actually subject to recall. It is usually the leader that is subject to recall. I didn't quite catch it entirely, but history tells us — I think it was the Socreds in the original case who campaigned on recall, and shortly after Aberhart was subjected to a recall initiative. He quickly changed that bill, because it will always be the leader who is the subject of that, and it is very destabilizing. I again emphasize that point.

I would also say that I am very concerned as well — as was Senator Fraser — with the question of democracy. I simply think we have gone a long way to allowing greater democratization of the process of selecting leadership through one person, one vote, and I think that this bill runs directly in the face of that. I simply can't accept it. I simply can't accept that a handful of people should be able to overrule the decision of a much broader base of people.

Finally, as I say, with respect to constraints on leaders' powers, there is simply the power of those people who sit in caucuses. They are strong. There is plenty of evidence. I think in a strange way the member of Parliament, Mr. Chong, who has tabled this bill and is pushing this bill, argued this point in the reverse to the way that I would argue it: that it really is true that caucuses can

stand up, and ultimately do stand up, against their leadership and can profoundly change it — take the case of Stockwell Day's leadership when 15 people left.

I would also say that if you have the courage to vote against your leader, the handful that would be required, then why wouldn't that same handful simply have the courage to vote against your leader's leadership? Why wouldn't that same handful have the courage to stand up in their place, in their house, and vote against given positions?

I think that is the way you begin to limit the undue authority more in a substantive, practical way that doesn't create a problem that may be worse than the problem you are trying to solve.

I am voting against this bill too.

Hon. David M. Wells: Would Senator Fraser take a question?

Senator Cordy: She can't now.

Senator Fraser: Too late.

The Hon. the Speaker: Her intervention is done.

Senator Mitchell: You can ask me and I can comment.

The Hon. the Speaker: Senator Wells.

Senator Wells: Would Senator Mitchell take a question?

Senator Mitchell: Yes.

Senator Wells: First of all, I congratulate you on your speed in getting to your feet.

I want to ask you specifically about the regional representation aspect of the Senate. We know the House of Commons represents populace and the populations of the country, and we are here as senators to represent regions. We also desire to have a voice. We represent minorities as well.

In our particular circumstance, or certainly in my circumstance — I represent the region of Newfoundland and Labrador — if there was a vote regarding the leader of the party that I support and represent — and I'm part of a caucus — and I wasn't part of that vote, that would automatically mean Newfoundland and Labrador would not have a voice, since we have no Conservative MPs sitting.

Equally, that effect would hold true in the territories, which are only represented each by one party. Quebec is another example, holding a quarter of the population of Canada, with only, I believe, five Conservative MPs.

What would be your comment on the aspect of regional representation in the absence of the Senate in the discussions about leadership?

Senator Cordy: Good question.

Senator Tardif: Good question.

Senator Mitchell: Well, clearly, it limits the legitimacy of a caucus that includes the Senate by creating a two-tiered caucus, and the legitimacy of that caucus to make this decision. That, again, is a very strong argument that you are implying — at least; whether you are making it, I don't know. But thanks for reminding me, and I will make it, because it does underline the problem further.

I would also use this opportunity, perhaps slightly tongue in cheek, and not to abuse your good faith in presenting it. In terms of regional representation in your caucus, I note that there are now 20 empty seats in this Senate Chamber, and Manitoba is becoming awfully close to losing its regional representation. There are only three; only half its seats are full.

• (1540)

For Ontario, five seats are now empty, which means 20 per cent of that regional body isn't adequately represented in this important house. I could go on, and of course I would love to, but I don't want to abuse your good faith and your good nature in the question that you asked. I think you make a good point — or at least you have made me make what I think is a good point, and I appreciate that.

(On motion of Senator Doyle, debate adjourned.)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

SIXTH REPORT OF COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator White, seconded by the Honourable Senator Andreychuk, for the adoption of the sixth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (Amendments to the *Rules of the Senate*), presented in the Senate on October 21, 2014.

Hon. Yonah Martin (Deputy Leader of the Government): Question.

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

(Motion agreed to and report adopted.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

FOURTEENTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourteenth report of the Standing Committee on Internal Economy, Budgets and Administration (budget of committees—legislation), presented in the Senate on April 23, 2015.

Hon. Larry W. Smith moved the adoption of the report.

(Motion agreed to and report adopted.)

RECREATIONAL ATLANTIC SALMON FISHING

INQUIRY—DEBATE CONCLUDED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Maltais, calling the attention of the Senate to the protection of the Atlantic salmon sports fishery in the marine areas of Eastern Canada, and the importance of protecting Atlantic salmon for future generations.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, let me begin by expressing my thanks to Senator Maltais for initiating this inquiry. Just as he earlier focused our attention on different aspects of the seal hunt, with this inquiry he has highlighted the importance of Atlantic salmon for the Atlantic region as a whole. I would also like to thank those colleagues on both sides of the house who have contributed to the debate thus far. Your interventions all demonstrate that a healthy salmon population is an important part of a strong economy in Atlantic Canada.

We all understand that this fish is of great importance. As the king of the river, Atlantic salmon are historically rich and culturally significant for the region. They remain a deep driver of the local economy and are integral to the overall development and well-being of the region's environment and ecosystems. Yet they remain, as we know, a species at risk. In 2011, when Senator Meighen launched a similar inquiry, salmon populations were comparatively strong. The returns in the Miramichi River in New Brunswick, one of the most bountiful rivers in the Atlantic region, were approximately 80,000. This past year's returns in the Miramichi were among the worst in recorded history at an astonishingly low 12,000.

Before he left this place, our former colleague Senator Robichaud spoke of the Miramichi, the river in his home province that he holds so dear. The picture he painted was grim. Atlantic salmon are dying, stocks are diminishing, and we don't have a full understanding as to why. What is being done to address this dire situation? For one thing, this inquiry is a start. Many of you have commented on and commended the efforts of volunteer conservationist organizations within the region, working to raise awareness, manage stocks, restore habitats and create healthy ecosystems. While these efforts are essential, colleagues, they alone are not enough.

I have spoken often in this place of the need for federal leadership. There are many ways in which the federal government can take initiative and help to improve the lives of Canadians in all parts of our country. In Atlantic Canada, there is a role for the federal government to play in achieving conservation results. By protecting Atlantic salmon, we can strengthen coastal communities, safeguard cultural traditions and help bolster local economies. In this regard, I am pleased to say that the

government has heeded the advice it has received. In addition to parliamentarians from all political stripes, the government has listened to the calls of NGOs, like the Atlantic Salmon Federation and the Miramichi Salmon Association, to create a task force to help address the salmon crisis.

This past March, the Department of Fisheries and Oceans' new Ministerial Advisory Committee on Atlantic Salmon began its work to examine the serious decline in wild Atlantic salmon. The committee has been tasked with providing short-term, long-term and interim recommendations on management measures. They have focused their efforts on conservation and enforcement measures; predation; a strategy to address international, unsustainable fishing; and areas for advancing science. They have held three meetings thus far in Nova Scotia, New Brunswick and Newfoundland and Labrador, and they intend to hold at least one more meeting in Quebec. They intend to produce a final report based on their consultations next month. I am pleased to see that the committee's interim recommendations have yielded results. They've implemented a catch-and-release, no-retention policy for this year's angling season in the Maritimes; and anglers are now required to use an artificial fly with a single barbless hook in rivers and streams, where it is already mandatory to use an artificial fly. These are all welcome first steps in the right direction, but I do continue to have some concerns.

While this year's no-retention policy is a timely response, we all know that it is only a stopgap measure. For instance, organizations like the Miramichi Salmon Association want the no-retention edict lifted within the year, favouring instead a harvest regime similar to that found in Newfoundland and Labrador. Newfoundland and Labrador colour-codes its rivers on the basis of abundance. That way, anglers know where to fish depending on where the salmon are most abundant.

Colleagues, there will be a healthy Atlantic salmon fishery only if there is serious long-term planning. Implementing a system similar to Newfoundland and Labrador's throughout the Atlantic region would require a change to the Maritime Provinces Fishery Regulations, with legislative changes that could take up to a year to enact. Again, there is a place here for the federal government to lead in providing long-term solutions.

When it comes to short-term solutions, the government recently announced \$400,000 in funding for the Province of Nova Scotia to address its dwindling salmon stocks. Nearly every group that has appeared before the advisory committee has stated that more and more consistent funding is needed. With steady, reliable funds come better science, better research and a better understanding of why the numbers are falling. Yet, in addition to the need for more funding, volunteer and conservationist organizations are concerned that there is not enough DFO presence within these communities. There simply is not enough DFO staff. They argue that the federal government has abandoned the region in recent years.

• (1550)

Bob Rutherford, a retired Department of Fisheries habitat manager and Adopt-A-Stream volunteer, commented that the DFO "don't have the staff in the field working with the

community groups doing habitat restoration." While "the money has increased, the work has increased. The [federal] staff have disappeared."

Similarly, groups like the Miramichi Salmon Association and the P.E.I. Wildlife Federation have called for increased research and financial resources, but say that these need to be implemented with an increased DFO presence. Again, there is a need for federal leadership.

Lastly, in our efforts to promote conservation, the collaboration of other North Atlantic nations is critical to the restoration of the Atlantic salmon fishery.

Honourable colleagues, many of you have described the inaction and excess of territories like Greenland and countries like France. I certainly hope that the advisory committee is taking these international considerations into account. I'm curious as to whether the committee's mandate is based on policies already in place but not fully implemented, such as the Wild Atlantic Salmon Conservation Policy and internationally agreed guidelines on fisheries management. If we are to address overfishing, a wider coordinated effort is critical.

There are still many challenges facing the Atlantic salmon. Seals and striped bass continue to ravage our waters. Disease, toxins and climate change remain a constant threat to both our environment and our economy. Collaboration on conservation measures with our international counterparts remains far from a reality. There is still much work left to be done.

However, it does appear that we have started to take steps in the right direction. I look forward to the report of the Ministerial Advisory Committee on Atlantic Salmon. I hope that it marks the beginning of a change and helps produce a balanced and sustainable ecosystem in which the salmon species can thrive.

I invite other colleagues to join in on this inquiry so we can keep the issue on the radar of both government and the private sector alike.

Hon. Nicole Eaton: Will Senator Cowan take a question?

Senator Cowan: Of course.

Senator Eaton: Senator Cowan, would you be in favour of trying to get Scandinavian countries and Scotland and Ireland, which have very famous salmon rivers, together with us to go after France and Denmark to try and get them to restrain their netting of Atlantic salmon? Do you think there could be some kind of international action?

Senator Cowan: Absolutely, Senator Eaton. I think that's a wise comment. That is exactly what we need. There's only so much we can do here in the country, and I think the government is to be commended for the work it's doing.

As I said in my remarks, it is important to reach out and involve other nations, such as the ones you've identified, which have real interest and who have real understanding. I'm sure we can learn a lot from them, and they perhaps from us, in this whole field of conservation.

[Senator Cowan]

I think international pressure should be brought to bear in a concerted and coordinated way on territories like Greenland and countries like France that appear, from what I know, to be acting in a way contrary to what all of us would like to see in achieving the objective of preserving this very important species, not only from an economic point of view but from a cultural point of view as well.

I think your comments are well placed and I certainly support them.

The Hon. the Speaker: Honourable senators, I wish to inform you that if Senator Maltais speaks now on this inquiry, it will bring this issue to a close and end debate. If any other senators wish to speak, please do so before I give the floor to Senator Maltais.

Honourable Senator Maltais.

Hon. Ghislain Maltais: Thank you very much, Senator Cowan, for a very good speech.

[Translation]

I'd like to thank the senators who participated in this inquiry, in particular Senator Eaton and Senator Mockler. When I initiated this inquiry, the goal was to warn the Canadian public that Atlantic salmon are disappearing. The goal was to encourage governments, both federal and provincial, to examine this issue. Thanks to all of you, I think we have succeeded.

Just one week after the inquiry, Minister Shea called me to ask for information on the situation, not from public officials, but from the people who use the salmon rivers in Eastern Canada. I told her that it was essential that the Atlantic provinces be involved in any decisions she makes, that she would have to consult the fishers themselves, the people who manage the rivers and the owners of salmon fishing clubs, not public officials, and that she would have to listen to them before making decisions. I told her that she would have to consider the research and that she would have to work with these people and with the universities.

That's what she did, and I sincerely thank her for that. On Wednesday, May 13, the last of the committee meetings will be held in Quebec City at Université Laval. I will join the minister, river users and river managers to ensure that the situation in the Atlantic provinces is properly covered.

What the Honourable Senator Cowan said is very important. When I was in Whitehorse for the Arctic conference last September, I took that opportunity to meet with people from Arctic countries, including Iceland, Greenland, Norway and Sweden. When I returned, I called the Scottish fisheries minister to find out about the situation over there. Unfortunately, I learned that Scotland was in the same situation as Canada. Salmon stocks are declining in all of the oceans. This is being seen in the Baltic Sea, the Arctic Ocean and the Atlantic off the coast of Scotland. I met with parliamentarians from these countries, and I learned that they are also taking action.

Obviously, we will not be able to rebuild all the salmon runs in the rivers in Quebec and elsewhere in the world all at once. However, we can be proud of the work that we have done in the Senate, because if we had not taken up this cause, it might still be going unnoticed. Just a few weeks after some senators gave speeches about this issue, the CBC, *La Presse* and Atlantic Canadian newspapers began to take an interest in the disappearance of the Atlantic salmon. That work was done here in the Senate with cooperation from both sides of the chamber.

What that says to me is that managers, fishers and scientists need to continue to work together, hand in hand. You spoke about the funding provided in almost all of the Atlantic provinces and in Quebec. That funding needs to be renewed year after year. We cannot focus on a situation and then let it drop the next day. We need to continue our efforts.

Recreational fishing is not the only reason why the Atlantic salmon is disappearing. Seals, of course, are partly responsible, but there are other reasons, including some environmental factors that we may not know enough about. We need to identify those factors and find a solution. The work must therefore continue.

Honourable senators, I believe that we did what we set out to do. Like Senators Cowan, Eaton and Mockler, this year I encourage all fishers to accept the new regulations. Salmon fishers know that boxes of flies are a thing of the past and that they should get rid of them. From now on, they need to use equipment that will not harm the salmon. I believe that recreational fishers will readily accept this new way of doing things. Salmon river managers will therefore have a better chance of success.

As Senators Mockler and Cowan pointed out, salmon rivers are a \$300 million industry in Eastern Canada. That money benefits small communities whose survival often depends solely on this sports fishery.

• (1600)

We did our duty as parliamentarians, and I am proud of each and every one of you who contributed and who will continue to support this cause so that we are still talking about Atlantic salmon 100 years from now. Thank you.

[English]

The Hon. the Speaker: Thus, honourable senators, this inquiry has been debated.

(Debate concluded.)

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw your attention to the presence in the gallery of our former colleague, the Honourable Rod A. A. Zimmer.

On behalf of all senators, I welcome you back.

Hon. Senators: Hear, hear!

ARMISTICE OF MUDANYA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools, calling the attention of the Senate to November 11, known to all as Remembrance Day, of this, the centennial year of the July 28 start of hostilities in the 1914-1918 Great War, which day is given to the national and collective mourning of Canadians, on which we remember and honour the many who served and who fell in the service of God, King and Country, and, whose incalculable sacrifice of their lives, we honour in our simultaneous yet individual, personal acts of prayer and remembrance, wherein we pause and bow our heads together in sacred unity, at the eleventh hour, of the eleventh day, of the eleventh month, for the many who gave themselves, and:

To two exceptional soldiers and human beings, who fought on opposite sides of the Great War, both of whom, were distinguished generals and accomplished military men, being General Charles Harington, the British Commander in Chief of the Allied occupation army in Constantinople, and the Turkish General, Mustafa Kemal, the Commander of the Turkish peoples' brave national resistance to the *Sèvres Treaty's* detachment and partition of the Turkish peoples' lands, to give these lands to some of the Allies who so desired them, and, to these two Commanders' respective troops, assembled, battle ready, and awaiting orders for the start of hostilities in October 1922, at Chanak in the Dardanelles, and, to fate, which joined these two commanders there, and, to their determination to avoid unnecessary bloodshed, and, to their remarkable contribution to British, Turkish and world peace, and, to their will to not spend their soldiers' lives in folly, and, to reach the honourable, the just and the true, by their negotiated armistice, agreed and signed on, October 11, 1922 as the *Armistice of Mudanya*, and, to Canadian born, Andrew Bonar Law who became Prime Minister of Britain on October 23, 1922, and who served for seven months, and who passed away on October 30, 1923, and, to his great commitment to the British-Turkish peace in what the British, the Dominions and Canadians called the *Chanak Crisis* or the *Chanak Affair*.

Hon. Don Meredith: Honourable senators, I'm still preparing to speak on this inquiry by Senator Cools, and I would ask that the debate be adjourned in my name for the remainder of my time.

(On motion of Senator Meredith, debate adjourned.)

CHANAK CRISIS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools, calling the attention of the Senate to November 11, known to all as Remembrance Day, of this, the centennial year of the July 28 start of hostilities in the 1914-1918 Great War, which day is given to the national and collective mourning of Canadians, on which we remember and honour the many who served and who fell in the service of God, King and Country, and, whose incalculable sacrifice of their lives, we honour in our simultaneous yet individual, personal acts of prayer and remembrance, wherein we pause and bow our heads together in sacred unity, at the eleventh hour, of the eleventh day, of the eleventh month, for the many who gave themselves, and:

To the unique political events, just four years after the Great War, known as the 1922 *Chanak Crisis*, or *Chanak Affair*, in which Canadian and British politics met in Canada's firm stand for its constitutional autonomy in its foreign affairs, war and peace, and, to Canada's Prime Minister, the Liberal, Mackenzie King's nationally supported refusal to yield to British Prime Minister David Lloyd George and his Colonial Secretary Winston Churchill's persistent demands for Canadian troops to fight a new war at Chanak, now Çanakkale, the tiny Turkish Dardanelles seaport, and, to this new war, wholly unwanted by Canadians and the British, still war-weary, and still mourning their fallen sons, and, to this looming war, the inexorable result of Prime Minister Lloyd George's unjust, inoperative and stillborn *Sèvres Treaty*, the peace treaty that began with war, and, its humiliating peace terms which would put the Turkish peoples out of their ancient lands in Eastern Thrace and Anatolia, and, to their successful nationalist resistance to this injustice, and, to Canada's role in the lasting peace that avoided this unnecessary and unwanted Chanak war, and, to British politics by which a single vote of the Conservative Caucus prompted the very necessary resignation of Prime Minister Lloyd George and his Liberal Coalition Government, and, to the ascendancy of Canadian born British Prime Minister, Bonar Law, who himself had lost two sons to the Great War, and who was then the most respected man in Great Britain, and, to his Near East policy of peace.

Hon. Don Meredith: Honourable senators, I am in preparation on this inquiry, and I want to adjourn it in my name for the balance of my time.

(On motion of Senator Meredith, debate adjourned.)

(The Senate adjourned until Tuesday, May 12, 2015, at 2 p.m.)

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