

# Senator Grant Mitchell

*Proud to represent Alberta*

## **Moving Energy Safely** **Consensus report outlines 13 recommendations for** **transporting hydrocarbons safely**

As Deputy Chair of the Senate Committee on Energy, the Environment and Natural Resources, Senator Mitchell took part in producing a consensus report on the safety features of transporting hydrocarbons in Canada. The report, released on August 22nd, 2013 is entitled *Moving Energy Safely: A Study of the Safe Transport of Hydrocarbons by Pipelines, Tankers and Railcars in Canada*.

Senator Mitchell has been a long-time advocate of reducing our reliance on hydrocarbons and switching to sustainable energy sources. As Canada makes this transition, and as long as hydrocarbons continue to be moved in Canada, we need to ensure that our transportation systems, and the institutions that regulate them, keep the public safe and the environment free from harm.

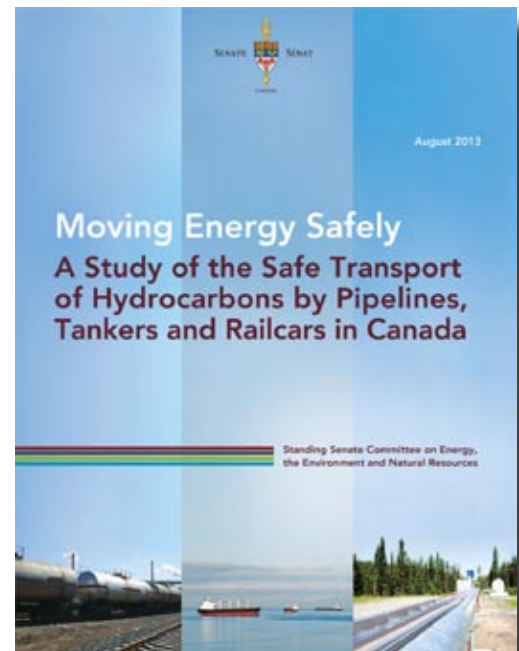
The committee report found that, for the most part, hydrocarbons are moved safely along the federally regulated pipeline system, with 99.9996% of crude and petroleum products being moved without a spill from 2000 to 2011. The data were similar for rail, with 99.9% of product being moved during that time without incident. No major marine tanker spills have been recorded in Canada for over 30 years.

However, as the committee report suggests, there is still more to be done. The report offered 13 recommendations for improving the safety of hydrocarbon transportation, chief among which was the committee's call for the federal government to initiate an independent review of Canada's railway regulatory framework, standards and industry practices – especially now, after the tragic incident in Lac-Mégantic.

One recommendation of the report was that a culture of safety be promoted in hydrocarbon transportation companies. This means that safety needs to be part of all activities and that every worker be empowered to identify, report, correct and even shut down operations. Other key findings include the committee's recommendations that the Transportation Safety Board expand its database to provide detailed information on ship sourced spills.

The transportation of hydrocarbons can never be risk-free; as long as we continue to move hydrocarbons by rail, tanker and pipeline, we must ensure that those risks are mitigated through effective regulation and industry best practices.

**[Click here to read more about this report](#)**



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The Standing Senate Committee on Energy, the Environment and Natural Resources on a fact-finding trip at Irving Oil East Saint John Marine Terminal. L-R: Andrew Kingston (Irving Oil), Senator Richard Neufeld, Senator Betty Unger, Senator Paul Massicotte, Senator Nick Sibbeston, Kevin Scott (Irving Oil), Senator Elaine McCoy, Senator Grant Mitchell, Senator Michael MacDonald, Carolyn Van der Veen (Irving Oil), Dave MacLennan (Irving Oil), Alex Coles (Irving Oil).

## Recommendations

### General

1. That the National Energy Board and Transport Canada create a web portal that includes interactive maps indicating detailed information on spills and incidents for pipelines, tankers and railcars, such as the types of product released and, as soon as possible, the cause of the incident.

### Pipelines

2. That the National Energy Board work in partnership with regulated companies and experts in safety culture to develop a program for the mandatory auditing of safety culture.

3. That the federal government facilitate efforts to establish a national access point for information on the location of buried infrastructure, as well as the promotion of one-call centres and call-before-you-dig initiatives. Information on the coordinates of underground infrastructure should be consulted prior to any excavation activities by a third party.

### Tankers

4. That the Transportation Safety Board expand and modernize its database to provide detailed information on ship-sourced spills, including the type of ship and the volume and type of product released.

5. That the current spill preparedness and response capacity of 10,000 tonnes within prescribed timeframes be adjusted upwards to fit the assessed needs of each region as determined by Transport Canada.

6. That the federal government provide umbrella responder immunity protection to Canadian marine response organizations for all non-ship source spills including marine spills from pipelines, trains and trucks.

7. That the Canadian Coast Guard's mandated spill preparedness and response capabilities be certified by Transport Canada or an arm's-length agency periodically.

8. The committee believes that, in certain areas and under specified circumstances, certified marine response organizations should be pre-approved to use dispersant, initiate controlled burning and take other prescribed counter-measures when it yields a net environmental benefit.

### Rail

9. That Transport Canada work in partnership with railway companies to make existing safety culture assessments mandatory within its audit program.

10. That the federal government initiate a major arm's-length review of the country's railway regulatory framework, standards and industry practices to meaningfully advance the safe transportation of dangerous goods by rail in Canada.

11. That Transport Canada review, in cooperation with the United States Department of Transportation, the use of CTC-111A and DOT-111 tank cars and consider accelerating the transition to the revised standard.

12. That Transport Canada implement all the recommendations from the December 2011 report of the Commissioner of the Environment and Sustainable Development related to the transport of dangerous goods by rail.

13. That Transport Canada apply appropriate minimum liability coverage thresholds to ensure rail companies have the financial capacity to cover damages caused by a major incident.

## Raising awareness about harassment in the RCMP

Over the past year, Senator Mitchell has been working to assist current and former RCMP staff who have been harassed and bullied. After speaking on the issue, the Senate agreed to the Senator's request for the Senate National Security and Defence Committee to formally study the issue. After hearing from a number of expert witnesses, the committee adopted a consensus report which provided 15 recommendations for change. The release of the report also coincided with government legislation, Bill C-42, which addressed some of the concerns which were raised in the Senate study, but did not go far enough to address the main problem facing the organization: a workplace culture which allows harassment to exist in the first place.

While the report and the legislation were a good first step, there is still more to be done. Earlier this year, Senator Mitchell and the Hon. Judy Sgro, M.P., began co-hosting roundtables to hear from RCMP officers about their experiences. So far, three roundtables have been held: on Parliament Hill in Ottawa, in Vancouver and recently, in St. John's. The next roundtable will be in Edmonton in mid-October. The roundtables are a place for injured RCMP staff to raise their concerns in a safe and open environment. A final national summit will be hosted in Ottawa and will produce a report with findings and recommendations.



Liberal Senators and Members of Parliament listen to presentations from current and former RCMP officers about their experiences with harassment.

Pictured (L-R): Hon. Carolyn Bennett, M.P.; Senator Maria Chaput; Senator Mitchell, Hon. Judy Sgro, M.P.; Senator Colin Kenny; Senator Roméo Dallaire; Hon. Wayne Easter, M.P.

## Conduct Becoming: Why The Royal Canadian Mounted Police Must Transform its Culture

In November 2012, the Senate authorized the Standing Committee on National Security and Defence to examine harassment in the RCMP and report back on its findings. Since then, the committee heard testimony from numerous witnesses, all of whom provided valuable insight and advice.

Titled [Conduct Becoming: Why The Royal Canadian Mounted Police Must Transform its Culture](#), the committee's report offers 15 recommendations on how the Royal Canadian Mounted Police (RCMP) can build a more respectful workplace and address ongoing issues of harassment and discipline.

[Click here to read the full report](#)



Cpl. Catherine Galliford and Senator Mitchell in the Senate. Cpl. Galliford presented at the Liberal Roundtable in Ottawa about harassment in the RCMP.



## Raising awareness about harassment in the RCMP (*continued*)

*The following are excerpts from an opinion editorial by Senator Mitchell and Hon. Judy Sgro, M.P.*

On September 5, 2013 we will be hosting a roundtable in St. John's, Newfoundland about issues of harassment in the Royal Canadian Mounted Police (RCMP). The event is the third of a series of five roundtables being held across the country, culminating with a national roundtable summit which will produce a report with findings and recommendations...

...From evidence collected so far, it's clear that there is a disturbing culture of sexual harassment and bullying within the organization. The evidence is underscored by first-hand accounts from RCMP staff, many of whom suffer from Post-Traumatic Stress Disorder (PTSD) due to the abuse. We have also yet to see evidence that there have been any significant changes within the organization.

Government legislation, Bill C-42 was construed by the Commissioner and the Government as the solution to problems facing the organization. The Bill included four provisions: the power to fire members; the ability to investigate serious incidents; a public complaints review mechanism; and a reconfigured grievance process. However, each of those deals with problems once they have occurred, none of them proactively address the fundamental problem — a work culture which enables harassment to occur in the first place.

In fact, Bill C-42 may actually end up making things worse for victims. The Commissioner told the Defence

Committee that he needed the legislation to deal with “bad apples”; but, in public testimony before the Committee, he named and shamed three officers who have filed harassment cases. Singling out injured members in that way makes us question: who will senior leadership end up determining to be the “bad apples,” the harassed or the harassers?

If C-42 was not the solution, then what is? In answering this question, the Senate Defence Committee's report considered the experience of the military in the 1990s; best practices from major Canadian municipal police services; and, and a range of testimony from various RCMP personnel. The report laid out a roadmap for reform, suggesting the creation of an Ombudsman position; recommending re-professionalization through enhanced educational requirements for the officer cadre; and implementing ongoing harassment training throughout all of its curricula.

But there is still more to be done, including: establishing a full independent police commission structure; implementing independent monitoring bodies to supervise cultural transformation; ensuring merit-based promotions; and considering an independent (union-like) police association to represent members throughout the grievance process. Allowing a range of harassment victims to present their cases could also offer first-hand solutions.

...It is our hope that by allowing the injured to be heard from in a formal way, it will help them heal and assist us with coming up with better solutions to the very serious issues still facing the organization.

Those who have publicly spoken out have been chastised for doing so, but most of victims still love the organization and want to lend a hand fixing it.

Please visit our website,  
[www.liberalatenateforum.ca](http://www.liberalatenateforum.ca),  
a place where you can offer us your ideas, follow our blogs and track the work we are doing for all Canadians.





# Addressing Child and Adolescent Mental Health

*In June, Senator Mitchell spoke in the Senate about CASA, an organization based in Edmonton:*

Tonight I am speaking about the valiant and persistent efforts, often against great odds, of CASA, a northern Alberta not-for-profit organization that has been providing services to children and adolescents with mental health and learning problems for more than three decades. By extension, CASA works with and supports the families of these children, who suffer deeply along with them.

I speak today specifically to draw attention to the desperate state of their facilities and their need for a capital infusion to replace a collapsing building with a modern educational and treatment facility. I speak to draw attention to the fact that despite tireless efforts, CASA has been unable to secure the funding they need to do their important work at the high level at which they want to do it, and we need them to do it.

This neglect of children's mental health services can and does have serious rebound effects that harm children's lives and incur untold costs on society more generally. Untreated childhood and adolescent mental illness and disability, including learning disabilities, result in adults whose lives and the lives of their families are diminished by sustained and worsening mental illness; who cannot find or

perform productive and fulfilling work; whose continuing problems will bear on social support networks in their futures; and whose behaviour trajectory can often bring them into intense conflict with the law.

[Click here to read more](#)

**Below: Nancy Cranston; Senator Mitchell; Germaine Dechant, CASA CEO; and Thomas Owen, Past Board Chair**



## Flooding in Alberta

*June 26, 2013* Honourable senators, I would like to join others in the Senate chamber today in recognizing the shock and tragedy of the floods in southern Alberta that have so grievously affected the city of Calgary and many other communities, including High River.

I would like to congratulate, as so many honourable senators have done, the tireless workers who have supported these communities and the people in them: the military, the firefighters, the police, the EMS and so many public servants, who have worked tirelessly around the clock to restore services and infrastructure.

I would like to applaud and admire, in particular, the amazing pulling together of friends, families and complete strangers to work with one another to clean up the mess left by these shocking and powerful floods.

Two things really stick with me. One is the power of nature. I should acknowledge the tremendous leadership of Mayor Nenshi and Premier Redford; that Prime Minister Stephen Harper was there and committed federal support; and that MPs, MLAs and city councillors all came together to provide leadership.

Mayor Nenshi said that the Bow River has been his heartbeat for as long as he has been a Calgarian, which is all his life. Nobody ever had imagined it could be so powerful, so fast, and so destructive. He captured the sense, though, that it remains the heartbeat of that city.

The second is the power of the people and communities to work together — friends, family, neighbours and complete strangers — to fight and to win; and fight and win they will.

[Click here to read more](#)



## Protecting rights of transgender Canadians

*Over the past few months, Senator Mitchell has worked to gain support for **Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity)**. The bill, proposed in the House of Commons by Randall Garrison, NDP M.P., would protect transgender Canadians against discrimination in the Canadian Human Rights Act and prohibit the promotion of hatred on the basis of gender identity in the Criminal Code. Bill C-279 originally passed the House of Commons but failed to pass third reading of the Senate Chamber due to the government's timing of the summer recess and subsequent prorogation. Senator Mitchell will continue to work with members from all political parties to advance the issues facing the transgender community.*



Trans activist Joanne Law, Senator Mitchell and Randall Garrison, M.P., at Gender Mosaic's 25th anniversary reception May 29. (Photo by Bradley Turcotte/Daily Xtra)

*This past April, Senator Mitchell spoke in the Senate on this issue. The following are excerpts from his speech:*

We Canadians have in the past consistently been able to distinguish ourselves in the pantheon of human rights, equality and anti-discrimination leadership. Unfortunately, there is always a new frontier that needs to be fought and opened up in equality rights... with Bill C-279, we address, confront and hopefully begin to open up yet another frontier.

So many of us do not fully understand the kind of lives that transgender people have to live in our country: the discrimination, the hate, the violence — that they are subjected to, and the alienation. In this bill we are simply being asked to help our neighbours, some of our colleagues, and some of our family members. We are asked to help them and give them some respite and acceptance, and to elevate the importance of their issues. They are asking for some protection, so they can live more protected, fulfilled and safer lives.

This bill is specifically designed to do two things. First, it will amend the Canadian Human Rights Act to specify gender identity as a fundamental right and basis for defining discrimination. Second, it will amend the hate crimes section of the Criminal Code to include gender identity as a distinguishing characteristic in defining hate crimes under section 318, and also as aggravating circumstances to be taken into consideration at sentencing under section 718.2 of the Criminal Code.

[Click here to read more](#)

## On calls to abolish the Senate

Recent calls to abolish the Senate are primarily a reaction to the spending issues of four senators (out of a Senate of 105 seats with 100 or so actually filled right now).

Surely, we would want to base a decision of that magnitude on something more than the behaviour of four members. At the very least, prudent decision-making would demand some kind of structured assessment of what the role of the Senate actually is and of how well it has performed that role, or not. Canadians are owed some baseline of information, historical consideration, and other analysis to help them assess this decision; particularly if there were to be a referendum on it.

Maybe it's the Senate's mantra of "sober second thought" that brings me to this conclusion, but this step seems to have been forgotten in the fury of the reaction. We all know that making decisions in the heat of the moment can be problematic — "throwing the baby out with the bathwater" comes to mind. Would we really want to make this decision based on the past months of supercharged headlines in this hyper-ideological, hyper-partisan, anti-government context?

[Click here to read the rest of this blog](#)



**Questions or comments? Please stay in touch!**

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