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CLIMATE CHANGE ACCOUNTABILITY BILL

Statement by:

The Honourable Claudette Tardif

Wednesday, November 17, 2010

THE SENATE

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CLIMATE CHANGE ACCOUNTABILITY BILL

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, prior to yesterday's defeat of Bill C-311, the Senate has defeated only four bills that were passed by the elected members of the House of Commons in the last 70 years.

In 1998, it defeated a private member's bill, Bill C-220. That legislation was introduced by Liberal member Tom Wappel, and was known as the Son of Sam bill because it would have prevented convicted criminals from profiting by writing and publishing accounts of their heinous crimes.

After arriving in the Senate, it was given second reading and referred to the Standing Senate Committee on Legal and Constitutional Affairs. The committee held 12 days of hearings, hearing from a wide array of witnesses. Based on the evidence the committee heard, it concluded that Bill C-220, notwithstanding its meritorious intent, violated the freedom of speech provisions in our Canadian Charter of Rights and Freedoms, and in the committee's report to the Senate, recommended that the bill not be proceeded with. The Senate accepted the committee's advice and on June 10, 1998, unanimously agreed to adopt the report and kill the bill. That was 12 years ago.

Two years before that, on June 19, 1996, the Senate, at third reading, defeated Bill C-28, the government's Pearson Airport legislation. Prior to that final fateful vote, committees of the Senate held 50 meetings on the Pearson Airport issue, hearing from almost 100 witnesses; and, indeed, one of those committees tabled a 300-plus page report.

• (1340)

Three years before that, the Senate, again on a third reading vote, defeated Bill C-93, a budget implementation bill. The bill was defeated following five days of committee hearings.

In early 1991, the Senate defeated the abortion legislation of then Justice Minister Kim Campbell. This defeat followed 10 days of hearings held by our Legal Committee, which heard from 38 witnesses.

Honourable senators, that is the history and tradition of a legislative chamber that respects its unelected nature by defeating legislation adopted by the elected members of the other place only after listening long and hard to a great many Canadians.

Yesterday, that all changed. Yesterday, the Conservative-dominated, unelected Senate declared that it will defeat, without explanation or any public input, any piece of legislation adopted by the elected members of the House of Commons.

Immediately following the vote, I called across the aisle, "This is a sad day for democracy." The government leader in the Senate immediately responded, "It is a great day for democracy."

What made it great, honourable senators? Is it that the Senate, which has always recognized the limitations its unelected nature has placed on its legislative activities, for the first time in living memory at second reading, killed a bill adopted by the members in the other place — Canadians who were elected to represent and speak for them in Parliament?

Yesterday was a regrettable day for the Senate and for all Canadians who expect that parliamentarians be responsive to their wishes.