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OFFICIAL REPORT
(HANSARD)

Tuesday, March 10, 2020

The Honourable GEORGE J. FUREY,
Speaker

This issue contains the latest listing of Senators, Officers of the Senate and the Ministry.

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THE SENATE

Tuesday, March 10, 2020

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

Prayers.

THE LATE HONOURABLE DAVID P. SMITH, P.C., Q.C.

TRIBUTES

The Hon. the Speaker: Honourable senators, I received a notice from the Leader of the Opposition who requests, pursuant to rule 4-3(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable David P. Smith, former senator, whose death occurred on February 26, 2020.

I remind senators that pursuant to our rules, each senator will be allowed only 3 minutes and they may speak only once and the time for Tributes shall not exceed 15 minutes.

Hon. Jane Cordy: Honourable senators, I rise today to say a few words about our former colleague Senator David Smith. A stalwart of the Liberal family, a dedicated public servant and, as he often referred to himself, the son of a preacher and, of course, a friend to so many here in the Senate. Always with a smile, David was good for a story or two. I heard many of those stories over many late evenings here in the chamber and when Liberal senators would gather in his office for camaraderie during the bells for votes. It is those memories that will always stay with me.

Senator Smith was full of stories about a lifetime spent in politics, from the campaign trail and from political adversaries and friends. But honourable senators, it is his compassion for disadvantaged Canadians that I want to speak about today. What many don't know is that David Smith played a major role in the inclusion for the equality of persons with disabilities in Canada's Charter of Rights. As a new Liberal MP in 1980, David was appointed as chair of an all-party parliamentary committee to hold public hearings on disability issues as the UN had declared 1981 to be the International Year of Disabled Persons.

What became clear to David, as chair of this committee, was the importance of amending the Charter of Rights to include those with disabilities. He took it upon himself to approach members of Parliament from all political stripes in the other place to press the importance of including those with disabilities in the Charter of Rights. Many of us remember how persuasive, persistent and charming that David could be. His efforts paid off.

On January 28, 1981, another committee that was considering the new Charter of Rights unanimously voted to amend the proposed Charter to entrench equality for people with disabilities as a constitutional right. This was an incredible achievement and one that Senator Smith deserves recognition for, even though he did not seek it. I was struck by the comment of David Lepofsky, the Chair of the Accessibility for Ontarians with Disabilities Act Alliance, who on hearing of David's passing said:

> Rest in peace David Smith, with our undying gratitude for what you have done for everyone in Canada for generations to come.

Honourable senators, Canada has lost a lifelong dedicated public servant, his community lost a passionate voice and many of us here have lost a friend. On behalf of the progressive Senate group and his former Liberal colleagues, my thoughts are with his wife, Heather, and his family during this difficult time.

Honourable senators, I have a picture in my mind of David sitting down behind the pearly gates with a new audience to listen and saying, "Did I ever tell you the story about?"

Thank you, honourable senators.

Hon. Senators: Hear, hear!

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I also rise today to remember our former colleague Senator David Smith who represented Ontario in the Senate of Canada for almost 14 years. As many have said since he passed away last month, Senator Smith was the ultimate "happy warrior." His father was a Pentecostal preacher, and his two brothers followed in their father's footsteps to serve as evangelical preachers as well. Obviously, Senator Smith didn't join their line of work and took his own path to public service, but I believe his faith was the basis for his joyful spirit, compassion and generosity. For all these qualities and more, his former colleagues on all sides of this chamber are saddened by his recent passing.

• (1410)

Senator Smith was a proud Liberal, and even when the leader of his party removed him and his Senate colleagues from caucus, he remained loyal to the party he had supported and served his entire adult life. He understood the Liberal Party of Canada inside and out, from his school days as president of the Carleton University Young Liberals, to his years in the trenches organizing with Keith Davey, eventually serving as a member of Parliament for Don Valley East and Minister of State for Small Business and Tourism, campaign chair for Jean Chrétien's three federal election victories and ultimately, of course, as a senator.

Senator Smith once said in our Centre Block chamber:

> I often equate political instinct to an ear for music: One has to be born with it; if one is not born with an ear for music, one can go to a thousand concerts and still be out of tune.

He had that political instinct in spades, and he recognized it and appreciated it in others, even if they didn't share his party affiliation. As an advocate here at home for the rights of

Canadians with disabilities as well as for basic human rights for the people of Iran, he also understood the importance of being a voice for those who don't often have one.

Senator Smith took his leave from the Senate of Canada less than four years ago. It is heartbreaking that he was not able to enjoy as long a retirement as he had surely earned after a lifetime in politics. His wife, Heather, had just retired as Chief Justice of Ontario's Superior Court of Justice last summer.

On behalf of the entire Conservative caucus and indeed all honourable senators, I extend sincere condolences to Heather, their three children and five granddaughters. May they find comfort in knowing how greatly he was admired and respected by all who knew him.

Senator Smith would address me on a regular basis as "Brother Plett" when we met, and I think it was because of our joint faith. In closing, I want to say: Brother Smith, rest in peace.

Hon. Senators: Hear, hear.

Hon. Mobina S. B. Jaffer: Honourable senators, I rise today to pay tribute to our dear friend and former colleague the late Senator David Smith. I knew Senator Smith for over 30 years. To me, he was Mr. Liberal. In his youth, he served as president of the Young Liberals of Canada. He then continued his service as a member of Parliament and cabinet minister under Prime Minister Trudeau in the 1980s. Finally, he ran several successful Liberal Party campaigns under Prime Minister Chrétien in the 1990s and 2000.

Senator Smith believed in the values of the Liberal Party, and he implemented them. Having known Senator Smith for years, I have many stories I could share.

One that stands out in my mind is when Senator Smith and Senator Mercer and I travelled to the University of Oxford in England, where Senator Smith showed off his encyclopedic memory of all the different buildings and the history of the University of Oxford.

I also remember one early Sunday morning when Senator Smith dragged us all to church. We forgave him because after church he treated us to a great brunch. I remember that day because it was when I realized what an inclusive and thoughtful person Senator Smith was. He made sure I, as a practising Muslim, felt welcome in church and at social gatherings. He was always very thoughtful and would make sure I had my own special drink.

Honourable senators, what I admired most about Senator Smith was his commitment to public service. Having served our country for the majority of his life, Senator Smith made many personal sacrifices throughout his career, and he did it out of his love for Canada. In fact, that was a quality he shared with his wife, Justice Heather Smith. They have both demonstrated to us that there are many ways to serve our great country. Their tireless work has had and continues to have an impact upon our lives. We will always be indebted to you for your selfless service.

Alex, Kate and Laura, please accept our deepest condolences. Your dad always wanted to leave politics in a better place than when he found it — for you and his grandchildren. Rest assured, he did just that.

Senator Smith, you served the Liberal Party and Canadians with all your heart. You will be missed, and your contributions to Canada will not soon be forgotten. On behalf of the independent senators, rest now in peace, my friend.

Hon. Senators: Hear, hear.

Hon. Scott Tannas: Honourable senators, I want to add a few words of tribute to our friend, the Honourable David Smith, particularly on behalf of Senator D. Black, his longtime law partner. Senator D. Black is not with us this week.

For decades, David Smith was a fixture in the Canadian legal community and the political life of the country. He was a passionate Canadian and Torontonian and served as president of the Young Liberals under Prime Minister Pearson in the 1960s, a Toronto alderman and deputy mayor in the 1970s, an MP and cabinet minister in the 1980s, a leader of the successful Liberal Party campaigns in the 1990s and 2000s and as a senator here. That is how most of us got to know him.

He was a specialist in municipal law. He helped forge the skyline of Toronto. He served as the chair of FMC, now Dentons Canada, tying together the largest national law firm capable of serving diverse clients in both languages. He continued as Chair Emeritus of Dentons until he retired from that role in 2017.

He had a life punctuated with great achievements, but David's proudest accomplishment was the success of his family and especially his wife of 50 years, retired Chief Justice Heather Smith, their three children and five grandchildren.

When I arrived here as a new senator, he was noticeable. He was noticeable because he didn't sit down very much. He was back and forth, and he could have been the senator for any team in this place because he was always buzzing around talking to people. We were all his brothers.

Senator Plett, I remembered that he referred to people that way when you mentioned it.

He was kind, curious, friendly and the absolute picture of gentlemanly behaviour, but he was a partisan. He proved that you can be a partisan and be nice and be liked. He lived his values. We are poorer for his absence.

Hon. Jim Munson: Honourable senators, reading this statement has come much too soon. It seems like it was just yesterday that we were all reading tributes to Senator David Smith. There we were in May — only four years ago in the historic Senate Chamber — talking about his accomplishments, and there he was in the front benches enjoying every word. David Smith loved a good political story, and he loved telling them.

I don't know what it was. Maybe it was because we were both ministers' sons or, as he would say, PKs, or preachers' kids. Maybe it was because we saw eye to eye — not on all issues — but we saw eye to eye. Sometimes it pays to be short. You don't have to stretch as much.

Seriously, much has been said about David Smith the politician, the organizer and storyteller. Like Senator Cordy, I want to focus on one aspect of his life that has acted like a beacon for me in the Senate.

He cared deeply about others, especially those with physical and intellectual disabilities. That was long before my time in the Senate.

• (1420)

The year was 1981, and MP David Smith was the chair of the House of Commons Special Committee on the Disabled and the Handicapped. "Handicapped" was the terminology used in those days. I have the report with me; it's called *Obstacles*. It makes for a good read, with 130 recommendations such as the following: removing the stigma surrounding the disabled; changing attitudes; improving housing; reducing unemployment; providing accessible transportation, communication and accessibility. It was about human rights and inclusion.

David Smith and his committee listened to the stories of 12 Canadians, and it was their stories that framed the report. Politicians should read it today.

Shortly after that, and after relentlessly badgering Prime Minister Pierre Trudeau, the first draft of the Canadian Charter of Rights and Freedoms was tabled. David Smith was the driving force for the inclusion of the words "mental and physical disability" in equality rights. It's right there in subsection 15(1), where it states:

> Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Honourable senators, a politician can win campaigns and an organizer can win campaigns, but nothing can match winning at life. It's a motto we use at the Special Olympics — winning at life — and that's what David Smith did. He won at life because he helped others build a better life in a world of inclusion.

Thank you, Senator Smith, and thank you, honourable senators.

Hon. Senators: Hear, hear.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, it's with a heavy heart and sadness that I, too, rise today to pay tribute to the late Honourable David Smith.

I associate myself with all the wonderful remarks my colleagues have made. I will not go into his long, incredible political accomplishments, but I know he began his Senate tenure in 2002. In 2009, when I first began my time here in this chamber, I recall clearly that, across the way — he usually sat sort of slightly to my right or left, but he was on the other side — every day, he would either be waving or blowing kisses, or both. Every once in a while, I'd receive a note that he had sent through the pages across the aisle or he would drop off a note as he was passing. I have these fond memories of our dear former colleague and friend.

I didn't know then that this veteran senator, who was such a good friend and a "Seoul brother" — he loved Korea too; he loved the Korea file as well as being a brother in Christ — but I didn't know he was this juggernaut of politics in the Liberal Party. He was someone I got to know as a colleague who was so caring.

On Wednesdays, we attended the morning prayer breakfast together weekly. We shared heartfelt testimonies and prayers for our colleagues, families, nation and world. It was a time to reflect and spend together in faith and friendship. Often, he would break out in song, be it "Amazing Grace" or "How Great Thou Art," and those are the memories I cherish most.

David also served as the vice-chair of the Canada-Korea Interparliamentary Friendship Group from the very beginning, and he shared a genuine fondness for Korea and our beloved veterans of the Korean War.

Honourable senators, we have lost a distinguished Canadian and parliamentarian. Above all, he was a loving husband to his best friend and soulmate, the Honourable Heather Forster Smith, and he was a proud father and grandfather. To Heather and the family, we express our deepest condolences to you, and pray that you find comfort in the love and memories you shared with David. Please know that his legacy will never be forgotten and that he will always remain a part of our Senate family.

Hon. Senators: Hear, hear.

The Hon. the Speaker: Honourable senators, please rise and join me in a moment of silence on behalf of our former colleague the Honourable David Smith.

(*Honourable senators then stood in silent tribute.*)

[*Translation*]

SENATORS' STATEMENTS

INTERNATIONAL WOMEN'S DAY

Hon. Julie Miville-Dechêne: On March 8, International Women's Day, I joined in a protest in Montreal in front of the offices of MindGeek, the company that dominates the porn market. Its flagship property Pornhub is one of the most popular porn sites in the world, hosting 6 million videos a year that get 42 billion views. It is known as the YouTube of porn, because anyone can easily upload their own porn videos and it is free to access. It makes money from ads. The videos are hard-core porn and often degrade women, and 71% of the viewers are male.

The pornography industry is legal, of course, but the question is, are all of the people involved in these sex acts consenting adults? The answer is no. There have been documented cases of sexual exploitation, and they are revolting.

In October 2019, a 15-year-old American teen who had been missing for a year was finally found. She was featured in 58 — I repeat, 58 — porn videos, some of which were posted on Pornhub. The trafficker has been charged with rape.

MindGeek says it quickly pulls suspicious or illegal content from its platforms as soon as it is flagged and claims it is instituting improved detection technologies to verify the identity of the participants appearing in the videos.

In a matter of minutes, *The Times*, a British newspaper, found dozens of examples of videos showing the sexual exploitation of minors on Pornhub. Some of these videos had been viewed by 350,000 people and had been online for three years. Three of the worst examples that were reported to Pornhub were still up on the site 24 hours later. Why isn't Pornhub doing all the necessary identity checks before agreeing to post videos? MindGeek says it only checks the identity of one person, the person who opens an account and who posts videos minutes later depicting other people whose age and identity have never been verified.

Unfortunately, that is the norm. Self-regulation is not working, and too few laws have been passed to govern the practices of these types of sites in the name of freedom of expression. It is time to impose liability on internet middlemen and pass laws, because the safety of women and children depends on it.

Thank you.

[*English*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of delegates attending the University of Toronto's "Women in House" program. They are the guests of the Honourable Senators Jaffer, Cormier, Black (*Ontario*), Martin, Pate and Bovey.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of delegates attending the University of British Columbia's "Women in House" program. They are the guests of the Honourable Senators Busson and Martin.

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

Hon. Senators: Hear, hear!

UNIVERSITY OF PRINCE EDWARD ISLAND

CONGRATULATIONS TO PANTHERS WOMEN'S BASKETBALL TEAM

Hon. Diane F. Griffin: Honourable senators, I rise today to celebrate the University of Prince Edward Island Panthers, whose women's basketball team won the bronze medal on Sunday at the 2020 U SPORTS Final 8 Basketball Championships. The team had an extraordinary season. The past two weeks have been particularly special. On March 1, the Panthers won their first Atlantic University Sports championship in 22 years. On March 5, the Panthers won a challenging quarter-final game against Ryerson, coming back from a 10-point deficit going into the fourth quarter to win 75 to 70.

• (1430)

On March 7, they lost a tough game against Brock. But on March 8, International Women's Day, they rallied for the bronze medal game against Laval. They were down by 18 points midway through the third quarter but they never stopped. Inch by inch, they closed the gap and then guard Reese Baxendale sank two 3-pointers. UPEI eventually won 57 to 50 and Baxendale was named player of the game.

It was head coach Matt Gamblin's second year coaching the Panthers. Of the 14 women on the roster, a whopping 7 of them are in their first year at UPEI. I can't wait to see what they do in the future.

I was so proud to watch from the sidelines as our team shone at the national level. Please join me in congratulating Jenna Mae Ellsworth, Ashleigh Marshall, Madison Orser, Lauren Fleming, Lexi MacInnis, Reese Baxendale, Reilly Sullivan, Karla Yepez, Kimeshia Henry, Lauren Harris, Annabelle Charron, Carolina Del Santo, Sydney Whitlock and Lauren Rainford on an exceptional season.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Marion Brown and Linda Wilson, social workers from Nova Scotia. They are the guests of the Honourable Senator Bernard.

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

Hon. Senators: Hear, hear!

INTERNATIONAL WOMEN'S DAY

Hon. Wanda Elaine Thomas Bernard: Honourable senators, I rise today to speak about International Women's Day, which was March 8. The 1970 Report of the Royal Commission on the Status of Women in Canada made making women in public life a priority and 45 years after this report was published, the House of Commons cabinet achieved gender parity. Let's not wait for another 45 years to create a more inclusive and representative Parliament.

The topic of women in politics is often limited to elected and appointed officials. I wish to pay tribute to the women in politics who the public does not see, including women in our offices and in each directorate within our legislative, legal and corporate sectors throughout Parliament, the Senate, House of Commons and the Library of Parliament. We are held up by powerful, strong women, for whom I am full of admiration and gratitude.

I wish to recognize one particularly outstanding woman whose birthday also happens to be International Women's Day, my director of parliamentary affairs, Julie Flannery. Julie was recently recognized at the Service Milestone Awards Ceremony for her 15-plus years of outstanding service in the Senate of Canada. Any of you who have had the pleasure of working with Julie knows about her deep commitment and passion for federal politics, as well as her keen interest in women's issues and autism spectrum disorder. In addition to supporting my work, Julie is also a valuable mentor for members of Team Preston, sharing institutional knowledge and supporting her colleagues at different stages of their careers.

Honourable colleagues, this International Women's Day — or month — I challenge you to examine how you support women in politics. Supporting women in leadership and in government is a collective responsibility. Look beyond International Women's Day to consider how you can use your influence to support all women, especially women who are interested in pursuing careers in the public sector. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of delegates from Senator McPhedran's Youth Forum.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Eric Foster, Member of the Legislative Assembly of British Columbia for Vernon-Monashee, accompanied by his wife Janice Foster and his sister Janice Reynolds. They are the guests of the Honourable Senator Busson.

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

Hon. Senators: Hear, hear!

THE HONOURABLE KIM PATE

CONGRATULATIONS ON HONORARY DOCTORATE

Hon. Lucie Moncion: Honourable senators, last Saturday, March 7, our colleague Senator Kim Pate received an honorary doctorate from Nipissing University. This university's highest distinction was awarded during a convocation ceremony for graduates of Nipissing's College Partnership Program.

Senator Pate is a nationally renowned advocate who has spent the last 35 years working in and around the legal and penal system of Canada, with and on behalf of some of the most marginalized, criminalized and institutionalized, particularly, imprisoned youth, men and women. Senator Pate graduated from Dalhousie law school in 1984 with honours in the clinical law program and was executive director of the Canadian Association of Elizabeth Fry Societies for over 28 years. She has been involved with numerous universities across Canada as a professor, lecturer or speaker. Her fields of expertise and interest, as we all know, are human rights, social justice and marginalized women, especially Indigenous women.

Senator Pate is a member of the Order of Canada, a recipient of the Governor General Awards in Commemoration of the Persons Case, the Canadian Bar Association's Bertha Wilson Touchstone Award and five honorary doctorates from the Law Society of Upper Canada, University of Ottawa, Carleton University, St. Thomas University and Wilfrid Laurier University. As former vice-chair of the board of governors of Nipissing University, I'm honoured you were chosen as the recipient of this prestigious award. Congratulations my friend, and keep up the good work.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Julie Blackhawk. She is the guest of the Honourable Senator Boyer.

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

Hon. Senators: Hear, hear!

THE LATE JULIETTE (KAAGIGEKWE) BLACKHAWK

Hon. Yvonne Boyer: Honourable senators, today I rise in this chamber to pay tribute to Juliette Blackhawk. On February 28, 2020, Juliette "Kaagigekwe" (Angeconeb) Blackhawk was quietly called to the spirit world. Juliette was a member of the Lac Seul First Nation and lived in Sioux Lookout. She followed the traditions of her Anishinaabe way and was of the Caribou (Atik) clan. Her Anishinaabe name was "Kaagigekwe," which means "Forever in Life Woman." She was gifted with Anishinaabe traditional knowledge and teachings, which she shared with many whom she met along life's journey. She was especially fond of offering her knowledge and teachings to children and youth.

Juliette was gentle, kind, wise and affable. Both family and friends alike remember her for her passion for Anishinaabe culture and her eagerness to share her knowledge and experiences with others. I met her when I was invited to the community of Sioux Lookout for the celebrations on Aboriginal Day. Juliette was the Elder for the Nishnawbe-Gamik Friendship Centre and I was honoured to have participated in the sunrise ceremony led by Juliette.

Last year, she came to visit me here in Ottawa. She was so excited, and we were excited to have her here. She made such an impression on all of us with her gentle spirit and good humour. She had such a twinkle in her eye and I am so grateful that I knew her.

Juliette was a teacher. She taught in many area schools with students who were eager to learn the language and culture of the Anishinaabe people. She was also an elder adviser to many organizations, where she always advocated the seven sacred teachings of the Anishinaabe: Love, respect, humility, courage, honesty, wisdom and truth.

Juliette's efforts in the classroom were complemented by her extensive community involvement. She loved beading and took pride in making dresses and traditional regalia for dancers. She was a ceremony keeper and conducted sweat lodges and full moon ceremonies. She protected and blessed the water and taught others about its importance to all living matter.

• (1440)

Yes, Juliette was a helper. She was always available and willing to offer her support to those who needed it. She never turned a blind eye to any challenges that others faced. Juliette supported many good causes and was an advocate for social justice. She was a survivor of Canada's residential schools, having attended two of them.

She championed human rights, combatted racism and strove to improve the recognition of and respect for Indigenous rights within Canadian society. She was a pillar of her community. She was blessed with four children and many grandchildren.

Although she will be dearly missed by many, Juliette's legacy will live on in the memories and actions as the successive generations of Anishinaabe youth become men and women. Her teachings will join the body of knowledge that in life she laboured to preserve and share with others and that in death will continue to instruct how they, too, may live the good life.

Meegwetch and rest in peace, *Kaagigekwe*.

[*Translation*]

ROUTINE PROCEEDINGS

TREASURY BOARD

2018-19 DEPARTMENTAL RESULTS REPORTS TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the Departmental Results Reports for the fiscal year ended March 31, 2019.

2020-21 DEPARTMENTAL PLANS TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the Departmental Plans for 2020-21.

PARTS I AND II: THE GOVERNMENT EXPENDITURE PLAN AND MAIN ESTIMATES FOR 2020-21 TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the Estimates for the year 2020-21, Parts I and II: The Government Expenditure Plan and Main Estimates.

[*English*]

JUSTICE

CHARTER STATEMENT IN RELATION TO BILL C-3— DOCUMENT TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister of Justice in relation to Bill C-3, An Act to amend the Royal Canadian Mounted Police Act and the Canada Border Services Agency Act and to make consequential amendments to other Acts.

CHARTER STATEMENT IN RELATION TO BILL C-4— DOCUMENT TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister of Justice in relation to Bill C-4, An Act to implement the Agreement between Canada, the United States of America and the United Mexican States.

CHARTER STATEMENT IN RELATION TO BILL C-5— DOCUMENT TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister of Justice in relation to Bill C-5, An Act to amend the Judges Act and the Criminal Code.

[*Translation*]

CHARTER STATEMENT IN RELATION TO BILL C-6— DOCUMENT TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister

of Justice in relation to Bill C-6, An Act to amend the Citizenship Act (Truth and Reconciliation Commission of Canada's call to action number 94).

[*English*]

THE ESTIMATES, 2020-21

NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY MAIN ESTIMATES AND MEET DURING SITTING AND ADJOURNMENT OF THE SENATE

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Main Estimates for the fiscal year ending March 31, 2021; and

That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto.

[*Translation*]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO PLACE THIRTEENTH REPORT OF COMMITTEE DEPOSITED WITH CLERK DURING FIRST SESSION OF FORTY-SECOND PARLIAMENT ON ORDERS OF THE DAY

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

That the thirteenth report of the Standing Senate Committee on Official Languages entitled *Modernizing the Official Languages Act: Views of the Federal Institutions and Recommendations*, deposited with the Clerk of the Senate on June 13, 2019, during the first session of the Forty-second Parliament, be placed on the Orders of the Day under Other Business, Reports of Committees — Other, for consideration at the next sitting.

[*English*]

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO PLACE THIRTY-SECOND REPORT OF COMMITTEE DEPOSITED WITH CLERK DURING FIRST SESSION OF FORTY-SECOND PARLIAMENT ON ORDERS OF THE DAY

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

That the thirty-second report of the Standing Senate Committee on Banking, Trade and Commerce entitled *Open Banking: What it Means for You*, deposited with the Clerk of the Senate on June 19, 2019, during the first session of the Forty-second Parliament, be placed on the Orders of the Day under Other Business, Reports of Committees — Other, for consideration at the next sitting.

QUESTION PERIOD

FINANCE

FEDERAL FISCAL DEFICIT—ECONOMY

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question today is again for the government leader in the Senate.

Senator Gold, in a speech last week, the Governor of the Bank of Canada made it clear that the bank's decision to cut interest rates by half a percentage point was not only based on the economic threat posed by coronavirus.

Our economy, leader, slowed in the last quarter of 2019 to its worst performance in four years, and much of this slowdown was structural. Exports remain weak and business investment seems to get worse every day. On top of these underlying problems, we've had the rail blockades, a crash in the price of oil and stock market turmoil.

Leader, your government's poor management, out-of-control spending and weak leadership have put Canada at a disadvantage at a dangerous time. How can you protect our economy and our people without going deeper and deeper into deficit?

Senator Martin: Good question.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. That Canada is going through difficult economic and turbulent times is obvious to all who are experiencing it, as indeed are the world markets. It is caused by many factors, some of which you've pointed out.

It's the position of this government, however, that there remains capacity in the government to address these issues in a sensible way and that there is, in fact, fiscal capacity to respond to Canadians' needs in an appropriate way. I'm advised the government is working hard on all fronts to ensure that the tumult that we are experiencing is mitigated to the fullest extent possible.

Senator Plett: You're absolutely right, leader. Some of the reasons are the reasons I pointed out. One of them is weak leadership. Business investment in Canada is getting worse, and we have this Liberal government's weak leadership to thank or to blame.

Berkshire Hathaway, led by one of the most successful investors in the world, Warren Buffett, has reportedly decided not to invest in an LNG project in Quebec due to the current Canadian political context and the instability of recent weeks with the rail blockades. Leader, investors around the world believe that major energy projects cannot be built here in Canada.

What exactly will your government do? Please, do not just say, "We're working hard." What will your government do to change that view and regain the billions of dollars in investments lost since your government took office?

Senator Gold: Thank you again for the question. I was careful to say some but not all of the reasons you cited.

It is not the position of this government that it has shown weak leadership. Quite on the contrary, the government remains committed to working with the resource sector and others to ensure that the best projects are carried out that create jobs and long-range prosperity for Canadians and long-term sustainable growth.

• (1450)

Around the world, global investors are increasingly concerned and are looking for projects that are as clean as possible and sustainable. That is what the world is demanding increasingly.

With regard to your question that affects me as a senator from Quebec and all Quebecers, the liquefied natural gas project, my understanding is that GNL Quebec intends to continue through the assessment process as they look for new investments in this proposed project. It's the position of this government that it will lend its support to the fullest extent possible.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

ASSISTANCE FOR REFUGEE CHILDREN

Hon. Leo Housakos: Honourable senators, my question is for the government leader.

Senator Gold, last year CTV News reported on a 4-year-old little girl who was stuck in a refugee camp in Syria after both her parents were killed fighting for ISIS. Both of her parents were Canadian and this little girl, Amira, has family in Canada who have been trying to bring her home. Sadly, that has yet to happen and the family is receiving little to no help from Global Affairs Canada.

A couple of weeks ago I saw CTV's Paul Workman report that Amira has been moved to an orphanage, and her uncle, who had travelled without any assistance from Global Affairs, was finally able to see the little girl and bring her gifts from home. However, he was forced to leave Amira in the orphanage.

Why isn't your government doing everything in its power to bring this 4-year-old girl home to Canada to be with her only family?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. It's a heartbreaking situation. The government is aware of these reports and that the child is in a Kurdish-run camp in northeastern Syria. I have been advised that the government is actively engaged in this case, with local authorities providing consular assistance to the extent possible.

It is not an easy security situation on the ground, as senators well know, and the Government of Canada lacks a physical presence in Syria for reasons that are obvious. The Government of Canada is in regular contact with the family of the child's deceased parents and is working with them on this very complex and sensitive situation, driven, of course, by the best interests of the child.

Due to the situation in northeastern Syria and the need to respect the privacy of the child and to protect her safety and security, I'm not prepared to provide further information at this point on this case.

DIPLOMATIC RELATIONS WITH IRAN

Hon. Leo Housakos: Government leader, thank you for the answer and I hope the government continues to do everything in their power.

My supplementary question has to do with the fact that, a number of weeks ago, Prime Minister Trudeau had a meeting with the Minister of Foreign Affairs on Iran, shook his hand and actually bowed before the Minister of Foreign Affairs of that brutal regime — a regime that doesn't respect democracy, doesn't respect human rights and certainly doesn't respect the rule of law. And not only did the Prime Minister bow before them, we have this Prime Minister who continues to show contempt for Parliament — this chamber as well as the House of Commons — because, government leader, it has been almost a year and a half since the Parliament of Canada unanimously called on the Trudeau government to list the IRGC on the list of terrorist organizations and it continues to refuse to do so.

Government leader, won't you agree that it's absolutely deplorable that our Prime Minister is bowing before a minister of Iran? Won't you also agree it's unacceptable that the Trudeau government continues to refuse to list the IRGC on the list of terrorist organizations as per the unanimous call of Parliament?

Hon. Marc Gold (Government Representative in the Senate): With respect, I do not agree with either of those assertions.

ENVIRONMENT AND CLIMATE CHANGE

STRATEGIC ASSESSMENT OF CLIMATE CHANGE

Hon. Rosa Galvez: Honourable senators, my question is to the Government Representative in the Senate.

Senator Gold, I want to better understand the government's position on an important aspect of the implementation of the new Impact Assessment Act and the Canadian Energy Regulator Act. For the first time in federal history, these laws make it mandatory to consider the extent to which reviewed projects will "hinder or contribute" to meeting Canada's climate change commitments when deciding whether to approve or reject projects.

For nearly three years, experts have said that a strategic assessment of climate change in the context of project assessment is urgent. This is a major unresolved issue in Canada that results in conflicts around specific projects, something of which the proponents of Teck's Frontier mine reminded us recently.

The government has produced an in-house draft Strategic Assessment of Climate Change. According to Professor Robert Gibson from the University of Waterloo, "the draft document is mis-presented as a strategic assessment", and its "approach reflects the politics of accommodating the most powerful current stakeholders rather than the imperatives of even-handed and transparent analysis".

Can you please explain the process that will assure Canadians that the assessment will be realistic, independent, evidence-based and transparent?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for the question. As I'm sure the senator knows, the Strategic Assessment of Climate Change, when it is finalized later this year, is supposed to provide guidance for the federal impact assessment process to enable consistent, predictable, efficient and transparent reviews. Since July 2018, the government has been developing this strategic assessment document in consultation with the provinces and territories, as well as members of the general public.

I don't know exactly what will be in the document, but I have been advised that the government remains committed to transparent, evidence-based environmental assessments that protect the environment, foster economic growth and jobs and serve the public interest.

As well, even beyond the strategic assessment document, the legislative framework in Bill C-69, which I think the senator knows far better than I do, was designed to make impact assessments more transparent and more protective of the environment, to advance reconciliation and to encourage transparency.

Thank you for the question.

[*Translation*]

Senator Galvez: Senator Gold, this strategy is especially urgent given that this first draft is being used in the context of projects being assessed under the new law. The Impact Assessment Agency of Canada cites it, among other documents, in its guidelines for the Gazoduq project, a proposed shale gas pipeline about 780 kilometres long that could go through Quebec. When will the final version of the strategy and the related information be made public and available to Canadians?

Senator Gold: If I understand the question, there is a process that's still under way with respect to this project, and as soon as it's completed, the information will be published and made available to the public.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

PROTECTION OF MINORS IN PORNOGRAPHIC INDUSTRY

Hon. Julie Miville-Dechêne: My question is for the Government Representative in the Senate. As you know, a growing number of people are condemning Pornhub for hosting child pornography and other videos uploaded without the consent of the participants.

Last August, Minister Ralph Goodale warned web companies that if they did not regulate their content, the government could adopt legislation that would make them financially liable for abuse suffered by young victims. Is that still the plan? Is the government working on legislation that would reassure Canadians and protect women and children?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I also want to thank you for your interest in this plan and your dedication to this cause. What you described was disgusting, period.

I am not aware of the bill you mentioned. That being said, I am told that the government remains committed to ensuring that the existing legislation and our criminal justice laws promote the safety of both individuals and the Canadian public as a whole.

Senator Miville-Dechêne: I have a few contacts among journalists, and it seems that this issue is being raised in the other place at this very moment. I don't know if anyone has informed you, but Ministers Guilbeault and Lametti just told reporters that the government is open to creating a bill on cyberhate, which could address this issue.

Do you have more specific information about this?

Senator Gold: No. The short answer is no, I don't have more information. However, I can say on behalf of all senators that, as soon as the bill is introduced, it will be studied with great interest, not only in the other place but in the Senate as well. Thank you for this question.

[*English*]

THE SENATE

ANSWERS TO WRITTEN QUESTIONS

Hon. Percy E. Downe: Senator Gold, your predecessor worked very hard to have written questions that are tabled in the Senate answered within the 45-day time frame that the government uses in the House of Commons. Is it your intention to follow that precedent and meet the 45-day deadline?

• (1500)

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. As I've mentioned in the chamber before, it is my fervent desire to provide answers in as timely a fashion as I can, whether viva voce, as we say, or as written answers. Regrettably, though, it is not entirely within my control to get the answers back. I can assure this chamber that I'm doing my best to get answers back in as timely a fashion as I can.

Senator Downe: Thank you for that. I suspect Senator Harder had to work very hard on that as well. You might want to consult him on how many times he had to call the ministers personally. We never held him responsible for the quality of answers, but we very much appreciated his efforts in getting the answers to us within a set time frame, as they do in the House of Commons. I hope you will work as hard as Senator Harder did to achieve that end.

Senator Gold: Thank you again for your question. This chamber should have confidence that I turn to my predecessor regularly for good counsel. I will include this subject in that as well.

PRIVY COUNCIL OFFICE

CABINET CONFIDENTIALITY

Hon. Denise Batters: Honourable senators, last month, a stunning media report revealed that the Trudeau government's so-called arm's-length independent judicial appointment process included major input from a sitting judge who is the wife of then-Liberal cabinet minister Jim Carr. This Manitoba Queen's Bench judge was neither a chief judge nor an administrative judge, yet she was in direct communication with the Justice Minister's office to relay whom the judge wanted to be appointed to the QB court, who the judge didn't want appointed to that court and who the judge didn't want in leadership positions on that QB court. The kinds of communications this judge was having make it clear that she knew who was on the highly secretive judicial advisory committee's approved list.

Senator Gold, did former Minister Jim Carr give his wife access to that confidential JAC list? What is the Trudeau government doing to investigate this potential breach of cabinet confidentiality?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. It goes without saying, senator, that judicial independence must be protected as the process that is in place. Ensuring there are merit-based appointments that represent the diversity of Canada was the intent behind revamping the judicial advisory committees that have been part of the judicial appointment process for some decades now. To the best of my knowledge, these rules are being followed and there is no evidence that these rules are being broken.

JUSTICE

JUDICIAL APPOINTMENTS

Hon. Denise Batters: Senator Gold, please get us an answer on what the Trudeau government is doing to investigate that serious potential breach of cabinet confidentiality.

Media accounts have also revealed that the Trudeau government's judicial appointment vetting process includes Liberal MP pizza nights, vetting names through the Liberal Party database and confidential JAC lists being circulated as widely as the morning newspaper.

Yet, with all this, your government still has 65 judicial vacancies across Canada. What is the bottleneck? Doesn't the Trudeau government have enough cabinet ministers' spouses to vet JAC lists through?

Hon. Marc Gold (Government Representative in the Senate): Senator, thank you for the question. I will repeat this: The processes in place for the identification of those who are applying for judicial appointments and the vetting are designed to ensure that the best quality of jurists are appointed to the bench, and I'm advised that the rules are being followed appropriately.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

CANADIAN AGRICULTURAL EXPORTS TO CHINA

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question concerns our ongoing trade dispute with China, a topic I have previously raised in Question Period.

Last year, food experts from my province of Manitoba to China fell to just $300 million, down from $824 million the year before. This was the lowest amount Manitoba has sold to China since 2011. According to Statistics Canada, canola production across our country last year was at its lowest level since 2015. In Manitoba, canola production was down almost 8% in 2019.

Senator Gold, since China stopped importing our canola seed a year ago, the impact on our farmers has been heavy. What is the current status of the Government of Canada's action with China at the World Trade Organization to seek a resolution for our agriculture producers?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator. The canola industry and agricultural sector are so fundamental to our economy and, in this particular case that you cite, are suffering significantly because of the actions that China has taken. I have been advised that securing full market access for canola seed exports to China remains a critical priority for this government, and the government is taking every opportunity available to engage with China to resolve this issue. To focus on your question, this includes initiating consultations through the WTO to restore access for Canadian canola. This is an ongoing process.

I should also add that I have been advised that the government is also working closely with stakeholders and the provinces on this important matter.

Senator Plett: It's not just canola producers who are suffering during this dispute with China; soybean exports to China are down dramatically from over 3 million tonnes in the last four months of 2018 to only about 50,000 tonnes in all of 2019.

Leader, China has not put specific restrictions on our soybeans, but they have still been caught up in the ongoing trade dispute between our two countries. What will your government do to help our soybean producers during their industry's difficult time?

Senator Gold: Again, thank you for your question. It's no comfort, whether it's soybean producers or any other producer, to underline and recognize that it's not simply a trade dispute between Canada and China but that we are all caught up in some rather complicated trade and other disputes with China, the second largest economy in the world. This government remains committed to working with all sectors of our economy to mitigate the effects of these disruptions, and the harm and burden they cause.

Our relationship with China is a complicated one. It includes trade, of course, but as we all know, it also includes many other matters of great sensitivity. The government is seized with this issue and is doing the best it can under very trying circumstances.

[*Translation*]

ORDERS OF THE DAY

SPEAKER'S RULING

The Hon. the Speaker: I am prepared to rule on the point of order raised on February 18 by Senator Housakos, who questioned the receivability of motion 12, under Other Business, moved by Senator Woo. The motion proposes extensive changes to the *Rules of the Senate*, particularly in relation to the leaders and facilitators, but also relating to other points such as critics of bills. The concern was that the changes would be so extensive that they would undermine basic principles underpinning the constitutional architecture of our parliamentary system of government — in particular the role of the opposition — and would not respect provisions of the *Parliament of Canada Act*.

In considering this issue, we must remember that, as noted at page 219 of *Senate Procedure in Practice*, "in keeping with parliamentary tradition and custom, the Speaker does not rule on points of order about constitutional matters, points of law or hypothetical questions of procedure". Instead, points of order, like questions of privilege, address concrete issues that have arisen. A point of order is the mechanism for honourable senators to question whether proceedings are respecting our Rules and normal practices. We must also consider that one of the basic privileges of a parliamentary body — necessary for it to perform its duties — is the regulation of internal affairs, which includes establishing the processes and rules that govern proceedings. While changes to the Rules usually originate or go through the Standing Committee on Rules, Procedures and the Rights of Parliament, they can also be proposed by motion in the Senate, as recognized by rule 5-6(1)(a), which establishes that such a motion requires two days' notice.

As was noted during debate on the point of order, the *Rules of the Senate* have continually evolved since Confederation. The first Rules only included passing reference to the government — in provisions concerning expenses relating to costs for private bills — and there was no mention of the opposition. More than a century later, the 1969 Rules contained only three references to the Leader of the Government and one reference to the Leader of the Opposition. The situation has obviously evolved significantly since then — notably in 1991, when Government Business was given priority and other measures, such as the processes for time allocation for such business, were introduced. This brief overview indicates the extent that our Rules have evolved over the years to meet the Senate's changing needs, and reminds us that features that we consider fundamental have not always been so prominent in the written texts.

As I understand it, if Senator Woo's motion were adopted, the Rules would continue to recognize the positions of Government Leader and Opposition Leader. The same would be true for the deputy leaders and the whips. The definitions of these positions would remain unchanged. The occupants of these positions would therefore continue to receive any resources and rights afforded to them by policy or legal instruments outside the Rules. Other senators in leadership positions would acquire certain powers, such as to defer votes. In addition, the differences between the Government and Opposition Leaders and the other leaders and facilitators — in relation to speaking times, for example — would be reduced.

These are significant changes, and honourable senators will no doubt wish to consider them carefully before making a decision. This is appropriate when we are dealing with the Rules, which determine how our business is conducted. The need for careful reflection when considering such changes does not, however, mean that the Senate cannot make them if it so wishes. The Rules have changed significantly over the years, and the changes proposed in the motion would continue this. As such, the motion is in order, and debate can continue.

• (1510)

[*English*]

CRIMINAL CODE

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Petitclerc, for the second reading of Bill S-208, An Act to amend the Criminal Code (independence of the judiciary).

Hon. Mobina S. B. Jaffer: Honourable senators, I rise today to speak on Bill S-208, An Act to amend the Criminal Code (independence of the judiciary).

If passed, Bill S-208 would accord judges the discretion not to impose minimum penalties where they consider it just and reasonable.

I would like to thank the Honourable Senator Kim Pate for the work she does for the most vulnerable and on this bill. I recently visited a prison with Senator Pate, and she was known and greeted warmly by everyone we encountered, from the wardens to the prisoners, including the prisoners in solitary confinement.

What I came away with is that Senator Pate has worked on these issues for a long time. When she gets up in the Senate and states that it is important that we look at mandatory minimum sentences, she does not do this lightly. She gets up sending us a message that it is very important to stand up for the most vulnerable.

Senator Pate, I want to take this opportunity to thank you for all the work that you have done over the years. The love that people in the prisons have towards you and the trust you have built from them to you gave me the idea that they have hope with people like you around. Thank you very much for your work.

In Canada, mandatory minimum sentences are the law for murder and for a number of other charges, involving, for example, firearms, sexual and drug offences.

In murder cases, Canada is increasingly an outlier among developed countries. Leaving aside the United States, which is an extreme outlier in its use of the death penalty and life-without-parole sentences, Canada is among a diminishing handful of jurisdictions that retain life sentences.

Mandatory minimum sentences transfer to prosecutors and, in some cases, the police, the discretion over which charges will be laid. This effects a transfer of control over sentencing from judges to prosecutors. Judges are more appropriate actors to be making sentencing decisions because, unlike prosecutors, they are subject to public scrutiny.

People sentenced for murder are spending more time in jail than they did in 1976, when capital punishment was abolished. A Canadian convicted of first-degree murder spent an average time of 26.4 years in jail, as opposed to 11 years, 14.4 years and 14.8 years in New Zealand, England and Australia respectively. This is so despite the fact that the rates of recidivism are less for murder than for others who have been convicted of less serious offences.

Approximately 23.8% of persons in jail are Aboriginal, while they represent some 4% of the population as a whole. The statistics are even worse for women. In 2005-15, the number of women sentenced to life who were Indigenous was 44%. In some years — 2012-13 — the numbers were even more disturbing. Six out of the seven women who were sentenced to life were Indigenous.

The problem with the transfer of authority over mandatory minimum sentences means that certain distortions are inevitably introduced into the system.

A person who pleads guilty to manslaughter, despite the intentional nature of the offence, creates a situation in which the crime pleaded to may bear little resemblance to the offence. The possibility of a lesser offence when set against the mandatory minimum may prove irresistible to the offender, who may trade a plea to a lesser offence, even one that never occurred, in place of a mandatory sentence imposed on the true state of facts.

This points to the problem with "one size fits all", a cookie-cutter approach to justice, where certain facts are established. If, despite the circumstances, the only result is a mandatory term of imprisonment, the decision on penalty is removed from the judges, who can see the whole issue, and left in the hands of prosecutors, who are subject to pressures of work and other factors that may bear on the outcome.

Prosecutors also do not make these decisions in public, as a judge must, and the transparency which limits a judge's discretion is lost.

The use of mandatory minimums also creates a risk that the Crown may overcharge accused persons and use mandatory minimums to induce inappropriate plea agreements.

This might happen where there is a complete defence to the charge — for example, self-defence — where the risk of a mandatory minimum sentence is considered to be too great in the face of the penalty involved. This is as true for lesser offences that require mandatory minimums of shorter duration.

• (1520)

The sexual assault and firearms provisions that impose mandatory minimums on the happening of a certain event or events, regardless of the degree of carelessness or inattention involved in the actual offence, is as great a danger in such cases as it may be for murder or manslaughter.

The arguments in favour of mandatory minimum sentences have their origin in a period of overreaction to what was perceived as the scourge of drugs and crime. The imposition of mandatory minimums was a way of responding to problems that seemed overwhelming. Just as important was an emphasis on victims' rights and the introduction of modes of participation in the criminal justice process in ways that were sometimes intrusive and unhelpful. The argument distorted the practice of the courts by introducing an irrelevant series of considerations that occasionally went too far.

The courtroom is a place where justice is dealt in dispassionate terms. There is no place for speeches that make suggestions about sentencing and what should happen to an accused. The victim impact statement is sometimes a vehicle for unrestrained emotion. Courts have been obliged to listen to them, but they serve the very limited purpose of reminding courts of the suffering caused by the offence.

Mandatory minimum sentences do not provide an extra level of deterrence. For such general deterrence to be achieved, advocates for mandatory sentencing laws argue that sentencing must be certain, swift and severe.

However, honourable senators, research indicates that making a penalty mandatory rather than discretionary does not increase its deterrent value. Further offences are precluded by a long suspension, but it is not at all clear that mandatory minimum sentences accomplish deterrence. For the most serious offences, it is often difficult to discern how murderers deliberate rationally. It is far better to leave the most severe punishments to the discretion of judges than to use a one-size-fits-all, cookie-cutter approach for a mandatory penalty.

In any event, recidivism rates are very low for murder. More than three quarters of those who are incarcerated are not re-incarcerated. Of those who are, only 9.2% are re-incarcerated for an indictable offence.

It is sometimes argued that a mandatory life sentence protects against the discriminatory effects of judicial discretion. This is illusory when one considers the broad variations in moral culpability of accused persons within each category.

Basic sentencing principles set out in section 718 of the Criminal Code and the sections that follow require a sentence to be tailored to the specific circumstances of the person being sentenced. A judge is able to arrive at consistent sanctions from case to case by reference to the individual circumstances of the case. Parliament cannot take account of these variations. Life sentences could devalue or trivialize the life of the victim, but this is not necessarily the case. A proper sentence must consider the circumstances of the victim as well as the circumstances of the offence.

Mandatory minimums preclude considerations of aggravating and mitigating circumstances. In this way, mandatory minimums undermine the fundamental principles of sentencing found in section 718 of the Criminal Code.

Although these remarks are directed to the most serious offences, it would be wrong to leave out consideration of the minimum sentences imposed for sexual offences, firearms and drug offences, all of which, in their own ways, are impaired by the mandatory minimum sentences. The result of one-size-fits-all sentences can be just as inappropriate or unjust in those cases, depending on the aggravating and mitigating factors in a particular case.

The question of whether public confidence in the criminal justice system would be impaired if mandatory minimum sentences were eliminated runs up against the increasing political pressure to implement "law and order" sentences.

Research in Canada suggests that the public is not interested in people receiving more punishment but rather that they receive appropriate punishment. There is greater support for the objective of promoting a sense of responsibility and securing reparations, and less support for deterrence and denunciation. A study done in 2010 in England and Wales revealed that two thirds of people believed that a life sentence was not an appropriate penalty in a majority of homicide situations. This appears to be borne out anecdotally, at least in the experience of judges in Canada.

The jury is given the right to make a recommendation as to the length of sentences to be served before eligibility for parole is available. This applies to cases of second-degree murder where the range is between 10 years and 25 years. Most jurors leave the matter to the judge. Some ask if a lower sentence can be proposed. This is at odds with the notion of a public that is anxious for punishment of the most serious crimes.

The cost of incarceration is prohibitive. According to an estimate made in 2015-16, it is $116,000 per year. The amount for women is even higher at $190,000.

Mandatory minimums also disproportionately impact Indigenous people and women. The implications of removing mothers from their children and the removal of power from judges to consider lower levels of culpability also disproportionately impact women.

There is also the problem of wrongful guilty pleas in the face of mandatory minimum sentences. American research suggests that women are especially vulnerable to wrongful convictions by exacerbating the pressure to plead guilty to manslaughter or second-degree murder, despite the possibility of a legal defence like self-defence or factual innocence.

The phenomenon of mandatory life sentences in the Criminal Code is, as we have said, a function of a long-standing, tough-on-crime agenda that goes back to the 1980s. It is a demonstrable failure. What remains is the core belief that a significant percentage of the population accepts that more severe penalties keep crime in check. This is not true, but it serves a purpose. It is abetted by the notion that victims' rights have been long ignored, but it runs counter to the theory of our criminal law.

Victims have an important but necessarily limited role in the criminal justice system.

May I have five minutes, please?

Hon. Patricia Bovey (The Hon. the Acting Speaker): Honourable senators, is leave granted for more time?

An Hon. Senator: No.

Some Hon. Senators: Agreed.

The Hon. the Acting Speaker: I hear a "no."

(On motion of Senator Ringuette, debate adjourned.)

MODERN SLAVERY BILL

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Miville-Dechêne, seconded by the Honourable Senator Klyne, for the second reading of Bill S-211, An Act to enact the Modern Slavery Act and to amend the Customs Tariff.

Hon. Yvonne Boyer: Honourable senators, I rise before you to lend my support to Bill S-211, An Act to enact the Modern Slavery Act and to amend the Customs Tariff sponsored by Senator Miville-Dechêne . Though the bill's prime objective is to eliminate forced and child labour from Canada, and involvement in the global supply chain, the bill calls on us to reflect on another kind of slavery we know to be in place in Canadian society, namely human trafficking. In other words, organized sexual exploitation and child sex abuse.

• (1530)

Before I joined the Senate, I was commissioned by Public Safety Canada to research and co-author a paper on the trafficking of Indigenous women and girls. The study was based on 76 interviews we completed with subject-matter experts, many of whom were survivors of sexual exploitation. They had been trafficked as children, teens and adults. We respectfully called these women the PhDs of the topic because of their extensive lived experience.

We also interviewed law enforcement agencies and organizations, and individuals who were front-line workers. The purpose of the study was to shed light on the mechanisms and ways in which the trafficking of Indigenous women and girls for the purposes of sexual exploitation occurred. I learned many things during this process, and I would like to share a few anecdotes on the importance and necessity of passing this bill.

Public Safety Canada defines human trafficking as the recruitment, transportation, harbouring and/or exercising control, direction or influence over the movements of a person in order to exploit that person, typically through sexual exploitation or forced labour. Human trafficking, sexual exploitation, survival sex and sex work are distinct experiences with a range of impacts that require targeted supports and policy responses. The difference in these terms is rooted in the act of giving consent. It's essential to recognize that consent does not necessarily suggest an informed choice. As one expert remarked, it is rare that Aboriginal girls or women of colour experience sex work. They are often trafficked for power and control, and coerced into prostitution for their survival needs.

The element of consent in the trafficking definition is usually misunderstood, thus conflating sexual exploitation with sex work. Trafficking comprises the use of threat, force, deception, fraud, abduction, misuse of authority and making payment to coerce consent for the purpose of exploitation. A subject-matter expert also added that even the use of this language, the term "human trafficking" in place of sexual exploitation, may have the impact of marginalization since it forces Indigenous women into a framework that does not take into account the historical events and policies that have shaped their lives.

The Native Women's Association of Canada has noted that First Nations, Métis and Inuit women make up 4% of the Canadian female population, but roughly 50% of trafficking victims. Twenty-five per cent of all trafficked people are under the age of 18. Though women and girls are the prime targets of trafficking, trans women, men and boys are also subjects.

We discovered that gangs are involved in the trafficking of Indigenous women and girls. They range from less sophisticated street gangs, or groups of co-offenders who may constitute a criminal-type organization, to fairly sophisticated ones in the form of escort services, massage parlours or exotic dancers. Women are generally recruited by various methods, including coercion through love and domestic violence. In other words, women are not even aware at times that they are being trafficked because they are in love with their trafficker.

We also discovered that it can be a young girl who does the recruiting — someone who appears to be a mirror image of her target — who initiates the selling of the dream of a better and more prosperous lifestyle. Peers are especially persuasive. Typically this translates into a pyramid scheme of sorts wherein recruiters take a share of the earnings for the girls they have recruited. High schools and even playgrounds are places where traffickers will entice and recruit Indigenous girls as young as grades six or seven. Sometimes they meet them on the way to school, luring them with gifts and promises of a better life. Social media is also used to entice young Indigenous girls, especially in rural communities where the charm of the big city or the promise of a good job is easier to use as a deceptive ploy. Some pimps or boyfriends will invite young girls to come to the city to party under the guise of a romantic wooing.

Imagine the dangers that beset a young girl who leaves a remote area and goes south for medical treatment. She arrives in a foreign, fast-moving environment and a young man or woman steps out of a van to offer her a ride or to go to a party. She accepts and is soon surrounded by strangers. She is offered drugs, takes them, and is maybe plied with alcohol. Later that night she is photographed in compromising positions. She is then threatened that the photos will be sent to her family or posted on social media. She's then coerced into selling herself to pay back the money that was spent on her, in a never-ending cycle. At some point she may realize she doesn't want to leave because her life was never better.

These horrific socio-economic determinants of sexual exploitation and trafficking result from factors such as the legacy of physical and sexual abuse experienced in the residential school system, dispossession of identity and culture via the Indian Act, violence, racism, and the marginalization of Indigenous women resulting in low self-esteem, poverty, and a vulnerability to being trafficked. Addictions and mental health issues among those who are trafficked are widespread and often the result of either being introduced to drugs as a method of control, or a way to escape the harsh realities of being trafficked or exploited.

The stories of the women are haunting and I will never forget them. One of the subject-matter experts shared how she had been exposed to violence through her own pimp, who over the years had burned her feet, broken her nose, beaten her with an untwisted coat hanger, broken her fingers and even went so far as jumping on her pregnant abdomen to cause a miscarriage. They are forced into working while they are sick, and forced to dress in a bikini with a fur coat outdoors in freezing cold weather.

The women and girls are moved through relatively well-known trafficking corridors and circuits. The trafficking of First Nations, Métis and Inuit women — and of non-Indigenous women, too — is generally triangular. For example, east to west, Halifax to Truro, Halifax to Montreal to Toronto. There is movement by boat, too. In an example of the economics of supply and demand, we find the increase in demand for sexual services matches the increase of men in the shipbuilding areas. More than one of the subject-matter experts I interviewed explained what a "Pocahontas Party" was. The men dressed up as the proverbial "John Smith" and the Indigenous women are paraded and dressed up in Pocahontas outfits. The experts said that these parties were commonly held on boats in the Niagara Region on the Great Lakes.

In the North, air travel is the primary means of long-distance transportation, so trafficked Inuit women follow major transportation hubs. For instance, the eastern Arctic airline flies women to Ottawa, while the western Arctic airline flies women to Edmonton and Winnipeg. Airports were identified as the point of recruitment in big cities like Montreal, especially for the Inuit. It is common for a trafficker to know someone in the community who acts as an informant when a girl plans to move to the city. Upon their arrival at the airport, traffickers lure the girls under the pretext of providing a place to stay or giving them access to resources.

A front-line support agency in the North clarified that people don't leave the North to work the streets, but may go south to Ottawa to attend a doctor's appointment. One woman breached the "rules of the house" in Ottawa and ended up on the street when kicked out. She was stranded with no money and no support system. In this case, she was extremely vulnerable.

In the northern Prairie regions, the circuits are from The Pas, Flin Flon and Selkirk to Winnipeg. Prince Albert is a gateway to northern Saskatchewan. Saskatoon is a gateway to the West, via Edmonton to Vancouver. Law enforcement participants cited Edmonton to Mississauga to Niagara Falls as a pipeline of movement. Another subject-matter expert explained that the Downtown Eastside of Vancouver is full of Saskatchewan Indigenous people, and they die there.

There's another very poignant story I wish to share with you. It is of a woman named Sharon Acoose. When we interviewed Sharon, she said to me, "I will allow you to interview me on the one condition that whenever you talk about me, you say my name aloud, Sharon Acoose."

I promised I would. Here is her story.

Her parents were residential school survivors. Sharon was sexually abused at home as a very young child. Sexual abuse became normalized for Sharon at a very young age. Her father wanted a better life for the family and moved them to the city, but once there, Sharon soon learned it became easier for her to earn money for the normalized behaviour of being sexually abused while she worked the streets. She was on the streets for 30 years, through pregnancies and child apprehensions.

• (1540)

Here is what Sharon said to me:

> Each and every time we refer to individuals who are involved in the sex trade as "hookers," "prostitutes," "hoe," . . . we dispirit them. No individual comes into this world as a hooker or prostitute. We all come into this world with spirit. Each and every interaction and every individual we come into contact with either contributes to involvement in the sex trade or involvement in a productive lifestyle. When a woman is abused by her relative or whomever, it does something to a woman's Spirit. The Spirit leaves when they are being abused, and it comes back when it's over.

Those words will haunt me forever.

When Sharon was about to have another child apprehended, something happened and she said, "No more," and she reached out. She got help and began a journey to health and freedom from the life on the streets. Sharon went back to school and worked her way through high school and university, and Sharon earned a Ph.D. She now teaches and counsels women on the street. I have said her name every time I have spoken of trafficking issues over the years, and each time I do, I like to think that one more woman reaches out and finds Sharon, and Sharon helps them get off the street. She has written a book about her life called *An Arrow in My Heart*.

Interestingly enough, all of the subject-matter experts that we interviewed for this study were residential school survivors or had parents who attended residential school.

I now want to turn my attention to the 34 interviews we conducted with law enforcement agencies across Canada. I must share that I gained a new respect after this study. I realized how difficult it is from their perspective to put in place measures that can stop trafficking. They identified human trafficking as a "ghost crime," adding, "there are thousands of victims, but people don't report this type of crime." This fact alone is an important point that supports the reporting requirements in the modern slavery act, Bill S-211.

All of the police organizations interviewed highlighted the difficulties of collecting data and reporting on cases related to the Indigenous status of victims. Traditionally, victims are reluctant to disclose trafficking as they may not self-identify as victims. Many consider their traffickers to be boyfriends. In addition, many Indigenous women are reluctant to disclose to law enforcement the fact that they are Indigenous. Historically, there has been little trust between Indigenous communities and the police. This reluctance is rooted in a history of mistreatment by the police, and the legacy of the fear continues.

Several police agencies serving areas where there are major infrastructure or natural resource projects reported that they have seen an increase in the sex trade and of human trafficking when major projects such as mining, oil extraction and shipbuilding get under way. This fact speaks to the importance of passing Bill S-209 as well, Senator McCallum's bill.

An Ontario police officer commented to me:

> "The average age of recruitment of human trafficking victims is 14 to 16 years old. That doesn't mean we'll find them at those ages, but we may find them at 18 to 20. It's a huge juvenile problem. Last year, 33% of sex workers identified were juveniles . . . ." An officer from a Western province noted: "As Police, we're standing on the tracks and can see it coming for many years."

Many of the people we interviewed spoke of a Canadian crisis, evidenced by the sheer numbers of Indigenous women and girls who are subjected to normalized sexual and physical violence as children, sometimes as part of the child welfare system. They are trafficked, incarcerated, sterilized and go missing or are murdered. We owe thanks for the commitment of the many heroes who work on these issues, leaders like Diane Redsky, Executive Director of Ma Mawi Wi Chi Itata Centre in Winnipeg, who has worked on the provincial strategy in Manitoba; and Valérie Pelletier and Trisha Baptie, who help women exit; and Cherry Smiley, a former anti-violence worker now pursuing a PhD, who all appeared on a panel today on sex trafficking and sexual exploitation. They are working tirelessly to eradicate exploitation of all kinds against Indigenous women and girls by focusing on the root causes, a systemic and coordinated approach that listens and heeds the perspectives of the women who have been trafficked and includes financial solutions to exit.

Senator Miville-Dechêne's bill will bring transparency to the supply chains of multinationals who, along with making profits for their shareholders, have a civic responsibility to Canadians and the citizens of each individual country they do business in. Bill S-211 aims to make the seemingly invisible, visible. This type of innovative legislation must extend to other sectors of society where the plight of vulnerable populations is often overlooked and their stories are too often silenced. *Meegwetch, marsi, ekosi*.

Hon. Ratna Omidvar: Honourable senators, I, too, rise today to speak to the principles and intents behind Bill S-211, the modern slavery act. I wish to commend Senator Miville-Dechêne for bringing this bill forward to our attention.

The word "slavery" invokes history and disturbing images: the capture, imprisonment and slavery of millions of Africans who were auctioned and sold at trading posts in Africa from Senegal and then transported to North America to work on plantations. The dark and lasting legacy of slavery on the African-American and African-Canadian people is still with us and with them.

Although the transatlantic slave trade was abolished in the 19th century and those slaves were freed from their bondage, slavery, sadly, did not end. Instead, over time it has found new forms and expressions and morphed into a particularly pernicious form of oppression and brutality, finding victims in every corner of the world, including, as Senator Boyer has so eloquently pointed out, right here in Canada.

It is indeed a serious problem. According to the International Labour Organization, there are over 40 million modern slaves. Women and children make up 71% of this number, with a full 10 million being children. This is more than three times the number of the transatlantic slave trade.

So, colleagues, the problem has not gone away. In fact, it has multiplied many times over. As one writer noted, it is because slavery "is a 21st-century recession-proof growth industry."

Who are modern-day slaves? They are those who are forced to work through coercion or mental or physical threat, trapped and controlled by an employer through mental or physical abuse or threat of abuse, dehumanized and treated as a commodity and bought and sold as property, physically constrained or restricted in their freedom of movement.

It's perhaps not hard to imagine how a person falls into these claws. For my examples, I will go outside our borders because Senator Boyer covered what happens in Canada.

A vulnerable person looking for a livelihood in a neighbouring country finds themselves in the clutches of traffickers on a fishing boat. An individual borrows money for her medical ailments and finds herself in debt bondage to a farmer who extorts her into labour. And, most worryingly, a poor child is forced to work in a garment factory instead of going to school.

Why is this happening? Put bluntly, slavery is profitable. Much of the work that modern slaves are compelled to do finds its way into global supply chains headed by big multinational corporations. Slavery generates as much as $150 billion in profit every year, according to the ILO. Technology, migration patterns and community dynamics create a large supply of vulnerable and exploitable people who get trapped.

We know that global supply chains are complicated, interconnected and cover multiple countries and jurisdictions, all with the purpose of lowering costs and making profits. The multinationals transfer their lower-value activities to contractors and then the work gets contracted and subcontracted further down to another set of subcontractors. This opaque, fragmented system and mode of production makes it incredibly hard to enforce labour rights and standards, particularly when there are so many companies and jurisdictions involved. As a result, many of our everyday products could have used slave labour.

• (1550)

Recently, the Australian Strategic Policy Institute documented that it is religious and ethnic minorities who are being used as forced labour in factories in the supply chains of 83 well-known global brands in the technology, clothing and automotive sectors, including Apple, BMW, Gap, Huawei, Nike, Samsung, Sony and Volkswagen. A report by World Vision found that 80% of Canadians had no knowledge whether their purchases were made or somehow manufactured by exploited children. I admit to being one of them. I don't know if the shoes I wear, the handbag I use or even these devices we carry around were, in one way or another, part of this global scourge.

One way of addressing this would be through consumer advocacy, education and activism. After all, we know the customer is king. As one example, I know that young Canadians are choosing ethical diamonds over blood diamonds for their engagement rings.

Honourable senators, it is clear that we need to take action. We need to stop multinational corporations' reliance on using forced labour to turn an even bigger profit. Senator Miville-Dechêne's bill is a start in that direction by bringing more accountability into the corporate governance structure. Canadian companies would be required to report on forced or child labour in their supply chains and identify what steps they would take in stopping these practices.

Polls have shown that 90% of Canadians agree with Senator Miville-Dechêne; they believe companies should be required to publicly report on their suppliers' use of slave labour and their efforts to stop such practices. The honourable senator is onto something. I also believe there is a willingness in the corporate sector to look at this issue, because they take reputational risks seriously as well.

Twitter is a marvellous thing at times. The Dean of the Gustavson School of Business at the University of Victoria has said that: "Profit is not a purpose. It is one indicator of whether you are successful in your purpose."

This bill is not only aspirational, colleagues; it has teeth. It would amend the Customs Tariff act to prohibit the importation of goods manufactured or produced by forced or child labour. If enacted, a regulatory and administrative regime and infrastructure under the CBSA would need to be implemented.

Some have said the bill doesn't go far enough since it doesn't compel companies to change their behaviour, only to report it. And it doesn't provide a remedy to the victims since there is no liability mechanism to hold companies that have used forced or child labour to account. It may not reach the level of slavery in Canada, as Senator Boyer has described it, because most workplace slavery usually takes place in small shops and not companies regulated by the federal government. I could be wrong, but I suspect it won't reach down into those situations.

This bill also does not address the underlying conditions in countries where the absence of housing, health and education contribute and aggravate the demand for slavery. Yet, it is an essential first step. I am not one to argue against incremental steps in dealing with a particularly complex and vexatious problem. I don't want to let perfection stand in the way of good.

I look forward to hearing other ideas at committee that will strengthen the bill. I am particularly encouraged that this bill comes with cross-party support. I hope we can all work more in this way.

Let me close by saying that modern slavery is a scourge on our world. It catches us all in its net; there is no one who is completely innocent, whether knowingly or unknowingly. I recall the words of Frederick Douglass, a famous abolitionist:

> No man can put a chain about the ankle of his fellow man without at last finding the other end fastened about his own neck.

Colleagues, let us take this first step in discarding these chains. Thank you very much.

(On motion of Senator Ringuette, for Senator Duncan, debate adjourned.)

[*Translation*]

BILL TO CHANGE THE NAME OF THE ELECTORAL DISTRICT OF CHÂTEAUGUAY—LACOLLE

SECOND READING—DEBATE ADJOURNED

Hon. Pierre J. Dalphond moved second reading of Bill S-213, An Act to change the name of the electoral district of Châteauguay—Lacolle.

He said: Honourable senators, I am not talking about a topic as important and fundamental as the one the two senators before me spoke about, but I would nevertheless like to present Bill S-213.

Honourable senators, today I move that Bill S-213, An Act to change the name of the electoral district of Châteauguay—Lacolle, be read the second time. This bill would change the name of the electoral district of Châteauguay—Lacolle to Châteauguay—Les Jardins-de-Napierville.

This little bill has two short clauses and two objectives. First, it would fix an error made in 2013 by the Federal Electoral Boundaries Commission for the Province of Quebec that has since been criticized by constituents in my senatorial division. Second, the bill would act on the will of the House of Commons, which in 2018 passed a private member's bill that had been introduced by Brenda Shanahan in 2017. Unfortunately, after being introduced in the Senate by our former colleague Senator André Pratte in May 2018, this bill died on the Order Paper in June 2019 while being considered by the Legal and Constitutional Affairs Committee, to which it had been referred on November 22, 2018.

With regard to the first objective, the commission's error stems from the fact that, in my senatorial division, there are three places with the name Lacolle, namely two villages and a border crossing. The two villages, both proud of their history and of their current circumstances, are situated just 11 kilometres apart. They are both located near the Vermont border and have similar names: Lacolle and Saint-Bernard-de-Lacolle.

In the minds of people from outside the region, there has always been some confusion between these two towns. What is more, most people who cross the border into the United States and even the media refer to the customs station in Saint-Bernard-de-Lacolle, which is one of the busiest in the country, as the Lacolle border crossing.

The confusion was compounded in 2013 when the redrawn federal riding in the region was named Châteauguay—Lacolle. Châteauguay is the main municipality in the area, so it is only natural that it would be part of the name of the riding represented by Ms. Shanahan. However, the municipality of Lacolle is not part of that riding. It is actually located in the adjacent riding of Saint-Jean, which is represented by MP Christine Normandin. I also have the honour of pointing out that the two municipalities are part of my senatorial division of De Lorimier.

In other words, the commission responsible for electoral redistribution in 2013 mixed up its Lacolles. The new riding could have been called Châteauguay—Saint-Bernard-de-Lacolle, but not Châteauguay—Lacolle. The MPs who reviewed the commission's work at the time missed this mistake, but residents of my senatorial division did not. Residents of Lacolle, Saint-Bernard-de-Lacolle and other areas of my division complained to regional candidates during the 2015 election campaign and again in 2019.

• (1600)

During the 2015 election campaign, Ms. Shanahan promised to change the riding name if elected. Once elected, she introduced Bill C-377 to change the name from Châteauguay—Lacolle to Châteauguay—Les Jardins-de-Napierville. The bill was passed by the other place.

The proposed new name emerged from extensive discussions with residents, mayors and regional stakeholders. Châteauguay—Les Jardins-de-Napierville was a logical and meaningful choice for several reasons.

First, "Jardins-de-Napierville" is the name of an RCM that includes nine of the riding's fifteen municipalities. Second, the largest city, Châteauguay, is on the northwestern edge of the riding, while the Jardins-de-Napierville RCM includes the nine municipalities in the southeastern part of the riding. Third, the beauty of the Jardins-de-Napierville RCM is reflected in the word "jardins", meaning gardens, and it has made a name for itself as Quebec's top market gardening region. Fourth, the name "Châteauguay—Les Jardins-de-Napierville" reflects the part urban, part rural character of the riding.

In short, the chosen name is uncontroversial. All the mayors in the region support the name change, and several hundred people signed a petition in 2017.

Lastly, the name Châteauguay—Les Jardins-de-Napierville meets all the technical criteria set by Elections Canada.

I will now move on to the second objective. In May 2018, Ms. Shanahan's Bill C-377 was introduced in the Senate, sponsored by our former colleague André Pratte. At second reading stage in this chamber, Senators Pratte, Dawson and Carignan spoke in favour of the bill, and no one spoke against it. The bill was adopted by the Senate at second reading on November 22, 2018, and was then referred to the Legal and Constitutional Affairs Committee for study and report.

As this was a private member's bill and not a government bill, it could not be studied by the Legal and Constitutional Affairs Committee in the seven months remaining before the end of the last Parliament, even though it was a bill that had just one clause at the time. The committee devoted those months to studying several government bills, including numerous amendments to the Access to Information Act and the Criminal Code, as honourable senators will recall.

Today I propose that we finish the work that was interrupted in June 2019 by referring this bill to the Legal and Constitutional Affairs Committee, which does not yet have anything on its agenda and could proceed to a study that I believe will be rather short.

There is just one small step left, and I urge you to take it without further delay. Thank you.

Hon. Claude Carignan: Honourable senators, I have already given a speech on this bill, which is identical to the one that passed second reading in the previous session.

It's pretty odd that the municipality of Lacolle isn't in the riding of Châteauguay—Lacolle. If I were to ask people whether they think the municipality of Lacolle is in the riding of Châteauguay—Lacolle, I bet I can guess what most people would answer.

As I did in the previous parliamentary session, I fully support this bill and am once again proposing that it be studied at committee, unless anyone else wants to speak to this bill.

Some Hon. Senators: Hear, hear!

(On motion of Senator Martin, debate adjourned.)

[*English*]

GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Diane F. Griffin moved second reading of Bill S-215, An Act to amend the Greenhouse Gas Pollution Pricing Act (farming exemptions).

She said: Honourable senators, before starting my speech at second reading of Bill S-215, An Act to amend the Greenhouse Gas Pollution Pricing Act (farming exemptions), I want to state that as a conservationist I support a price on carbon. I also strongly support the federal government's jurisdictional authority in implementing a national backstop.

Some of you may share my position and some of you may disagree with me, and that's okay. My intent in introducing this bill is not to debate the merits of a federal carbon tax. Rather, the question I'd like you to consider is whether there is a need to make modifications to the existing regime to ease the impact on Canadian farmers who are in provinces where the federal backstop applies.

My bill seeks to treat all farmers equally, regardless of the crops they grow or the livestock they raise. It does this by adding propane and natural gas to the list of exempted fuels. Additionally, it removes the carbon levy on any machinery that is used to heat or cool a farm building.

Honourable senators, in its 2018 report entitled *Feast or Famine: Impacts of climate change and carbon pricing on agriculture, agri-food and forestry*, the Standing Senate Committee on Agriculture and Forestry recommended these same changes to the act. The committee cited concerns that taxing agricultural fuels will have a negative impact on competitiveness for producers and on food affordability for Canadians.

At present, farmers who use propane or natural gas to dry their grains are at a disadvantage. For these farmers, grain drying is not an optional activity. Similarly, poultry or pork farmers who must heat their barns also have no other option.

The intent of the carbon tax is to encourage Canadians to alter their fuel consumption habits by using more environmentally friendly efficient machines or alternative sources of energy. This is a laudable goal. However, when this premise is applied to farming, there is a disconnect between the policy and the outcome. Whereas some Canadians may carpool more often or turn down their thermostat by a couple of degrees as a result of carbon pricing, farmers are simply paying another tax. Heating barns and drying grain are not discretionary fuel use.

Farmers' concerns are not being addressed. Recently, the Minister of Agriculture stated that, with regard to providing farmers with relief from carbon pricing, ". . . I don't have the business case, I don't have the case with the data I've got to get an exemption . . . ." Moreover, the minister indicated that the impact of carbon pricing on grain drying is ". . . not that significant."

• (1610)

By contrast, the Agricultural Producers Association of Saskatchewan released a report in February indicating that their farmers will lose 8% of their total net income in 2020 due to the carbon tax. In two years, when the tax increases, that figure is projected to grow to 12% of their net income. This translates to a dollar figure of between $13,000 and $17,000 in direct and indirect carbon taxes for a 5,000-acre farm in 2022.

In my view, parliamentary committee hearings are the best avenue by which to hear these two different perspectives, to reconcile them and to recommend a path forward. I think these hearings will be invaluable, as we seek to find some common ground.

Some of you may wonder why, as a senator from Prince Edward Island, I am sponsoring this bill when my province is not under the federal backstop. I am doing so as a Canadian parliamentarian. In an ideal world, there would be no need for a federal carbon tax, as the provinces would have solutions tailored to meet the needs of their own jurisdictions.

The concerns of farmers and the agricultural sector are real. We have seen the negative economic impacts on their sector, with rail strikes, blockades and inclement weather. This is a concern that we can address.

Honourable senators, in closing, I would ask, even if you do not fully agree with the technical exemptions contained in Bill S-215, that you support this bill by sending it to committee at the earliest opportunity. The minister says she needs additional evidence in order to assist Canadian farmers. Examining this bill at committee would give farmers from the Prairies and Ontario an opportunity to provide her with that data.

By 2025, the Government of Canada wants the agri-food sector to contribute $85 billion to our exports. We can only meet this target by ensuring the sector's competitiveness. Part of the solution is increased innovation. However, farmers are price-takers, not price-makers, in a global market. They're telling us that the carbon tax is affecting their competitiveness. We must work collaboratively so that farmers are recognized for their environmental stewardship and to achieve the government's twin goals of mitigating climate change and increasing the agri-food sector's competitiveness. Thank you.

(On motion of Senator Black (*Ontario*), debate adjourned.)

[*Translation*]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

THIRD REPORT OF COMMITTEE—MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Saint-Germain, seconded by the Honourable Senator Woo, for the adoption of the third report (interim) of the Standing Committee on Internal Economy, Budgets and Administration, entitled *Policy on Prevention and Resolution of Harassment in the Senate Workplace*, presented in the Senate on February 6, 2020.

And on the motion in amendment of the Honourable Senator McPhedran, seconded by the Honourable Senator Hartling:

That the report be not now adopted, but that it be amended:

1. by replacing paragraph 1 with the following:

"1. (a) That the revised *Policy on the Prevention and Resolution of Harassment in the Senate Workplace*, appended to this report, be adopted;

(b) That the Standing Senate Committee on Human Rights be authorized to study and recommend amendments to the Policy adopted pursuant to paragraph 1(a), when and if the committee is formed;

(c) That the papers and evidence received and taken, and work accomplished, by the Standing Senate Committee on Human Rights in relation to Bill C-65, An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017, No. 1, during the first session of the Forty-second Parliament, be referred to the committee for the purposes of its study of the Policy pursuant to paragraph 1(b);

(d) That the Standing Senate Committee on Human Rights submit its final report on its study pursuant to paragraph 1(b) to the Senate no later than 30 days after the adoption of this report or the formation of the committee, whichever comes later; and

(e) That the content of any report from the Standing Senate Committee on Human Rights presented to the Senate in relation to its study pursuant to paragraph 1(b), if the report is adopted by the Senate, be deemed referred to the Standing Committee on Rules, Procedures and the Rights of Parliament, and the Standing Committee on Ethics and Conflict of Interest for Senators for the purpose of their respective studies pursuant to paragraphs 2 and 3;";

2. in paragraph 2, by:

(a) adding the words ",when and if the committee is formed," after the word "Parliament"; and

(b) by replacing the date "April 30, 2020" by the words "60 days after the adoption of this report or 60 days after the formation of the committee, whichever comes later";

3. in paragraph 3, by replacing the date "April 30, 2020" by the words "60 days after the adoption of this report or 60 days after the formation of the Standing Committee on Rules, Procedures and the Rights of Parliament, whichever comes later"; and

4. by adding the following new paragraph 6:

"6. That the Standing Senate Committee on Human Rights, the Standing Committee on Rules, Procedures and the Rights of Parliament, and the Standing Committee on Ethics and Conflict of Interest for Senators be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, any reports authorized by this report, if the Senate is not then sitting, and that the reports be deemed to have been presented in the Chamber.".

Hon. Raymonde Saint-Germain: Honourable senators, I rise again in this debate to comment on the presentations given by Senator Downe and Senator McPhedran at the last sitting of the Senate. I want to thank all senators who have shown an interest in this proposed policy, particularly Senator McPhedran, who, with her extensive experience on this matter, really wants to see it improved.

[*English*]

In light of the debates that went on last week, it appears to me that some incomprehension still remains about certain aspects of this proposed policy. I want to clarify these three aspects.

First, I would like to make it very clear that the impartial third party and its investigation process are neither accountable nor overseen by CIBA or the Senate administration. Under this proposed policy, the impartial third party will be completely independent to investigate complaints. It is a core element of the policy to ensure the totally external and independent nature of the complaint process, as was recommended in CIBA's thirty-seventh report.

There is no indication in this policy that the harassment complaint process conducted by the impartial third party will be held accountable by either CIBA or the Senate administration. The accountability to CIBA is purely financial and administrative, but it is not on the actual complaint process; that part is entirely independent. I also want to point out that all complaints will be made directly to the impartial third party. This will put an end to the conflict of interest described by Senator Downe and which characterized the complaint process under the current policy.

Second, respect of privacy is also a vital element that needs to be enforced in the course of harassment complaints. During the subcommittee's study, numerous witnesses noted a lack of confidentiality in the policy surrounding the complaint-resolution processes. The provisions in Bill C-65 largely prevented the disclosure of:

> . . . any information that is likely to reveal the identity of a person who was involved in an occurrence of harassment and violence in the work place.

By providing strong confidentiality mechanisms, this proposed policy follows the advice of witnesses consulted in the study and conforms to the language of Bill C-65.

Finally, to characterize this proposed policy as lacking appeal opportunities would also be inexact. Appealing the decision process is possible under step 10.1 of the formal complaint process. It also presents many opportunities for complainants and respondents to provide comments to the independent third party about the ongoing investigation. Furthermore, complainants have every right in this proposed policy to make a complaint under the Canadian Human Rights Act. Other forms of recourse are also taken into consideration, such as filing grievances under applicable terms and conditions of employment, collective agreements or statutes. The only point of distinction being that these forms of recourse not be parallel to the investigation of the independent third party in order not to undermine it.

In any case, complainants or respondents who feel wronged and wish to appeal the investigation will not be met with job-related sanctions. The draft policy states that: "Reprisals against any individual who participates in good faith in any process under this policy is prohibited and will be sanctioned."

All concerns about reprisals are to be directed to the impartial third party, who will address them promptly. This being said, I support Senator McPhedran's amendment, because I believe that if the Human Rights Committee also studies this draft policy, that could be a way to improve the measure. I have no objection to that.

Colleagues, this proposed policy is long awaited and much needed. I hope we can proceed to a vote rapidly, first on Senator McPhedran's amendment and on the third report of CIBA for the designated committees to be able to study the draft policy without further delays.

(On motion of Senator Martin, debate adjourned, on division.)

• (1620)

[*Translation*]

THE SENATE

MOTION TO CALL UPON THE PRIME MINISTER TO ADVISE THE GOVERNOR GENERAL TO REVOKE THE HONORIFIC STYLE AND TITLE OF "HONOURABLE" FROM FORMER SENATOR DON MEREDITH—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Verner, P.C., seconded by the Honourable Senator Saint-Germain:
>
> That, in light of the reports of the Senate Ethics Officer dated March 9, 2017, and June 28, 2019, concerning the breaches by former Senator Don Meredith of the *Ethics and Conflict of Interest Code for Senators*, the Senate call upon the Prime Minister to advise Her Excellency the Governor General to take the necessary steps to revoke the honorific style and title of "Honourable" from former senator Meredith.

Hon. Raymonde Saint-Germain: Honourable senators, I rise today in support of the motion moved by Senator Verner on February 18, 2020, calling on the government to take the necessary steps to revoke the honorific style and title of "Honourable" from former senator Meredith.

In spite of his many proven violations of the *Ethics and Conflict of Interest Code for Senators*, Mr. Meredith is still using his status as a former senator for self-promotion purposes and to participate in public events.

On February 1, 2020, he was invited to speak at a Black History Month event. The organizers were not aware of Mr. Meredith's troubled past when they invited him, and a number of stakeholders expressed their profound discomfort upon learning of his history. Robert Small, an African-Canadian artist who was also invited to speak, summed up this discomfort by saying, and I quote:

[*English*]

> His actions are contradictory to the spirit of Black History Month. He made a mockery of what black men should stand for. It's doing our community a disservice. . . .

Former Senator Meredith also did a great disservice to the upper house. As members of the Senate, we have a duty to defend its reputation. Revoking former Senator Meredith's honorific title of "honourable" will fulfill this shared duty. I therefore invite you to support Senator Verner's motion that the Senate call upon the Prime Minister to advise Her Excellency the Governor General to take the necessary steps to revoke the honorific style and title of "honourable" from former Senator Meredith.

(On motion of Senator Martin, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE FUTURE OF WORKERS—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Lankin, P.C., seconded by the Honourable Senator Gagné:
>
> That the Standing Senate Committee on Social Affairs, Science and Technology, when and if it is formed, be authorized to examine and report on the future of workers in order to evaluate:
>
> (a) how data and information on the gig economy in Canada is being collected and potential gaps in knowledge;
>
> (b) the effectiveness of current labour protections for people who work through digital platforms and temporary foreign workers programs;
>
> (c) the negative impacts of precarious work and the gig economy on benefits, pensions and other government services relating to employment; and
>
> (d) the accessibility of retraining and skills development programs for workers;
>
> That in conducting this evaluation the committee pay particular attention to the negative effects of precarious employment being disproportionately felt by workers of colour, new immigrant and indigenous workers; and
>
> That the committee submit its final report on this study to the Senate no later than April 7, 2022.

Hon. Mary Coyle: Honourable senators, I rise today to support Senator Lankin's motion to authorize the Standing Senate Committee on Social Affairs, Science and Technology to examine and report on the future of workers, examining the social impacts of precarious work and the gig economy, and explore solutions.

[*Translation*]

Colleagues, from a young age, I was aware of the importance of work and workers.

[*English*]

My father, Bernard Patterson, a travelling salesman, provided for a family of nine on a 100% commission-based income, no fixed salary, no employment-based pension plan and no health or dental benefits. Precarious for sure, and if he had continued longer, even more so. He would have seen a huge downturn in market demand for the wholesale goods he sold — fabrics and notions associated with home dressmaking — as well as a loss of the small fabric shops and large department stores he used to sell to. Fortunately, he retired before his work world was disrupted.

Forty years ago, I worked in Botswana supporting self-employed women and men to improve their incomes. They were engaged in everything from hunting and tanning wildlife hides, carpentry, foraging for desert plants, agriculture vending, artisanal mining to arts and crafts. During my graduate studies, I conducted research on the income security program for Cree hunters and trappers in the James Bay region of northern Quebec. My major research was on the role of small-scale enterprise development in meeting the income and employment needs of developing nations.

[*Translation*]

I used to manage Calmeadow, an NGO that specializes in financing micro-entrepreneurs around the world and across Canada.

[*English*]

Later, I led the Coady International Institute, which emerged from a local economic movement focused on supporting people, mostly resource-based workers and their communities, to improve their livelihoods. Today, Coady hosts the Centre for Employment Innovation and offers courses in livelihoods and markets, social enterprise, and the future of work and workers to people across Canada and around the world.

The self-employed, micro-entrepreneurs, women, informal sector workers — many living on the margins of the economy — have been a central focus of my professional life. They share a lot with workers of the gig economy. While Senator Lankin's motion is largely focused on concerns related to workers in Canada, international factors and global trends have an impact on Canadian workers. It is also important for Canada to know about and support global efforts focused on the future of work and workers everywhere.

For a little historical perspective, it is interesting to hear what then-president of the World Bank Robert McNamara had to say in 1979 about an earlier moment of global societal and economic transformation:

> And where today can the rural migrants go? The world is already allotted, the land occupied by the nineteenth-century modernizers.
>
> The poorest quarter of the population in developing lands risks being left almost entirely behind in the vast transformation of the modern technological society. . . .

Fifteen years later, in 1994, American economist Jeremy Rifkin's book, *The End of Work: The Decline of the Global Labor Force and the Dawn of the Post-Market Era* predicted a near-workerless society due to the third industrial revolution, the age of information technology. Rifkin believed the end of work could mean the demise of society as we have come to know it, or it could signal the beginning of a great social transformation.

[*Translation*]

Naturally, everyone is now talking about the fourth industrial revolution, which brings us to studying how this will affect workers.

[*English*]

In 2019, the one-hundredth anniversary of the International Labour Organization, the ILO, with its Global Commission on the Future of Work, issued its landmark report entitled *Work for a Brighter Future*. According to the report's introduction:

> New forces are transforming the world of work . . .

It also stated that:

> These transitions call for decisive action. . . .

Countless opportunities lie ahead to improve the quality of working lives, expand choice, close the gender gap, reverse damages wreaked by global inequality and much more, yet none of this will happen by itself. Without decisive action, we will be heading into a world that widens existing inequalities and uncertainties. Technological advances, artificial intelligence, automation and robotics will create jobs, but those who lose their jobs in this transition may be the least equipped to seize the new opportunities. Today's skills may not match the jobs of tomorrow. The greening of our economies will create millions of jobs, but other jobs will disappear. Expanding youth populations in some parts of the world and aging populations in others may place pressure on labour markets and social security systems, yet in these new shifts lie new possibilities to afford care and inclusive active societies.

Philip Jennings, member of the ILO Commission, the UN Global Compact and member of the Future of Work commission of the State of New Jersey, when speaking of the findings of the ILO Commission, quotes *A Tale of Two Cities* by Charles Dickens:

> It was the best of times, it was the worst of times . . . it was the spring of hope, it was the winter of despair.

As for the winter of despair, the commission identified several matters of concern:

> . . . from the 200 million unemployed, 300 million workers surviving on a few dollars a day, almost half the workforce in vulnerable jobs, 150 million children at work, rising inequality, persistent gender inequality, the ravages of climate change, demographic change, digital transformation, billions with inadequate social protection and the ascendency of the economic power of business . . .

We know that the rapid changes happening in the world of work are not impacting everyone equally, with some workers bearing the burden of these challenges disproportionately, thereby exacerbating overall inequality. Projections of the ILO indicate that about 72% of workers in South Asia and sub-Saharan Africa are in vulnerable employment. Informal workers make up 60% of the global workforce, and 90% of workers in India. Projections for vulnerable employment in developed economies like ours is at 9.9%.

• (1630)

In the 2019 book *Towards a Just, Dignified and Secure Future of Work: Lessons from India* editors Radhicka Kapoor and Amit Basole speak of the need to adapt the global narrative on the future of work and bring in the perspective of the global South. The book was published by the Self Employed Women's Association of India, a union of 2 million poor women founded by Ela Bhatt.

Reema Nanavaty of SEWA, member of the World Bank Advisory Council on Gender and Development, was one of the commissioners on the ILO's Global Commission on the Future of Work.

Closer to home, McKinsey & Company put out an article late last year on "The Future of Work in Black America." The starting point of the article is the well documented, persistent and growing racial wealth gap between African-American families and white families.

It goes on to underline the importance of examining the economic intersectionality of race, gender, age, education and geography as it relates to the future of work.

In 2019, Dell Technologies put out a report stating that 85% of jobs that will exist in 2030 haven't been invented yet. It speaks of a globalized workforce and a lifetime of retraining. The report's prediction of social disruption is not necessarily a doom-and-gloom scenario where machines take people's jobs and humans become a nonentity. Instead, the notion is that the tasks that we are used to doing today are going to be replaced by tasks of the future, some of which we know and some of which we have yet to discover.

In 2018, the World Economic Forum came out with an article entitled "5 things to know about the future of jobs." These include:

One: Automation, robotization and digitalization look different across different industries.

Two: There is a net positive outlook for jobs amid significant job disruption. In purely quantitative terms, 75 million current job roles may be replaced by the shift in the division of labour between humans, machines and algorithms, while 133 million new job roles may emerge at the same time.

Three: The division of labour between humans, machines and algorithms is shifting fast.

Four: New tasks at work are driving demand for new skills.

Five: We will all need to become lifelong learners.

In 2020, the World Economic Forum followed up with a report entitled *Jobs of Tomorrow: Mapping Opportunity in the New Economy*. I won't go into the detail of that report today, but it may be something the committee may want to explore should this motion pass.

A report in the Deloitte Insights series on the future of work entitled *What is the future of work?* talks about how the forces of change are affecting three major dimensions of work. These three interrelated dimensions are: First, what is it? What is the nature of work itself? Second, who does the work? The workforce; the workers. Third, where the work is done — the workplace.

All three of these dimensions — the work, the workers and the workplace — are shifting.

The ILO's Global Commission on the Future of Work calls for a new approach that puts people and the work they do at the centre of public policy and business practice, a human-centred agenda for the future of work.

Philip Jennings sees the proposed policy framework outlined in the ILO commission report as the "spring of hope." It would have three pillars: investing in people's capabilities, investing in institutions of work and investing in decent and sustainable work.

Canada and our global partners have signed on to the UN 2030 agenda, including Sustainable Development Goal 8, which is to "promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all."

That is what Senator Lankin's motion is getting at — decent work for all.

With so much social disruption already here, and much more predicted to come at an accelerated pace, with the impacts of change uneven, leaving some citizens more vulnerable than others, the report of the Global Commission on the Future of Work calls for reinvigorating the social contract between citizens, the state, the market and other relevant non-state actors.

Ela Bhatt, founder of India's Self Employed Women's Association, reinforced the importance of the motion put forward by Senator Lankin when she states simply:

> Work gives meaning to everyone's life. Work gives identity. It provides livelihoods that produce goods and services that we use and thus build our society. We all work. And therefore, we are all workers.

Colleagues, if a new or reinvigorated social contract is what our country needs to consider in today's world of accelerating change for workers, a logical next step would be to do what the Senate does best — study those changes and their impacts on workers and examine solutions.

[*Translation*]

That is what Senator Lankin's motion is asking us to support.

Colleagues, this is all of vital importance.

[*English*]

Honourable senators, let's support this motion and get this timely study under way. Thank you. *Welalioq*.

(On motion of Senator Ringuette, for Senator Duncan, debate adjourned.)

THE SENATE

MOTION TO AMEND THE *RULES OF THE SENATE*—DEBATE

On the Order:

> Resuming debate on the motion of the Honourable Senator Woo, seconded by the Honourable Senator Saint-Germain:
>
> That the *Rules of the Senate* be amended:
>
> 1. by replacing rule 3-6(2) by the following:
>
> "Adjournment extended
>
> **3-6.** (2) Whenever the Senate stands adjourned, if the Speaker is satisfied that the public interest does not require the Senate to meet at the date and time stipulated in the adjournment order, the Speaker shall, after consulting all the leaders and facilitators, or their designates, determine an appropriate later date or time for the next sitting.";
>
> 2. by replacing rule 4-2(8)(a) by the following:
>
> "Extending time for Senators' Statements
>
> **4-2.** (8)(a) At the request of a whip or the designated representative of a recognized party or recognized parliamentary group, the Speaker shall, at an appropriate time during Senators' Statements, seek leave of the Senate to extend Statements. If leave is granted, Senators' Statements shall be extended by no more than 30 minutes.";
>
> 3. by replacing rule 4-3(1) by the following:
>
> "Tributes
>
> **4-3.** (1) At the request of any leader or facilitator, the period for Senators' Statements shall be extended by no more than 15 minutes for the purpose of paying tribute to a current or former Senator.";
>
> 4. by replacing rules 6-3(1)(a), (b) and (c) by the following:
>
> "Leaders and facilitators
>
> (a) any leader or facilitator shall be permitted up to 45 minutes for debate;

Sponsor of a bill

(b) the sponsor of a bill shall be allowed up to 45 minutes for debate at second and third reading;

Spokesperson on a bill

(c) the spokesperson on a bill from each recognized party and recognized parliamentary group, except for the party or group to which the sponsor belongs, shall be allowed up to 45 minutes for debate at second and third reading; and";

5. by replacing rule 6-5(1)(b) by the following:

"(b) the time remaining, not to exceed 15 minutes, if the Senator who yielded is a leader or facilitator.";

6. by replacing the portion of rule 7-1(1) before paragraph (a) by the following:

"Agreement to allocate time

7-1. (1) At any time during a sitting, the Leader or the Deputy Leader of the Government may state that the representatives of the recognized parties and recognized parliamentary groups have agreed to allocate a specified number of days or hours either:";

7. by replacing the portion of rule 7-2(1) before paragraph (a) by the following:

"No agreement to allocate time

7-2. (1) At any time during a sitting, the Leader or the Deputy Leader of the Government may state that the representatives of the recognized parties and recognized parliamentary groups have failed to agree to allocate time to conclude an adjourned debate on either:";

8. by replacing rule 7-3(1)(f) by the following:

"(f) Senators may speak for a maximum of 10 minutes each, provided that a leader or facilitator may speak for up to 30 minutes;";

9. by replacing rules 9-5(1), (2) and (3) by the following:

"(1) The Speaker shall ask the whips and the designated representatives of the recognized parties and recognized parliamentary groups if there is an agreement on the length of time the bells shall ring.

(2) The time agreed to shall not be more than 60 minutes.

(3) With leave of the Senate, the agreement on the length of the bells shall constitute an order to sound the bells for that length of time.";

10. by replacing rule 9-10(1) by the following:

"Deferral of standing vote

9-10. (1) Except as provided in subsection (5) and elsewhere in these Rules, when a standing vote has been requested on a question that is debatable, a whip or the designated representative of a recognized party or recognized parliamentary group may defer the vote.

EXCEPTIONS

Rule 7-3(1)(h): Procedure for debate on motion to allocate time

Rule 7-4(5): Question put on time-allocated order

Rule 12-30(7): Deferred vote on report

Rule 12-32(3)(e): Procedure in Committee of the Whole

Rule 13-6(8): Vote on case of privilege automatically deferred in certain circumstances";

11. by replacing rule 9-10(4) by the following:

"Vote deferred to Friday

9-10. (4) Except as otherwise provided, if a vote has been deferred to a Friday, a whip or the designated representative of a recognized party or recognized parliamentary group may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day, provided that if the Senate only meets after 5 p.m. on that day, the vote shall take place immediately before the Orders of the Day.

EXCEPTIONS

Rule 12-30(7): Deferred vote on report

Rule 13-6(8): Vote on case of privilege automatically deferred in certain circumstances";

12. by replacing rule 12-3(3) by the following:

"Ex officio members

12-3.(3) In addition to the membership provided for in subsections (1) and (2), the Leader of the Government, or the Deputy Leader if the Leader is absent, and the leader or facilitator of each recognized party and recognized parliamentary group, or a designate if a leader or facilitator is absent, are ex officio members of all committees except the Standing Committee on Ethics and Conflict of Interest for Senators and the joint committees. The ex officio members of committees have all the rights and obligations of a member of a committee, but shall not vote.";

13. by adding the word "and" at the end of rule 12-5(a) in the English version, and by replacing rules 12-5(b) and (c) by the following:

"(b) the leader or facilitator of a recognized party or recognized parliamentary group, or a designate, for a change of members of that party or group.";

14. by replacing rule 12-8(2) by the following:

"Service fee proposals

12-8. (2) When the Leader or Deputy Leader of the Government tables a service fee proposal, it is deemed referred to the standing or special committee designated by the Leader or Deputy Leader of the Government following consultations with the leaders and facilitators of the recognized parties and recognized parliamentary groups, or their designates.

REFERENCE

Service Fees Act, *subsection 15(1)*";

15. by replacing rule 12-18(2)(b)(ii) by the following:

"(ii) with the signed consent of the majority of the leaders and facilitators, or their designates, in response to a written request from the chair and deputy chair.";

16. by replacing rule 12-27(1) by the following:

"Appointment of committee

12-27. (1) As soon as practicable at the beginning of each session, the Leader of the Government shall move a motion, seconded by the other leaders and the facilitators, on the membership of the Standing Committee on Ethics and Conflict of Interest for Senators. This motion shall be deemed adopted without debate or vote, and a similar motion shall be moved for any substitutions in the membership of the committee.

REFERENCE

Ethics and Conflict of Interest Code for Senators, *subsection 35(4)*";

17. in Appendix I:

(a) by deleting the definition "Critic of a bill";

(b) by deleting the definition "Ordinary procedure for determining duration of bells"; and

(c) by adding the following new definitions in alphabetical order:

"**Designated representative of a recognized party or a recognized parliamentary group**

The Senator designated from time to time by the leader or facilitator of a recognized party or a recognized parliamentary group without a whip as that group or party's representative for a purpose or purposes set out in these Rules. (*Représentant désigné d'un parti reconnu ou d'un groupe parlementaire reconnu*)";

"**Leaders and facilitators**

The Government Leader and the leaders and facilitators of the recognized parties and recognized parliamentary groups (see definitions of "Leader of the Government", "Leader of the Opposition" and "Leader or facilitator of a recognized party or recognized parliamentary group"). (*Leaders et facilitateurs*)"; and

"**Spokesperson on a bill**

The lead Senator speaking on a bill from each recognized party and recognized parliamentary group, as designated by the leader or facilitator of the party or group in question. (*Porte-parole d'un projet de loi*)"; and

18. by updating all cross-references in the Rules, including the lists of exceptions, accordingly; and

That the *Ethics and Conflict of Interest Code for Senators* be amended by deleting subsection 35(5), and renumbering other subsections and cross-references accordingly.

Hon. Yuen Pau Woo: Honourable senators, I'm pleased to be able to speak to my motion, finally, which you will recall I gave notice of before rising for our Christmas recess.

I had delayed speaking when we first returned from our break because I wanted to take the opportunity to discuss the motion with all leaders and to get their feedback.

I was further delayed by Senator Housakos's point of order, which the Speaker has now dismissed. I am in some ways grateful for the point of order from Senator Housakos because he and others who argued in favour of not allowing me to speak have demonstrated very powerfully why this motion is needed more than ever.

[*Translation*]

In my speech today, I will not dwell on the specific wording of the motion, but rather on the underlying principle of the change we are seeking to make.

[*English*]

For those of you who are interested in stanza and verse, my office has sent all of you a so-called black-line version of the motion that shows how the proposed changes compare with the original version of a given rule. You have likely seen a pattern in the amendments I am proposing, and it is precisely the pattern that I would like all of us to pay the most attention to this afternoon.

I have consulted with many of you on this motion, and I'm grateful for your input. I was encouraged to be modest in the proposed changes and have taken that advice. In the course of our

debate, I look forward to additional feedback from all senators and perhaps even suggestions on how we can improve the motion.

Colleagues, on the face of it, this motion is about rule changes. But a closer look at the motion will show that it is really about the equality of Senate groups. Don't get me wrong — if we vote for the motion, there will be changes to some of our rules. But the changes proposed are not about establishing a radically new regime for the way the Senate conducts itself. Rather, they are about adjusting the rules to reflect the new reality of the Senate. Whether you are a traditionalist or a modernizer or a bit of both, this motion cannot be seen as anything more than a gentle refresh of our rules, albeit an essential one.

Let me put it to you more succinctly. We are not changing the reality of the Senate by amending the rules. We are amending the rules to reflect the reality of a changed Senate.

• (1640)

If you are wondering what I mean by "the new reality of the Senate," just look around the chamber. There are 73 senators who do not sit as part of a political caucus, 3 who represent the government, and under 2 dozen who are part of a political caucus styled as the opposition. The sum of government and opposition currently is less than a quarter of the full membership of the Senate. In this context, colleagues, how can we continue with procedural rules that privilege the government and opposition that are in effect a duopoly of a chamber minority?

Let me stress that this motion is not about taking away the right of senators who wish to sit as part of a political caucus. I respect the fact that my Conservative colleagues are proud to sit as Conservatives and to act in concert with the Conservative caucus in the House of Commons. There is nothing in the proposed rule changes that will stop them from continuing to do so. Their rights are protected. But what about the rights of the other 75% of senators who sit with groups that are not part of a political caucus?

Let me provide you with a few specific examples of the proposed rule changes. The first example is on the role of whips and liaison on the time for bells. In the case of a standing vote, the current rule requires the Speaker to ask the whips of the government and the opposition if there is an agreement on the length of time the bells shall ring. If there is no agreement, the bells will ring for a default of 60 minutes.

My motion simply adds the designated representatives of recognized parties and recognized parliamentary groups to the list of persons who must be consulted by the Speaker. Adding the "whips and designated representatives of all recognized groups" to this rule conforms to the principle of the equality of Senate groups that this motion is trying to achieve. But it also serves an important practical function, especially in the current context, which is to include in the decision making on length of bells the very groups that make up the majority of the Senate. After all, the whole purpose of bells is to allow time for senators who are not in the chamber to return in time for a vote. Why should the whips of the government and the opposition alone dictate the length of bells when they account for less than a quarter of the membership?

The second example is speaking time for leaders, facilitators and spokespersons. The current rule allows for the Leader of the Government and the Leader of the Opposition, as well as the sponsor of the bill and the critic, to have longer speaking time at second and third readings. My motion extends the right of longer speaking time to all leaders and facilitators, as well as to all designated spokespersons on a bill, with the term "spokesperson" intended to include the traditional critic from the opposition as well as designated individuals from other recognized parliamentary groups.

Colleagues, we use the term "spokesperson" because it is a succinct way to refer to the representatives of all recognized parties or parliamentary groups who play that role, rather than referring to terminology that is specific to a recognized group. The opposition critic is a spokesperson, and there is nothing in this terminology that takes away from the traditional critic's role.

For other groups that prefer the term "spokesperson," the alternative wording does not carry with it the assumption that this person has to criticize a bill in order to be critical. In other words, colleagues, one can be critical without being a critic.

A third example is in the deferral of votes and agreement on time allocation. The current rule, 7-1(1), requires the government to consult with only one group on time allocation. In the spirit of collaboration and equality and in recognition of the new reality of the Senate, I believe — many of us believe — that all recognized parliamentary groups should be included in these discussions.

Similarly, rule 9-10(4) provides for just the government or the opposition to have the ability to defer votes. All recognized parliamentary groups should have this ability to protect their members from losing the right to vote. It is simply a matter of scheduling. Indeed, there is something very wrong about a rule that specifically excludes groups that represent the overwhelming majority of senators in this chamber.

Honourable colleagues, you get the idea. We are not changing the procedures as such. We are, rather, expanding the rights of groups, other than the government and opposition, to be involved in these procedures. Hence my contention that this is less a motion about changing the *Rules of the Senate* as it is about the equality of Senate groups.

Some of you may be thinking that the very procedures and practices for which we are insisting on equality are obsolete or flawed in some way and hence should be fundamentally rewritten. In the example I gave previously on bells, the default currently is 60 minutes. Should it be 60 minutes? Should it be different from that? I don't know the answer to that question, which is why I am not raising it as part of the motion. It may well be a good idea to revisit the fundamental design of some of our rules, but that is for a different day and a different motion.

Let me stress again that this motion before us is modest, it is incremental and it is less about changes to the rules than it is about rule changes to reflect a new reality.

There are two exceptions that I would like to bring to your attention. First, my motion envisages equal speaking time of a maximum 45 minutes for all leaders and facilitators on a bill at second and third reading as opposed to unlimited speaking time, currently, for the government and 45 minutes for everyone else. This is open for debate, but my own view, colleagues, is that however complicated an issue, if you cannot make your argument in 45 minutes, simply speaking longer isn't going to help you. In fact, it could have the opposite effect. Colleagues, this is a chamber of debate, not a chamber of interminable speeches. There is a difference.

In any case, if we stayed with the strict principle of equality of Senate groups on this rule, we would have to give unlimited speaking time to all leaders and facilitators. I can already feel the shudders of horror across the chamber at the thought of unlimited speaking time for more senators.

The second exception is that in giving ex officio status on committees to the leaders and facilitators of all groups. We considered giving a vote on committees to all of the ex officios as a way of levelling up. We decided in the end, however, to level down by not allowing a vote from any of the leaders and facilitators. I could go either way on this question, but there are substantive as well as practical reasons for levelling down rather than levelling up. Let me explain them to you.

The first is that leaders and facilitators are not likely to be regular attendees at committee meetings and to have followed closely the witness testimony and discussions on a given bill or study at committee. The idea that they can swoop in at the end of a study just to cast a vote suggests that the vote given to them is more about power than about deliberation. In effect, it renders the votes of the actual committee members less valuable, especially when those members have done the heavy lifting on a given bill or study.

There is also a practical reason why giving votes to all ex officio members may not be a good practice. Under the old system — or I should say under the current system — where ex officio status resides with only the government and the opposition, the bonus vote on either side would cancel out, assuming no surprises. In a Senate with multiple groups and caucuses, the outcome of bonus votes would be unpredictable, and it would be subject to a kind of gamesmanship that really should not be part of the deliberative process of a well-functioning committee.

I recognize that there may be some special circumstances where an ex officio vote matters, and I'm open to further discussion on this question. But I hope I've made the case for why I believe levelling down makes more sense than levelling up.

Honourable colleagues, notwithstanding the exceptions I have highlighted, we can summarize my motion in the following way: Wherever there are privileges, rights and responsibilities provided in the *Rules of the Senate* to just the government and the opposition, those same privileges, rights and responsibilities should also be provided to all recognized parliamentary groups in the Senate. By thinking about the motion in this way, I hope you can appreciate why I'm characterizing this motion more as a motion about equality and mutual respect than about a motion to do with rules.

• (1650)

Colleagues, that is why I have chosen to introduce this motion, complete with specific wording for the rule changes, in the chamber rather than to offer it up as a matter for the Rules Committee to study and bring back to the chamber at some later date.

Colleagues, the equality of senators and Senate groups cannot wait any longer. Our own Modernization Committee came to this conclusion more than three years ago. In its report entitled *Senate Modernization: Moving Forward* that was published in October 2016, the committee identified equality as a core principle that each senator should be treated equally with respect to his or her rights and privileges as a parliamentarian, and that the Senate's rules and practices should promote that status.

In a subsequent report, the Modernization Committee made clear that while many adjustments to the rules and procedures of the Senate have been made, more adjustments were needed to "reflect the new reality of the Senate." The Modernization Committee concluded in its thirteenth report that:

> . . . true equality among senators necessarily requires adjustments to the framework currently governing the procedures and deliberations of the Senate and that these adjustments must be considered in its modernization.

Colleagues, if there is fault in my motion, it is that I am moving it four years too late.

For those of you who think this motion is short-circuiting the process of rule changes, I say it is the opposite. The reluctance to fully recognize the new reality of a more independent Senate has short-circuited the just and proper recognition of parliamentary groups other than the government and opposition. On this matter, honourable colleagues, we are not ahead of ourselves; we are way behind.

Let me now take a few minutes to anticipate what I think will be some of the key arguments that might be raised against the motion and refute each one of them. You have already heard the most extreme of arguments against this motion by way of Senator Housakos' point of order, which has just been dismissed by the Speaker. There is no need to dwell on the Speaker's ruling, because it is clear, unequivocal and speaks for itself. I want to go further though in refuting the canard that Senator Housakos and some of his colleagues have propagated.

The falsehood is that changing the rules of the Senate to accommodate the reality of groups other than the government and the opposition is against the law. That is the essence of Senator Housakos's point of order. If that were the case, though, the rule changes the Senate has already approved, such as the recognition of and funding for parliamentary groups other than the government and the opposition, are ultra vires. Senator Housakos, in fact, began his diatribe by referring to the

allowances in our rules that the Senate has made in recent years to accommodate the growing number of non-affiliated senators. He was party to those changes. If he is now of the view that previous rule changes violate the Constitution, he is welcome to appeal to the Supreme Court. But wait a minute: Wasn't it the Supreme Court that issued the landmark reference stating that the Senate was designed to be a non-partisan chamber in the first place? To quote from the 2014 reference:

> In creating the Senate in the manner provided in the Act, it is clear that the intention was to make the Senate a thoroughly independent body which could canvass dispassionately the measures of the House of Commons.
>
> The framers sought to endow the Senate with independence from the electoral process to which members of the House of Commons were subject, in order to remove Senators from a partisan political arena that required unremitting consideration of short-term political objectives.

It is clear that Senator Housakos has a preference for a Senate that is organized along partisan government and opposition lines, contrary to the Supreme Court reference, and that is his right. But let's not get carried away with wild and reckless talk about breaking the law, violating the Constitution and undermining parliamentary democracy.

There is, however, one point on which I agree with Senator Housakos. It is that the Parliament of Canada Act needs to be amended to reflect the new reality of multiple groups in the Senate. Parliament of Canada Act amendments are needed as a companion to the rule changes I am proposing, not as a prerequisite. The fact of the matter is that rule changes are within the authority of the Senate itself but the Parliament of Canada Act isn't. That is why we need to do what we can do on our own to adjust the Rules, and the government needs to do what only it can do in amending the Parliament of Canada Act.

This government made the promise of amendments to the Parliament of Canada Act part of its platform and included it in the Throne Speech. When the matter comes before us, I look forward to Senator Housakos's support.

A second line of argument against my motion is that while an independent Senate may not be against the law or violate the Constitution, it is simply wrong-headed. This is a softer version of the extreme argument that Senator Housakos put forward in his point of order. It is that the so-called experiment of an independent Senate will eventually be reversed or that it will collapse on its own weight; ergo, we should not make any changes in the meantime.

Colleagues, I heard this argument a lot during the Forty-second Parliament, and I still hear it from time to time. I can appreciate the underlying sentiment, because it reflects a preference for the old way of doing things and a belief that the new approach is inferior. I don't share that preference, but I respect that others might feel differently. Some of our Conservative and formerly independent Liberal colleagues said to me during the last Parliament that we should not change the Rules until after the results of the next election to see if a new government might revert to a partisan Senate. Well, that election has come and gone, and just a few weeks ago, we welcomed two more senators appointed as non-affiliated members of this chamber, with surely more to come in the weeks and months ahead.

Honourable colleagues, we may be in a historic building, representing the glory days of locomotive travel, but this is 2020, and the train has left the station. To argue that we should continue to wait to make rule changes because the train might come back is, at best, sentimental.

There is a third argument that might be raised against my motion, and it is that the system is working fine as it is. It will be said that, in practice, other groups such as the CSG, the ISG and their respective leadership, are already consulted on some issues or that they have been given rights similar to those of the government and the opposition on an ad hoc basis. We heard a version of this argument on the Thursday before the Christmas recess when Senator Martin spoke about my motion, and she uttered it again in support of the point of order of Senator Housakos. Referring to the fact that the chamber had just given leave unanimously for me to move an unrelated motion on a change to the membership of CIBA, she said:

> . . . we did give leave and it was actually adopted, because we understood what was happening, it actually demonstrates the flexibility of our current Rules which, in the previous Parliament and in this Parliament, will stretch for all of us as a chamber, if we give leave, we can make these changes and adjustments.

She added:

> . . . our current Rules have allowed these changes to happen and I think the Rules do serve us very well.

I have no doubt that Senator Martin uttered these candid remarks in all sincerity and perhaps even as a statement of generosity, but let's be very clear: When she says we have flexibility in our Rules to grant leave, she means she and her colleagues in the Conservative caucus have the flexibility to grant us leave — when they feel like it. When she says, "I think the rules serve us very well," she's absolutely correct. But the "us" refers to the government and the opposition who currently have the power to, from time to time, grant privileges to other recognized groups by giving leave — if we ask nicely.

• (1700)

Don't forget, colleagues, that the word "leave" is a pleasant euphemism for "permission." When recognized Senate groups, other than the government and opposition, ask for leave to do something that only the government and opposition can do, we are asking for permission. The fact that we have to do so is precisely why I believe, contrary to Senator Martin, that the current rules do not serve us well.

The argument that the system ain't broke because it has flexibility amounts essentially to advocating for a dual-class structure in the Senate where groups which already have codified rights will deign to offer some of those rights to excluded groups as a kind of noblesse oblige.

As a chamber that prides itself on the upholding of Charter rights and the defence of discriminated groups, the idea that an established class can sprinkle rights and benefits on the others on a discretionary basis without entrenching those rights is reactionary in the extreme. I cannot see anyone in this chamber tolerating such an argument if it were made about a certain ethnic group or region or other class of citizens in Canada.

Colleagues, whether or not you like the reality of a new, more independent, less partisan Senate, it is a new reality that has broad public support. A national opinion poll conducted in 2019 found that 77% of Canadians want to carry on with the new appointment process. Furthermore, 81% of Canadians describe the fact that "New Senators are not active in a political party and sit as independent members in the Senate" as a good change, while only 5% think the move towards independence is negative.

For those of you who want the train to return to the station — that is to say, a return to the old ways of appointing senators — you have the support of just 3% of Canadians.

To conclude, let me address a red herring that has been making the rounds. It is that this motion "gets rid" of the opposition in the Senate. First of all, let me say that as an independent senator, as with all independent senators who, by definition, are not part the government, the right to oppose government legislation is intrinsic to our jobs and central to our identity. We guard this right as jealously as other senators who see themselves as members of the opposition by virtue of their membership in a political party that is not currently in government.

The difference is this: Partisan senators will switch from opposition to government if there is a change in government which favours their party. From this perspective, independent senators have as big a stake in preserving the idea of an opposition as senators who are in opposition only when their party is in opposition.

Now, the red herring that we're trying to get rid of the opposition likely stems from a superficial reading of the motion where, as you will see from the black-line version I have circulated, references to the word "opposition" in the original rule have been replaced with words such as "representatives of a recognized party and recognized parliamentary groups", in recognition of the multi-group reality of the new Senate.

To use another example, we have replaced the words "Leader of the Government and Leader of the Opposition" with the alternative wording "all the leaders and facilitators". As another example, instead of "critic for the opposition", "critic for the ISG", "critic for the CSG", and so on, we have chosen the more economical wording, which is "the spokesperson on a bill from each recognized party and recognized parliamentary group".

Colleagues, the motivation for our choice of wording — which, by the way, was taken on the advice of the Chamber Operations and Procedure Office — was good drafting practice, and we have been advised that this wording in no way whatsoever eliminates the opposition.

In any case, any reasonable reading of the proposed wording would not lead to the conclusion that this motion does away with the idea of an opposition in the Senate.

It is tantamount to saying that if the public health officer declares, "You should wash your hands before meals," as opposed to saying, "You should wash your hands before breakfast, lunch and dinner," she is doing away with breakfast. Breakfast can look after itself very nicely, thank you very much. And if a group of breakfast enthusiasts in Canada were to protest that the most succinct version of a statement on good hygiene was threatening to do away with your favourite meal of the day, we would all have a good chuckle and forget about it. I hope we can do the same with the mistaken idea that this motion seeks to eliminate the opposition.

If you need yet more assurance, I suggest you turn to pages 123 and 135 of the *Rules of the Senate,* and pages 5-4 through 5-6 of the *Senate Administrative Rules*, where there are references to "opposition" that remain untouched by this motion.

Colleagues, to sum up, this is a motion about the equality of Senate groups. It seeks to update our rules in a modest way to reflect the new reality of the upper house. It is a motion whose time has come and which is now needed urgently because of the overwhelming presence of senators in this chamber who are not part of the government and who do not belong to a partisan political caucus.

To vote for this motion is, fundamentally, to show respect for how our institution has evolved in recent years and, more importantly, to show respect for the majority of senators who are currently treated as second-class citizens simply because they sit as independents.

If you are inclined to vote against this motion, ask yourself: Do you believe in the equality of senators and Senate groups? If not, what makes one Senate group more equal than others?

I look forward to more debate on this motion, to suggestions and improvements, and to a vote sooner rather than later on this important piece of unfinished business in the continued modernization of our upper house.

Some Hon. Senators: Hear, hear!

The Hon. the Speaker: Did you want to ask a question, Senator Housakos?

Hon. Leo Housakos: Yes, if Senator Woo would take a question.

Senator Woo: Yes.

Senator Housakos: It's funny you're talking about trains, Senator Woo, because the government that appointed you as a senator in this august chamber seems to be having a hard time running trains on time lately.

You also keep talking about the importance of titles and words. Well, at the end of the day, it seems this government also has this exciting panache and propensity for changing words and what reality is. For example, we talk about blockades of infrastructure, and they call them disruptions of infrastructure. We talk about illegal immigration, and they talk about irregular immigration. We talk about a government leader who is enshrined in the

Parliament of Canada Act and now he's the Government Representative. But, of course, he's summoned here as a government leader and paid as a government leader.

At the end of the day, the biggest problem we also have is that, in your statement, you keep referencing the Supreme Court referring to the independence of this chamber. Yes, read the whole declaration. It's by virtue of our appointment until the age of 75.

The question to you, Senator Woo, is: At the end of the day, if you are so committed to the independence of this chamber and depoliticizing it, why have you embraced with such fervour one of the platform positions of the Liberal Party of Canada, which is independence of this chamber? It was, after all, Mr. Trudeau who put forward the idea of independence that you have embraced and are promoting on his behalf. Why is it that you pick and choose what partisan elements of a political platform you embrace and what elements you don't embrace?

Senator Woo: Thank you, Senator Housakos. To stay with the railway analogy, that was a good attempt to try to derail this conversation with things that have nothing to do with this motion.

• (1710)

However, I will address your specific question about why I support further independence of the Senate. It is why I applied to be a senator, because I believe in that policy. There is nothing inconsistent about being independent and supporting parts of any government platform. I don't see why I need to defend my position of believing in the value of a more independent Senate, in the value of senators who are appointed through an arm's-length process, and in the broader goal, which the Supreme Court has clearly stated, of having an upper chamber that is not the mirror, not the echo chamber of the other place, and one that can provide non-partisan advice on legislation and other matters that the upper house has worked on for so many years.

Hon. Bev Busson: Honourable senators, I rise today in support of Senator Woo's Motion No. 12. He's a hard act to follow, but I'll do my best and soldier on.

In his speech, Senator Woo explained eloquently the thinking behind the proposed amendments to the *Rules of the Senate*. I would like to express my support for these changes, which, in essence, properly reflect the new reality in this chamber.

Members of deliberative bodies like our own have been faced with the need to adapt to changing circumstances since the agora of ancient Athens and throughout the evolution of British parliamentary procedure over centuries. The rules of procedure themselves are important for practical reasons — to allow the business of the chamber to proceed efficiently and to maintain decorum. However, they are important for more than that. They should reflect the spirit, culture, ideals and principles of the institution at every stage of its evolution. As always, there is a balancing act to be achieved when we need to balance predictability and adaptability.

Every endeavour has its code of rules, and international diplomacy relies on protocol to ensure there is a level playing field. In my previous life, first as a young police officer, I navigated the rules of conduct and procedure every single day in order to deal fairly with the public, as well as later with the members of the force under my command in my service. Those rules were and are evolving to reflect changing core principles, on one side, and expectations on the other.

An underlying fundamental principle of this institution we all serve in, honourable senators, is equality. In the Canadian constitutional framework, I am reminded of the decision of the Supreme Court of Canada when it was asked to consider the question of the secession of a province from our Confederation in 1998. The court identified five fundamental principles of the Canadian Constitution: federalism, democracy, constitutionalism, the rule of law and respect for minorities. In making this determination on the so-called Secession Reference, the former Chief Justice of Canada, the Right Honourable Beverley McLachlin, explained that the court went beyond the words of the written laws and rules themselves, and probed the foundations and origins of the laws that reflected Canada's principles and history. The justices spoke of "powerful normative forces" that underlie these identified principles.

I believe that such principles and such a normative force threads directly through the amendments to the Rules we are being asked to consider today in Senator Woo's Motion No. 12: the equality of Senate groups and thus a sense of fairness, fair treatment, and an equal voice for each and every member of this hallowed chamber.

One feels the awe of history in this place; however, the Senate of Canada has been changing throughout that history and continues to evolve, just like our Canadian Constitution, which has been described as a living tree. It is evolving towards a less overtly partisan body. This does not mean that all the passion of advancing and defending positions or issues has or will diminish, nor should it; rather, it recognizes that the structure of how members organize themselves is different now. The Rules must respect that new reality.

I find myself agreeing with the former Minister of State for Democratic Reform, the Honourable Pierre Poilievre. When he was asked, in an interview on October 21, 2014, by *Maclean's* magazine, the question: "Is there any way to determine when partisanship goes from being a functional part of our Parliament to a detriment to our Parliament?" Minister Poilievre replied: "I think it's a detriment if it detracts from good policy and/or the business of governing."

This is exactly what we are discussing today, fellow senators — the business of governing.

The days of Conservative and Liberal duopoly are gone. In this new landscape there are three formally recognized groups in the Senate: the Independent Senators Group, the Conservatives and the Canadian Senators Group. There may be other recognized groups in the future, so the Rules need to be amended to allocate time amongst the leaders or facilitators or equivalents.

In my opinion, the amendments proposed in Senator Woo's motion are relatively modest and, in essence, an administrative approach to align process to the factual reality that exists now in this chamber. I believe it is important to ensure that the rules of procedure that govern this place are fair to all and applied in an equitable way to facilitate our important future work.

[*Translation*]

Dear colleagues, I hope you will support this motion.

Thank you, *meegwetch*.

Some Hon. Senators: Hear, hear!

[*English*]

Senator Housakos: Will the senator take a question?

Senator Busson: Certainly.

Senator Housakos: Honourable senator, would you agree that the two essential elements in this chamber that give complete independence to senators are these: First, by virtue of tenure, we have complete independence; and second, the privilege that each and every last one of us enjoy, the capacity not to grant leave in this chamber? And would you agree that that particular rule should never be erased from any senator? Because if you're not a senator of a caucus and you're a real independent senator, as per the Westminster system, that means you sit as an independent. Would you not want to have the equal right to be able not to grant leave, along with any caucus leadership?

Senator Busson: With respect, Senator Housakos, I think that's exactly what I spent the last 10 minutes talking about. Thank you.

(On motion of Senator Tannas, debate adjourned.)

[*Translation*]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY SUICIDE PREVENTION AND MENTAL HEALTH NEEDS AMONG CANADIANS— DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Brazeau, seconded by the Honourable Senator Cormier:
>
> That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on suicide prevention and mental health needs among Canadians, including a particular emphasis on boys and men, and the overrepresentation of Indigenous peoples in suicide statistics, when and if the committee is formed; and
>
> That the committee submit its final report no later than December 31, 2020.

Hon. Claude Carignan: Honourable senators, I wish to speak today on Senator Brazeau's motion to authorize the Standing Senate Committee on Social Affairs, Science and Technology to examine and report on suicide prevention and mental health needs among Canadians, including a particular emphasis on boys and men, and the overrepresentation of Indigenous people in suicide statistics, when and if the committee is formed.

Concerning Senator Brazeau's motion, I will not give you a learned, detailed speech. This is a profoundly human issue that compels us to rise above the fray. However, some specifics, some facts, will be provided a little later.

I would first like to congratulate Senator Brazeau for his personal journey and the authentic testimony he gave on February 4. He spoke with authenticity and humility.

Many of us have been personally affected by the suicide of a loved one. The day Senator Brazeau delivered his speech was the first anniversary of our cousin Marc-André's suicide. Marc-André was a man in his forties, a father of two, a force of nature, always smiling and friendly, the life of the party, a real live wire. Any party with Marc-André was bound to be great. But something invisible was eating away at him on the inside, and our cousin could not see a way out. He killed himself. As I am sure you can all understand, dear colleagues, a tragedy like that unleashes a tidal wave of emotions in the person's loved ones.

Suicide is an extremely painful human tragedy, especially because, in most cases, it could have been prevented. Unfortunately, when it happens, the shock is massive. For every suicide, there are about 10 suicide attempts.

Every suicide and every suicide attempt has a huge impact on the broader community. Just think about what happens when a high school student commits suicide.

• (1720)

The Association québécoise de prévention du suicide estimates that, every year, over 800,000 people are affected by suicide in Quebec alone.

Here are some examples of such situations in Quebec.

In early 1997, every media outlet in Quebec converged on Coaticook, a small town in the Eastern Townships where five young people from the same high school committed suicide in just over three months. You can imagine the devastating impact that this crisis had, not only on that small town in the Eastern Townships, but also on Quebec as a whole.

On January 14, 1999, Quebec's media community was left reeling when Gaétan Girouard, the well-known TVA reporter and co-host of the investigative journalism program "J.E.", took his own life. In 2005, the Association québécoise de prévention du suicide published a study that showed a link between the media coverage of Gaétan Girouard's suicide and an increase in the number of suicides during that same period. According to some data, there were approximately 200 more deaths by suicide that year.

If I stop and think about it, in addition to the suicide that I spoke to you about at the beginning of my speech, I have witnessed four or five other suicide-related situations in my immediate circle. That's a lot. I'm sure each and every one of you has also experienced this type of tragedy.

However, one aspect that is very specific to suicide is that it elicits a myriad of often contradictory emotions in those who are bereaved. A husband whose wife has committed suicide will feel sad, angry, guilty, abandoned, discouraged and bewildered. Imagine, dear colleagues, a parent whose 14-year-old commits suicide. Losing a child is probably one of the greatest losses that a human being can experience. When this death was theoretically preventable, the despair is all the more intense.

How do you explain to a child that she will never know her father because he committed the final act of ending his life?

We can and must prevent suicide. As Senator Brazeau stated, the suicide rate among Indigenous people and among men is particularly alarming. To address this issue, we must understand it, and we must understand all aspects of it. Suicide is a multi-faceted issue, and suicide prevention requires an approach based on proven, evidence-based practices.

However, there is one fundamental principle everyone needs to understand. In the vast majority of cases, people who attempt or commit suicide are not choosing to die; rather, they are choosing to end their suffering. They are out of options for ending their suffering, and the idea of suicide becomes, in their mind, the only way out. I believe this principle must be the cornerstone of any preventive action. Since the person isn't really thinking about dying, but rather putting an end to their suffering, it is up to society to have a safety net in place to prevent those individuals from dying.

Various suicide prevention strategies have been deployed by the provinces for many years now. These strategies, some of which are better developed than others, focus on primary, secondary and tertiary prevention, in other words, prevention, intervention and postvention.

I will give an example for each stage. Last month, Senator Brazeau told us that one of the primary predisposing factors among Indigenous people is isolation. Primary prevention will involve trying to end this isolation by establishing a system of peer helpers, for example, or providing gatekeeper training in remote communities.

Secondary prevention, or intervention, can be multi-faceted. For instance, hotlines for people contemplating suicide, crisis centres or meetings with mental health workers in hospitals are other possible avenues.

Lastly, there is tertiary prevention, or postvention, if you will. Earlier I gave the example of the spate of suicides that occurred in Coaticook in 1997. A large multi-disciplinary team was deployed to that school for several weeks. It is now known that people bereaved by suicide are at a higher risk of attempting suicide themselves, so they need closer monitoring and support.

We must also act consistently and in concert with the provinces and all community stakeholders concerned about suicide and suicide prevention.

Honourable senators, many of you are newly appointed to the Senate. The advantage of having senators serve until age 75 is that we can preserve the institutional memory of the Senate and the government.

Many of you probably don't know that on December 14, 2012, the Conservative government adopted Bill C-300, the Federal Framework for Suicide Prevention Act. The purpose of the bill was to require Canada to develop a rigorous and effective framework for suicide prevention. It called for the Minister of Health to table a progress report four years after the bill passed and every two years thereafter.

If we want results, our actions must be consistent and orderly. Effective prevention measures will have to be reinforced by concerted, sustained efforts. Above all, we must avoid scattershot efforts. To that end, I want to support Senator Brazeau's motion but also call on the Standing Senate Committee on Social Affairs, Science and Technology to consider the work that has been done since Bill C-300 was passed.

I will also call on the committee to document the various initiatives based on proven, evidence-based practices that are being carried out in the provinces. The committee will then be able to proactively report on all the information it collected.

Once again, I thank Senator Brazeau for this initiative. I urge all our honourable colleagues to support this motion.

(On motion of Senator Duncan, debate adjourned.)

[*English*]

THE SENATE

MOTION TO AFFECT THE START OF ORDERS OF THE DAY EVERY THIRD TUESDAY FOR REMAINDER OF CURRENT SESSION—POINT OF ORDER—SPEAKER'S RULING RESERVED

On Other Business, Motions, Order No. 26, by the Honourable Leo Housakos:

> Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Mockler:
>
> That, for the remainder of the current session, the Leader of the Opposition in the Senate be authorized to designate, by making a short statement during any Question Period, a Minister of the Crown to be invited to appear as a witness before the next Committee of the Whole held pursuant to this order;

That, at the start of Orders of the Day on every third Tuesday that the Senate sits after the adoption of this order, the Senate resolve itself into a committee of the whole in order to receive the designated minister in relation to his or her ministerial responsibilities;

That the committee report to the Senate no later than two hours after it starts sitting; and

That if the designated minister is unable to attend on a particular Tuesday:

1. the Leader or Deputy Leader of the Government in the Senate advise the Senate of this fact as soon as possible by making a brief statement to that effect during any Question Period; and

2. the designated minister's appearance be then postponed to the next Tuesday that the Senate sits, subject to the same conditions.

The Hon. the Speaker: Honourable senators, I am now prepared to hear further arguments in relation to the point of order raised by Senator Gold on February 27 concerning Motion No. 26 moved by Senator Housakos.

Hon. Leo Housakos: Honourable senators, I rise in response to Senator Gold's point of order on Motion No. 26 regarding the invitation of ministers of the Crown to come before the Committee of the Whole here in the Senate.

I would like to thank His Honour for giving me the time to look into Senator Gold's concerns, as they were very technical in essence, and I would like to thank Senator Gold for raising these concerns and he certainly does raise some interesting points. However, it is evident as early as Senator Gold's opening statement that his point of order is flawed.

Senator Gold inaccurately states that my motion would give "unilateral authority" to the Leader of the Opposition — and this one is very important — to "summon." He wrongly says the motion would give the Leader of the Opposition the unilateral authority to "summon" a minister of the Crown.

Your Honour, my motion does no such thing. Not only does it not give anyone unilateral authority, which I will get to in a moment, but nowhere in my motion did I use the word "summon." The motion clearly uses the word "invited." It states that "a Minister of the Crown to be invited to appear as a witness."

Senator Gold would be absolutely justified in his concern had the motion been worded to say "summoned" rather than "invited," which is why it does not. The word "invited" is the appropriate word to use when referring to ministers of the Crown as witnesses. "Invited" or a derivative thereof is used throughout the Rules pertaining to calling such witnesses, including the very rules cited by Senator Gold. In those rules, we see the word "invitation," that "a minister may on invitation of." Hence the word "invited" is used in my motion.

• (1730)

There is nothing out of order about the Leader of the Opposition being allowed to "invite" on behalf of the Senate a minister of the Crown to appear before the Committee of the Whole. Perhaps it was an oversight on behalf of the government leader in not seeing the word "invite," rather than "summon." I am happy to give him the benefit of the doubt.

As for giving the Leader of the Opposition some "unilateral authority," I have a couple of points to make on that. I'll start with the excerpt Senator Gold selected from *Bourinot's Parliamentary Procedure, Fourth Edition*, page 70. This particular section talks about the summoning and compelling of witnesses. As I've already shown, both Senator Gold and I agree that we can't summon ministers of the Crown. Not even the Senate has that power. So that particular passage is of no relevance or applicability to my motion nor on this point of order. However, Senator Gold is correct when he says that it is the Senate that determines which witnesses it calls for Committee of the Whole. My motion does not attempt to do otherwise because, as Senator Gold also so rightly points out in citing rule 12-32(3), committees routinely delegate authority to steering to select witnesses.

That's really all this motion seeks to do. Insofar as the concerns raised by Senator Gold, delegating to the Leader of the Opposition the selection of ministers to appear at Committee of the Whole is no different than delegating selection of witnesses to any steering committee throughout the Senate.

In that same vein, colleagues, remember that what the Senate giveth, the Senate can taketh away. There is absolutely nothing in my motion that would in any way prevent the Senate from overturning the selection of the Leader of the Opposition. The invitation does in fact come from the Committee of the Whole in accordance with the aforementioned rule.

Furthermore, Senator Gold also quotes rule 12-32(4) which governs specifically ministers as witnesses before the Committee of the Whole. Upon closer examination of the rule, senators will notice the use of the word "may." When the word "may" is used, it is a permission that is granted for an action and not an instruction that the action must occur in a specific way.

As for Senator Gold's concern regarding Question Period, indeed Senator Gold is correct that debate is not allowed during Question Period. Senator Gold cited rule 4-8(2) which states, "There is no debate during Question Period . . ."and at page 73 of the *Companion to the Rules of the Senate* where it states they should not give rise to debate. But there is nothing in my motion, Your Honour, that could be defined as debate or allowing debate by the Leader of the Opposition. My motion simply calls for the Leader of the Opposition to make a short statement. While Senator Gold is concerned that the motion itself doesn't specify what constitutes a short statement, I refer to the very rules he cited for such a definition.

Both of these rules refer to brief comments, explanatory remarks and brief explanatory remarks as being allowed per the rules. I submit that a short statement is synonymous with brief

comments, explanatory remarks and brief explanatory remarks. The definition of "short" from the *Canadian Oxford Dictionary* is as follows:

> . . . not long in duration; brief *(a short time ago* . . .

The word "brief" is actually included in the definition for "short." So we can agree that, according to the *Canadian Oxford Dictionary*, "brief" and "short" are one and the same.

So let's look at the definition for "statement," this time from *Merriam-Webster* dictionary:

> . . . something stated: such as . . . a single declaration or remark . . .

Again, Your Honour, we see the word "remark" is actually included in the definition of the word "statement." So the phrase "short statement" is actually the same as "brief remark." According to the very rules cited by Senator Gold remarks are allowed as per our Rules. Ergo, short statements are allowed and, to put Senator Gold's mind at ease, quite defined in our rules.

I can appreciate that Senator Gold is concerned about having enough time during Question Period to answer all of our questions. Certainly when the day comes that the government leader actually starts answering our questions, he should absolutely have the proper time to do so. In that spirit, Senator Gold, while I do believe the Rules permit such a statement during Question Period, there is a simple remedy that would make that point moot altogether.

From Bourinot's *Parliamentary Procedure* governing motions:

> The Speaker may, before putting the question to the House, make such corrections as are necessary or advisable in order that it should conform with usages of the House.

It goes on to state that the motion can be ". . . so modified as to be no longer objectionable." In this case, the motion can be so modified by simply changing the word "during" to "after" so that the motion reads that the Leader of the Opposition in the Senate may be authorized to designate by making a short statement after any Question Period.

Finally, this same principle could also certainly apply, Your Honour, to what Senator Gold himself describes as a technical point. The absence of a clause stating that the process proposed is to apply notwithstanding other rules and practices of the Senate. Such a clause could easily be added to ensure conformity.

Your Honour, again, I thank you for your indulgence in allowing me the proper time to research and respond to Senator Gold's point of order. I respectfully ask you to allow my motion to proceed and dismiss this point of order.

Hon. Denise Batters: Honourable senators, I rise today to support the position of my colleague Senator Housakos on this point of order.

I'd like to begin by addressing Senator Gold's assertion that Senator Housakos's motion is inconsistent with the *Rules of the Senate*, Senate traditions and Senate practices. In fact, it is not at all inconsistent with our rules, traditions or Senate practices for the Leader of the Opposition to have a special and distinct role in our parliamentary system. While some senators might wish it were otherwise, our parliamentary system is based on the Westminster model, one with particular and fundamental roles for the government and the official opposition.

This principle is enshrined in our very Constitution. The preamble of the Constitution indicates that Canada should have a government similar in principle to that of the United Kingdom. This includes, of course, the traditional Westminster system which provides for a government and an opposition, along with prescribed procedural roles for the leaders of those two caucuses in the workings of Parliament.

Beauchesne's Parliamentary Rules and Forms, Section 3 elaborates on that specific role of the opposition during Question Period stating:

> Similarly the whole concept of the parliamentary Question Period depends on the tradition that the cabinet is willing to submit its conduct of public affairs to the scrutiny of the opposition on a regular basis.

It is not without precedent for the Leader of the Opposition to have a special role in choosing the direction of study for a Committee of the Whole. In fact, each year, the Leader of the Opposition in the House of Commons selects the Main Estimates of two different departments or agencies for that chamber to review in Committee of the Whole. This is similar to giving the Leader of the Opposition in the Senate the ability to select a minister to invite to appear at a Committee of the Whole. The Leader of the Opposition in the Senate, whose role it is to hold the government to account, could also have a standing practice of determining the subject matter or department to be discussed in a similar Committee of the Whole context in the Senate.

Senator Gold asserts that, "Motion 26 is out of order because it would practically delegate to a single senator a right that is inherent in the Senate as a whole." Honourable senators, in practice, in the last session of Parliament, it was the Leader of the Government in the Senate who selected and invited ministers to appear in ministerial Question Period in this chamber. Therefore, there is clear precedent for a single senator to shoulder this responsibility. Of course, the Leader of the Government in the Senate is the voice of the government here and has been appointed by the Prime Minister. This creates the potential for a conflict of interest in that government Senate leader choosing a minister for that questioning.

Given that the role of the opposition is to hold the government and its ministers accountable, it in fact makes such more sense for the Leader of the Opposition in the Senate to select the minister to be questioned in this chamber.

Honourable senators, with this point of order, the government is attempting to control the process by which ministers are made available to this chamber. I submit that is inappropriate. I'm concerned by the ongoing pattern of this government and by its attempts to undermine the rightful powers of the opposition in Parliament. The Trudeau government's Senate leaders have hindered accountability for Canadians at every turn. Whether it was preventing Senate committees from studying controversial issues like federal loans to Bombardier, the SNC Lavalin scandal

or the Mark Norman affair, this government has attempted to avoid any investigation or accountability. In his discussion paper, Senator Harder proposed removing opposition altogether from the Senate. And let's not forget his beloved anti-democratic business committee.

Now they're trying to control which ministers senators can question in this place, in this independent chamber, on fundamental issues facing Canadians.

Honourable senators, the Senate has the right to conduct its own business and, subject to certain restrictions, to change its rules as it deems necessary. If the Senate chooses to delegate its authority to the Leader of the Opposition in the Senate for one purpose or another, it is well within its rights to do so.

The opposition has an important and specific role to play in our parliamentary system and in our Senate Rules. We exist to keep the government accountable for the good of all Canadians. Senator Housakos's motion is in accordance with that purpose. While Senator Gold might disagree with it, I submit that Senator Housakos's motion should be found in order according to the *Rules of the Senate*, Senate traditions and Senate practices.

• (1740)

[*Translation*]

Hon. Renée Dupuis: Honourable senators, I would like to draw your attention to three concerns with regard to the wording of the motion. The first relates to the discussion Senator Housakos referred to about someone being "invited" rather than "summoned" to appear. The first paragraph of the motion refers to inviting a minister to appear, while the last paragraph of the motion clearly states that if the designated minister is unable to attend on a particular Tuesday, the designated minister's appearance will be postponed to the following Tuesday.

I would like to point out that the motion appears to invite someone but creates a system where the minister will be obligated to appear if they are unable to attend on the Tuesday when they were invited to appear. This could be considered a question of semantics, but in my opinion, the terms used in the *Rules of the Senate* are important.

Second, I want to make it clear that the official opposition in the Senate does not have a monopoly on demanding accountability from the government. The idea here seems to be to create a motion that leaves it up to the official opposition — the parliamentary group — to play one of the Senate's roles and demand accountability from the government, even though any senator can play that role no matter which parliamentary group they belong to or whether they are affiliated or non-affiliated. I would like that issue to be examined.

The third point has to do with the wording chosen for the motion. It combines elements related to both question period and committee of the whole. When the point of order raised by the Government Representative is being examined, I would like some clarification on the application of rule 12-32 of the *Rules of the Senate*.

Under what circumstances and rules can a committee of the whole be constituted? At the same time, under the rules governing question period, which relate to rule 4, how is question period defined? How does it unfold? I would like you to help us understand the link between those two elements, and I would like your ruling to address them, since they were raised as though they are so flexible that there are no rules that apply to them, neither rules specific to question period nor rules specific to the constitution of a committee of the whole. Thank you.

Hon. Claude Carignan: I would like to cite rules 1-2 and 1-3 of the *Rules of the Senate* because those who are new to the Senate may not know them.

Rule 1-2 states:

> These Rules shall not limit the Senate in the exercise and preservation of its powers, privileges and immunities.

This rule reminds us that the Senate is sovereign and may make any decision it deems appropriate for the orderly conduct of its work, notwithstanding the rules.

Rule 1-3(1) states:

> (1) Except as otherwise provided, any rule or part of a rule may, with leave of the Senate, be suspended without notice.

These two provisions in the preamble properly explain the role of the Senate and the role of the rules governing debate. The rules do not compromise the Senate's ability or jurisdiction to make any decision it deems appropriate in the conduct of its work, including the decision to resolve into a committee of the whole or invite witnesses, or the way those witnesses are identified and invited.

[*English*]

The Hon. the Speaker: I want to thank all honourable senators for their input in this somewhat highly technical point of order. I will take the matter under advisement.

LINK BETWEEN PROSPERITY AND IMMIGRATION

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Omidvar, calling the attention of the Senate to the link between Canada's past, present and future prosperity and its deep connection to immigration.

Hon. Paula Simons: Honourable senators, I rise today to speak in support of the inquiry into immigration and its connection to Canada's past, present and future prosperity, as championed by my respected colleague, Senator Omidvar. This is a topic of special importance to the Albertans and Edmontonians whom I am so proud to represent.

Edmonton likes to call itself the Festival City, but to me, there is no one festival that better exemplifies Edmonton than our three-day Edmonton Heritage Festival. Each August, hundreds of thousands of Edmontonians flock to Hawrelak Park, in the heart of Edmonton's lush green river valley, to celebrate the dance, the music, the handicrafts and the food of their root cultures.

Last year there were 70 separate pavilions in the park, representing more than 100 different home countries and cultures places as diverse as Mongolia, Peru, Zimbabwe, Iran and Australia. Where else in the world can you nibble a hot, crispy Afghani bolani, fresh off the grill, washed down with a Liberian pineapple ginger beer, while you watch a K-pop dance routine?

I am not a religious person. But sometimes, when I'm at the festival, I have moments that feel almost numinous: when I see a picnic table full of grannies in bright fuchsia and emerald saris, tucking into plates of perogies, topped high with sour cream; when I see the kids who are volunteering at the Jamaican pavilion come running across the grass, laughing to see their friends' faces freckled, sugar-dappled, with the white icing powder that's wafted off their giant Croatian doughnuts; when I lie back on the grass to digest all the Filipino pancit I've eaten, close my eyes, and hear the bright sharp salsa music from the Guatemalan pavilion mingle with the pounding sound of the Irish step dancers on the other side of the hill. In those moments, Hawrelak Park is my temple, the sacred space where I can savour the beauty, the flavour, the richness and the diversity of modern multicultural Edmonton at its best. For me, the festival is the place that puts the cosmos in cosmopolitan.

Many Edmontonians, like me, are the children or grandchildren of immigrants. But immigration continues to build and enhance our deliciously polyglot city. Indeed, immigrants are one of the most vital driving forces of our economy in 2020.

According to Statistics Canada, more than one quarter of Edmonton's entire workforce is made up of immigrants, and in some economic sectors, the numbers are far higher. Of hospital workers in Edmonton, from custodians to doctors, 31% are immigrants and so are 52% of people who work in nursing homes and elder care facilities. But it's not just in health care that Edmonton relies on immigrant labour. Immigrants make up more than 30% of those working in banking, manufacturing and the transportation sector.

Let it be said that the numbers in Calgary, our sister city to the south, are even more striking. In Calgary, immigrants make up one third of the labour force, including more than 60% of those working in care homes. In Calgary, 47% — or nearly half — of all engineers — and in Calgary, that's a lot of engineers — are immigrants, as are 33% of all Calgarians working in professional or technical services. And it's not just Calgary's energy sector that depends on immigrant labour; more than 40% of those who work in Calgary's vital tourism sector are immigrants, too.

In short, in Alberta, our hospitals, banks, universities, hotels, restaurants, cannabis greenhouses and our energy industry could not run without the talent and enterprise and dedication of new or newish Canadians.

For years, Edmonton and Calgary, booming economies with functional full employment but relatively affordable housing, were able to attract immigrants without tremendous effort. Even if newcomers didn't land in Alberta, they often made their way there, drawn by economic or social opportunity.

• (1750)

Today, Alberta's economy is facing serious challenges, which look even more dire this week with the collapse of world oil prices that fell by 25% on Monday, leaving Albertans reeling and in shock. Unemployment rates are climbing. Our streets no longer seem paved with gold. And yet, perhaps ironically, now is when we in Alberta need immigrants more than ever.

In these tough times, Alberta needs tough people, adventurous people, courageous people. We need immigrant workers, but more than that, we need immigrant skill and talent, immigrant capital, immigrant investment and immigrant entrepreneurship.

As Edmonton and Calgary struggle to adjust to new fiscal realities and new global imperatives, it is essential that Alberta and its major cities, as well as its many smaller communities, have the capacity to attract newcomers who can help to support, expand and diversify our economy, whether they be Dutch-born farmers opening greenhouses in Lacombe, Syrian-born soap makers launching a line of skin care products in Calgary or Iranian-born engineers pioneering new forms of telecommunications in Edmonton.

Despite Edmonton's current 8% unemployment rate, the city faces labour shortages in certain key areas. At the same time, Edmonton's workforce is aging. Even though Edmonton has the lowest median age of any major city in Canada, its percentage of workers under the age of 55 is still in decline.

Edmonton's entrepreneurs and small-business owners are aging too. According to Statistics Canada, 36% of those in Edmonton who identify as self-employed are over the age of 55. StatCan estimates that some 23,000 Edmonton business owners will be heading into retirement in the near future. Edmonton needs a new generation of entrepreneurs to drive growth in key industries. Decades of research show that immigrants are more likely to start their own businesses, more likely to become entrepreneurs, than those born Canadian.

Edmonton needs that fresh entrepreneurial energy, vision and investment capital to thrive, whether the businesses involved are mom-and-pop restaurants or high-tech computer firms.

Down the road, Calgary is in a similar bind. According to Statistics Canada, Calgary's 55-plus workforce has grown by 62% since 2010. To put it another way, more than 170,000 people in the Calgary workforce are over the age of 55, while at the same time the number of Calgarians between the ages of 20 and 24 is down by 4.4%.

More than one out of every five Calgarians working in professional, scientific and technical services is over the age of 55, including 6,800 engineers, engineering managers and engineering technologists. One in four Calgarians working in the health sector is over 55 as well. Now, here in the Senate, we all know that 55 is the new 30 and that being over 55 does not mean your working life is over. Still, given its demographics, Calgary needs the injection of new blood and new life, of young skill and fresh verve, that immigration could bring.

So at this time of crisis in Alberta, we badly need a national immigration strategy that doesn't just focus on the big cities like Toronto, Vancouver and Montreal. We need a national immigration strategy that supports provinces across the country, including Alberta, in attracting and retaining the newcomers they need to grow and succeed, that helps newcomers to make the most of their training and talent and that recognizes their education and credentials.

Here are some examples of what that might mean in Alberta.

According to federal data, Alberta has consistently lagged behind other provinces in attracting foreign students. Between 2007 and 2016, the number of international students with valid student permits in Canada increased by 130% from 179,146 to 412,101. However, over that same time period, the percentage of foreign students in Alberta increased by only 80%, a big increase to be sure, but far less than 130%.

Let me put in another way, for emphasis. As of December 31, 2016, Alberta had only about 5.7% of all international students in Canada, despite having a share of the national population more than twice that large. I'd like to see this inquiry help us to understand why Alberta's post-secondary institutions aren't keeping pace when it comes to enticing the best and the brightest, the future scientists, engineers, doctors, intellectuals and artists who could help our province and our country flourish, not just as students but should they decide to stay.

[*Translation*]

Here's another example: Edmonton's francophone population is growing. In the 2016 census, more than 27,000 Edmontonians reported speaking French as their first official language. Furthermore, the census also revealed that almost 7,000 Edmontonians reported speaking French and English — hopefully better than I do — which, according to Statistics Canada, makes this city one of the Canadian urban centres with the largest bilingual population outside Quebec. That's a demographic statistic that truly surprised me.

Francophone immigrants, especially those from Africa, contribute to the vitality of Edmonton's francophone community. However, newcomers often don't have access to the French-language services they need upon their arrival. I'd like to see a study of how the federal government could provide more support for francophone immigrants outside Quebec.

[*English*]

I have another example. I'd like to see this inquiry take a close, hard look at both the Temporary Foreign Worker Program and the Live-in Caregiver Program, which play a huge part in Alberta's economy, to ensure they are working to the benefit of the workers, the employers and the provincial economy, to ensure that workers are neither marooned nor held hostage by irresponsible or exploitative employers. How can we find ways to guarantee that people who've already demonstrated their work ethic, their integrity and their ability to adapt to Canada get the smoothest possible path to permanent residency and to citizenship?

I could go on, but I shall not belabour you with examples here and I am mindful of the clock.

What we need most of all is to lose the mindset that we are doing people some sort of grand favour by letting them move here. No, what we need to understand is that immigration is a mutually beneficial, symbiotic relationship, that Canada needs immigrants every bit as much as immigrants need Canada.

I want to thank Senator Omidvar for launching this timely inquiry. As an Albertan, I have to say the timing could not be more apt. Next August, I invite you to join me in Hawrelak Park. The bolani will be on me.

(On motion of Senator Moodie, debate adjourned.)

DEFICIENCIES OR GAPS IN SENATE POLICIES

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Dyck, calling the attention of the Senate to the deficiencies or gaps in the policies of the Senate of Canada compared to other parliamentary bodies on behaviours of individual senators that constitute bullying, harassment, or sexual misconduct that occur during parliamentary proceedings.

Hon. Rosa Galvez: Honourable senators, I rise to speak to Senator Dyck's inquiry calling the attention of the Senate to the deficiencies or gaps in the policies of the Senate of Canada, compared to other parliamentary bodies, on behaviours of individual senators that constitute bullying, harassment or sexual misconduct that occur during parliamentary proceedings.

I will make the case that, despite progress, action is needed to make our Parliament and Senate a gender-equal place and that Senator Dyck's inquiry must receive unanimous support to be urgently addressed.

Colleagues, I feel bewildered. I am proud to be working for the progress and well-being of all Canadians, but I couldn't have imagined myself standing to talk about harassment perpetrated by senators against senators in this chamber, which has been called the house of sober second thought, a council of elders, an advisory body, protection against the tyranny of the majority.

I know a vast number of us believe, speak and act following the highest ethics and respect moral principles that include honesty, fairness, equality and dignity. Sadly, for reasons I don't completely understand, many subtle but also explicit forms of violence take place within this chamber during committee work or through the media.

I thank Senator Dyck for her courage in bringing this problem to light and for publicly standing up to inappropriate behaviour from some fellow senators. I was shocked by her testimony. I can't remain indifferent nor allow silence to be taken as my implicit approval of non-parliamentary language or behaviour.

• (1800)

The Hon. the Acting Speaker: Honourable senators, it is now six o'clock and pursuant to rule 3-3(1) I am obliged to leave the chair until eight o'clock when we will resume, unless it is your wish, honourable senators, not to see the clock. Is it agreed to not see the clock?

Hon. Senators: Agreed.

Senator Galvez: In preparation for this speech, I watched the video of the committee. I read, I consulted professionals and discussed with many colleagues, female and male, from all groups and caucuses. One word kept coming back: disgusting.

[*Translation*]

Honourable senators, I want to share some statistics that illustrate the increase in violence against women in politics. Subtle attacks include sexual jokes, sexist comments, the wage gap, the glass ceiling effect, barriers to leadership, intimidation tactics and threats, physical and emotional abuse, and physical and sexual violence. These attacks are commonplace in Canadian politics and have recently been experienced by Shannon Philipps, Rachel Notley and Catherine McKenna, to name just a few.

I also encourage you to read the 2019 report from the Standing Committee on Status of Women in the other place to learn about how sexist media coverage and violence and harassment are factors that deter women from pursuing a career in politics.

An Inter-Parliamentary Union survey of women in 39 countries in five regions of the world found that 82% of women parliamentarians had experienced psychological violence, 65% had suffered sexist remarks, 44% had received serious threats, 25% had experienced physical violence and 20% had experienced sexual harassment.

[*English*]

If we allow for subtle aggressions to happen, escalation will definitely occur. Zero tolerance must become the norm. The same study mentions that only 21% of national parliaments have a policy on harassment against MPs, and 48% has such a policy for parliamentary staff. Furthermore, only 28% have a procedure for complaints from MPs, and 53% for complaints from parliamentary staff.

Women are increasingly seeking political positions. It's just normal. They constitute 51% of the population, so it's fair that they are equally represented and take part in decision making. Further, studies show that women's presence in politics has improved legislation and increased confidence in democratic institutions. The same House of Commons 2019 report concluded:

> It is undeniable that women's increased political participation as elected officials leads to better social, economic and political outcomes for everyone. From increased attention on issues that impact women's lives to an often more collaborative working environment, increasing meaningful representation of women in politics is a crucial factor in strengthening Canada's democracy.

Studies mention a critical mass that constitutes the tipping point for a socio-political change to happen; this mass is around 30%. As women have approached and crossed this threshold, as we have in this chamber, their increased presence has been received by a majority of men with joy and enthusiasm. Unfortunately, studies also warn of a backlash in the form of resistance from patriarchal ideology that doesn't accept the influx, presence or leadership brought by women to Parliament.

In 2009, the Senate of Canada became one of the national institutions that equipped itself with a policy on the prevention and resolution of harassment in the workplace. The Senate might have lauded itself for creating such a needed policy if its enforcement hadn't been proven to be extremely weak. Indeed, a series of scandals have allowed some senators to verbally abuse other senators, intimidate each other in parliamentary proceedings and online, and sexually assault Senate staff. During past and ongoing crises, we have seen a reluctant and sometimes dismissive attempt to shuffle through harassment complaints relating to disgraced former Senator Don Meredith. Some have tried to minimize the impacts of complaints by proposing secretive procedures and barely consulting the victims; administrators have had their hands tied or assist little in bringing timely justice to victims.

The implementation of the 2009 policy to prevent harassment could be unfortunately considered a disaster. I said "could" because we have not been officially informed about the extent of the harassment problem. Yet, we all know the Senate's reputation is tarnished. During the course of her speech, Senator Dyck said:

> . . . there is no way for a senator to bring forth a complaint of harassment during Senate proceedings by another senator. . . .

This issue remains unsettled, as this chamber has neither discussed nor ruled on that. I am deeply troubled to hear that claims were rejected on the basis of parliamentary privilege without the issue of its interaction with the policy ever being discussed among us in this chamber.

Maybe it is worth reminding that harassment could lead to a criminal offence and is punishable by law. Are we encouraging senators to take their complaints to the Canadian Human Rights Commission because they cannot proceed in the Senate? Are we suggesting that Bill C-65, which received Royal Assent in 2018 — An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act — does not apply to senators?

It is clear that several issues need to be discussed, particularly with respect to the definition and extent of parliamentary privilege. One point is clear: No senator's harassing behaviour should be shielded by parliamentary privilege. The decision on the extent of parliamentary privilege cannot be made by administrators, one single senator or even one committee. This must be made by the Senate with the assistance of neutral, external expert advice.

The House of Commons procedure describes parliamentary privilege as the rights and immunities that are deemed necessary for parliamentarians to fulfill their functions. It also refers to the powers possessed by Parliament "to protect itself, its members and its procedures from undue interference so that they can carry out effectively their principal functions which are to legislate, deliberate and hold the government to account."

Senators, the 2009 policy was adopted with full understanding of the century-old existence of parliamentary privilege, and yet it does not mention it. How can this silence be interpreted as clearly saying that parliamentary privilege applies to harassment complaints and shield senators? Rather, this silence could have equally been interpreted as an acknowledgement that the confidential process provided by the policy is an adequate way to protect victims, as well as parliamentary privilege, as no information is publicly disclosed.

As it happens, the Senate, through the CIBA Committee, established an interim process that would clarify how the resolution process for any future harassment complaint would be handled until a new, updated policy would take effect. A 2019 email from Senator Marwah was sent to every senator and Senate staff member, providing a seven-step procedure for any harassment policy complaint. My office could not find any proceeding or speech on the introduction of this policy by CIBA, as it was most likely done in camera. We are therefore unaware of the deliberations on the policy addressing parliamentary privilege. Speaking exactly to this issue, the Inter-Parliamentary Union developed guidelines in 2019 that state that lifting privilege to address bullying or harassment by parliamentarians would not adversely impact freedom of speech or the core functions of Parliament. What it may well do, says the Inter-Parliamentary Union, is inhibit further misconduct of that kind and hopefully eradicate it all together.

• (1810)

Since there is nothing in the language of the policy that supports an intention that parliamentary privilege supersedes our self-imposed harassment policy, the policy should apply in parliamentary proceedings. The important decision — to assume that parliamentary privilege can be used as a shield against scrutiny into bullying behaviour — cannot be unilaterally taken by any administrator, whip or committee chair. It must be debated among us parliamentarians, and we should debate, fully cognizant of the context of increasing violence against women in politics.

We have learned in this chamber that complaints had been lodged under this policy with human resources. I would like to request that CIBA and human resources publicly disclose the number of formal complaints they received during the last Parliament, and how many of those have been rejected and on what basis.

The Senate is an old institution. I believe the issue of parliamentary privilege in the context of harassment and/or conflict of interest is not new, and legal advice and opinions must have been requested from outside experts by CIBA or the Ethics Committee. It will accelerate the debate if such expertise and opinions were shared with all of us. In its absence, I would request a legal opinion on this matter by the Office of the Law Clerk, to be shared with all senators in order to enlighten our deliberations.

The House of Commons categorizes the rights and immunities with parliamentary privilege as: freedom of speech; freedom from arrest and civil actions; exemption from jury duty; exemption from being subpoenaed to attend court as a witness; and freedom from obstruction, interference, intimidation and molestation.

[*Translation*]

Nowhere in any description of parliamentary privilege is there any mention of a right to harass others with impunity. On the contrary, a senator who is the victim of harassment is clearly being deprived of his or her protection from all obstruction, interference, intimidation and molestation. Action definitely needs to be taken to respond to such violations. In fact, the House of Commons found that intimidating or attempting to intimidate a Speaker during parliamentary proceedings constitutes a violation of parliamentary privilege. Such a violation occurs when an individual criticizes the Speaker's impartiality or tries to influence a Speaker's ruling by insinuating that the Speaker should be removed from his or her position.

[*English*]

The Hon. the Acting Speaker: Senator Galvez, your time has expired. Are you asking for another five minutes?

Senator Galvez: Yes, two minutes.

The Hon. the Acting Speaker: Is leave granted?

Some Hon. Senators: Yes.

An Hon. Senator: No.

The Hon. the Acting Speaker: I am hearing some nays.

Senator Galvez: That's okay. I understand why.

(On motion of Senator Lovelace Nicholas, debate adjourned.)

CARBON EMISSIONS

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Coyle, calling the attention of the Senate to the importance of finding the right pathways and actions for Canada and Canadians to meet our net-zero carbon emissions targets in order to slow, arrest and reverse human-caused climate change to ensure a healthy planet, society, economy and democracy.

Hon. Kim Pate: Honourable senators, I rise to speak to Senator Coyle's inquiry into finding the right pathways and actions for Canada and Canadians to meet our net-zero carbon-emission targets to slow, arrest and reverse human-caused climate change to ensure a healthy planet, society, economy and democracy.

I thank Senator Coyle for her leadership in focusing this chamber's attention on this urgent matter. As Senator Coyle noted, according to the Intergovernmental Panel on Climate Change, every country must band together and put ourselves on a path toward zero global net emissions of carbon dioxide. With every passing day, we get closer to turning an avoidable problem into irreversible environmental destruction. How many more land- and water-protecting children need to skip school to march in the streets and on the Hill to remind us that there is no planet B?

Imagine being a child today, unsure if you will be able to enjoy the quality of air, water, food, homes, green spaces and communities that many of us took for granted, and that too many already do not have. We must heed the calls to action of young people like 17-year-old Greta Thunberg; 15-year-old Autumn Peltier, Chief Water Commissioner for the Anishinabek Nation; and the students from more than 60 schools across Manitoba who took part in Take 3 for Climate Justice, an examination of the human rights implications of climate change. These and many other youth are taking on incredible responsibilities as they try to stop environmental devastation, too often in the absence of action from adults around the world.

As Greta Thunberg has so clearly articulated:

> You cannot solve the crisis without treating it as a crisis . . . .

Meaningfully addressing climate issues and environmental degradation is one of the most complex and intersectional challenges this generation will face. The effects of systemic and historical injustices risk being entrenched and amplified. Worse still, we know that poverty, violence against women and environmental degradation too often go hand in hand. In Canada, we should be looking to countries like Finland, where climate stability and environmental protection are inextricably linked to sustainable economic development, gender equality and a robust social welfare state.

Canada has committed to meeting the UN Sustainable Development Goals. This international framework insists that effective climate action be rooted in principles of substantive equality. The first of the UN Sustainable Development Goals is, in fact, the eradication of poverty in all its forms. Millions of Canadians live below the poverty line. They are disproportionately bearing the consequences of our failure to manage carbon and other emissions, from increased flooding and droughts, to catastrophic weather events like hurricanes and tornadoes. Climate change has resulted in higher food costs and increased food insecurity, particularly in the North. As we have seen with recent wildfires in the West, as well as in South America and Australia, those living in poverty have fewer viable means to prepare for, protect themselves from, and safely leave areas experiencing natural disasters.

Indigenous peoples have also been disproportionately and unjustly affected by Canadian laws and policies aimed at economic and industrial development. Environmental degradation has interfered with access to Indigenous communities; threatened sacred sites; disrupted traditional activities, such as hunting, fishing and foraging; and endangered wildlife and plant diversity, as well as water and food quality, all of which undermine the health and well-being of individuals and communities.

Hurricane Katrina in 2005 provided a clear example of how natural disasters magnify inequality. Without access to vehicles or resources to facilitate transportation, poor, predominantly black and women-headed households and communities were not able to be evacuated. Following the hurricane, black residents were 40% less likely to be able to return to their former homes. For women who were both racialized and poor, the barriers to returning home included higher living costs, less accessible public services and weakened social safety networks. After the hurricane, women were less likely to find jobs equivalent to those they had before, or to be able to keep their businesses afloat.

• (1820)

Environmental degradation further marginalizes those who are already impoverished. At the same time, particularly for those in communities with extractive industries, fear of job loss and of resulting poverty has too often prevented Canada from acting to protect the environment.

Senator McCallum's Motion No. 19 has raised some of the significant environmental, health, social and safety concerns associated with natural resource extraction projects. Communities often live with these risks because advocating protections or opposing the expansion of industry is seen as imperilling jobs or even entire local economies.

Guaranteed livable income programs could help to mitigate an otherwise stark trade-off between livelihoods and the environment. All of us risk being infinitely impoverished if this planet becomes uninhabitable. We are already seeing greater volatility in resource extraction sectors. A guaranteed livable income would probably not match the wages earned through resource extraction jobs, but it could provide vital and necessary support during such periods of economic transition. It could ensure individuals have a safety net in case of job loss or other financial setbacks and could provide a stable source of income for those seeking to retrain or develop new entrepreneurial opportunities or other pathways to greater economic independence.

Guaranteed livable incomes could create space to develop not only more sustainable but also more equal and more just economies, where communities are empowered to make long-term decisions about what will best serve the future well-being of all community members.

In 2004, grassroots and national feminist groups collaborated to study what measures would be necessary to ensure security and autonomy for all women. Their answer was the Pictou Statement, a call for a national guaranteed livable income. The statement emphasized the potential of guaranteed livable incomes to help communities resist and develop alternatives to economies that ". . . ignore the well-being of people and the planet" and "deny the value of women's work. . . ."

The UN Sustainable Development Goals also emphasize the connection between upholding women's rights, economic rights and environmental rights.

The link between marginalization and victimization of women is too often exacerbated in situations of environmental crises. Following Hurricane Katrina, women whose families had lost their homes and ended up in government-managed trailer parks reported rates of violence more than three times higher than other women in the year following the hurricane. They were significantly more likely to be victimized by their partners.

As Senator McCallum has reminded us, and as the *Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* outlines, resource extraction work is associated with higher rates of violence against women and, in particular, for Indigenous women. Human trafficking and sexual exploitation have all too frequently been linked to resource extraction camps. Women living in remote regions may face economic barriers to leaving an abusive partner if they rely on their partners' incomes or have no safe place to go.

Dr. Pamela Palmater has underscored that:

> Genocide and ecocide go hand in hand. Extraction and development destroys the lands and waters on which [Indigenous peoples] depend . . . and is a direct contributor to the violence and genocide committed against Indigenous women and girls.

Climate policy too often risks depicting women — and particularly Indigenous women — as either victims of climate change without agency or "natural protectors" of the earth expected to shoulder unfair burdens. Around the world, grassroots, women-led initiatives have had significant success in preventing and resisting environmental degradation. It is important to recognize and support this knowledge, leadership and expertise — in particular, Indigenous traditional knowledge — in plans for climate action.

It is also vital, however, that all in Canada do their fair share. Canada has committed to "take urgent action to combat climate change and its impacts." Canada has too often stood by and left it to Indigenous peoples to take the lead in protecting land and water in ways that benefit all of us, from the Wet'suwet'en matriarchs in British Columbia, to the Mi'kmaq and Innu water protectors in Nova Scotia and Newfoundland and Labrador. Indigenous peoples have been criticized for causing "inconveniences" and depicted as transgressors of the rule of law, then criminalized and even imprisoned.

In recent weeks, Senator McCallum, Massey College and some 200 lawyers and legal scholars have reminded us that when we hear the term "rule of law," we need to ask whose rules and whose laws are being privileged; and, conversely, whose are being subordinated in such discussions. Canadian legal systems have too often failed to protect and uphold rights conferred by Indigenous and international legal orders, such as those that the Wet'suwet'en land and water protectors have been asserting. Canada has not, however, demonstrated the same hesitation when it comes to criminalizing and imprisoning Indigenous peoples for taking measures to protect themselves, their families or the environment.

As we work to address climate change and environmental degradation, it is clear that Canada needs to better recognize and respect Indigenous laws and rights. This must include following through on its commitment to fully implement the United Nations Declaration on the Rights of Indigenous Peoples. Criminalizing people for protecting their environment and asserting their rights will only escalate and underscore historical injustices.

As senators, we have a vital role to play in promoting and upholding international commitments to reconciliation, to eradicating inequality and to urgently acting to redress climate change. Young Canadians, our children and grandchildren, are already leading the way. They and future generations are counting on us to do our part, so let's get on with it and not waste any more time debating whether to act. The time to act is now. *Meegwetch*, thank you.

(On motion of Senator Duncan, debate adjourned.)

[*Translation*]

NON-GOVERNMENT BUSINESS

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Sinclair, calling the attention of the Senate to the need for this House of Parliament to reevaluate its rules, practices and procedures as they relate to non-government business.

Hon. Chantal Petitclerc: Honourable senators, the last Parliament only served to strengthen my conviction that our handling of non-governmental bills should and could be improved. We are here to do our work as lawmakers conscientiously and efficiently, and it is up to all of us to find ways to accomplish that. It is unreasonable for any senator to prevent other senators from voting by using and abusing our ability to move endless amendments and subamendments.

[*English*]

I would like to recognize the work of Senators Sinclair and Dalphond who, in fact, are inviting us to continue the discussion begun in 2014 by our Committee on Rules. This committee proposed a mechanism to end debate and vote on an item of other business. The two criteria were that the item must have been called for consideration 15 times and must have been debated for at least three hours.

Colleagues, I invite you to read over the debates that followed the tabling of that committee's majority report. These interventions are just as relevant today. For example, in her speech on October 8, 2014, our dear colleague Senator Frum said:

> This proposed rule change will oblige us to do our duty rather than allow us to simply ignore or endlessly defer debate on any proposed legislation that we find challenging.

[*Translation*]

On September 16, 2014, Senator Carignan, the government leader at the time, agreed, stating, and I quote:

> In case you have forgotten, we are here to debate bills, not let them languish under desks and die of old age.

I heartily agree with both of my colleagues.

In a ruling on October 30, 2013, Speaker Kinsella noted that doing so was difficult but possible. He said, and I quote:

> But even under Other Business, there are ways to seek to curb or limit debate and to come to a decision.

Still according to Speaker Kinsella:

> The most obvious is by moving the "previous question," which forestalls further amendments, but is only available on the main motion.

The last Parliament made the limitations of that provision clear. Using it is complicated, unpredictable and leaves unnecessary scars.

• (1830)

I still remember all of Senator Lankin's efforts to change the national anthem with Bill S-210.

[*English*]

We have been appointed to make decisions we think are best for Canadians, whether the initiative comes from the government of the day, a senator or a member of Parliament.

In 2013, *The Globe and Mail* reported that Professor Ned Franks, one of the country's experts in parliamentary procedure, said in an interview that:

> . . . some major Canadian legislation, including the abolition of capital punishment and changes to divorce law, "came in large part through private members' bills."

According to the article, he said:

> They can be very useful tools for pushing reform that goes against the general opinion, and they have been . . . .

Who remembers that we owe the Non-smokers' Health Act to NDP MP Lynn McDonald? Her bill was a first worldwide, leading various countries to draft legislation to establish smoke-free workplaces and public places.

[*Translation*]

Senator Sinclair and his grandson surely would have been kept away from the M&Ms of this world, had we put in place a mechanism to ensure a vote on Bill S-228, which would have banned the advertising of foods and drinks that targets children.

You will recall that the Senate and the House of Commons spent one year studying this legislation sponsored by Senator Nancy Greene Raine. The government supported this bill and backed Health Canada, which in turn conducted broad consultations and published two versions of the guide for the implementation of the bill.

A good number of stakeholders still do not understand why the Senate was not able, in nine months, to vote on two very simple amendments made by the House of Commons or how the Senate came so close to the goal only to abruptly stop everything. Millions of dollars continue to be spent on advertising that entices our children and grandchildren to consume products that are high in sugar, salt and fat.

[*English*]

If the process had been fair, Bill S-228 would already be helping improve children's health. Some say, "Let the government reintroduce it if they support it." Fair enough, but the fact that some bills are being reintroduced as government legislation does not undo the loss of time and resources.

The five measures that Senators Sinclair and Dalphond want to introduce address different facets of the same challenge: How to make this chamber even more effective. I read several points of view in the February 12 edition of *The Hill Times* on how important it is for a consensus to be reached on these changes. However, that will only be possible if we are all guided by the same goal of finding an acceptable compromise.

For example, should the minimum time for debate before putting a bill to a vote be two hours? I think this is a very reasonable time limit. However, should the 2014 proposal that this limit be three hours be deemed more reasonable, it could be appropriate for senators to consider this option.

[*Translation*]

Honourable senators, the filibuster is one of the traditions of parliamentary debate. It may be fair for a minority to want to delay the legislative process, but, in my opinion, it should not go so far as to completely block the holding of a vote.

[*English*]

Voting on a bill should not be optional. I believe that every bill deserves a vote. Our duty is to seriously consider, study, report and vote on bills. We can vote in favour, against, abstain. We can choose to be away for the vote. We have options, but using the rules to indefinitely block a vote should not be one of them.

[*Translation*]

We all have much to gain from making this institution more effective. We must all ensure, as much as possible, that the rules that guide our debates remain superior and effective work tools. If we fail to do so, we will find it very difficult, if not impossible, to accomplish the work for which, let's not forget, we were chosen from among millions of Canadians. Thank you.

[*English*]

Hon. Tony Dean: Honourable senators, I follow my colleague Senator Petitclerc in speaking in favour of the proposals made by our colleagues Senators Sinclair and Dalphond, who together have launched a very important discussion on potential changes to Senate rules which, as Senator Sinclair has put it, seem to reward obstruction rather than decision making. That's quite the statement, isn't it?

The proposed changes, therefore, focus on removing obstacles to Senate voting on non-government initiatives introduced by individual senators or members of the House of Commons, some changes that have been discussed and supported in this place going back a number of years.

The inquiry deals with the sort of obstacles that delayed voting on a gender-neutral national anthem bill for over a year; the delays that killed the Rona Ambrose bill designed to require judicial training on sexual assault; the unnecessary setbacks that ensured UNDRIP would not be passed; and the delays that stretched our debate on a bill to protect whales and dolphins held in captivity for nearly three years; and, indeed, delays and sub-amendment tactics that put an end to Nancy Greene Raine's Bill S-228, which would have restricted sugary food and drinks. These are delays that left a sour taste in our mouths.

In place of these frequently used delay tactics, Senators Sinclair and Dalphond suggest that reasonable time frames be established for debates and votes on non-government business.

Honourable senators, Canadians would find it strange that the Senate has a right to introduce bills but virtually no guarantee of the ability to vote on them. Canadians and some members of Parliament are likely surprised that a small number of senators can effectively veto any non-government bill passed by the elected house.

Our colleagues also suggested that private members' bills and Senate bills caught by prorogations might be later reinstated to their previous stage, as is the case in the House of Commons, again a question that deserves serious consideration.

I think it's clear to all of us that the issues identified here are indicators of the sort of partisan duopoly and centralization of power that we have seen in the House of Commons and the Senate in recent decades. I'm talking here, of course, about the take-turns-in-power duopoly in which, over decades, a compromise was reached whereby one side of the duopoly had the ability to time allocate while the other side, in taking its turn in opposition, had the power to frustrate and delay while alternately criticizing each other for the tactics that the other one just left behind.

Here's something interesting, though: Against the backdrop of that well-known and well-exercised duopoly, we've been moving away from that over the past four years. The interesting point is that over those four years, time allocation has not been used at all to this point in time. One side of the duopoly seems to have evaporated — no time allocation.

On the other hand, we have seen literally truckloads of purposeful delay on a number of pieces of legislation, wasteful delay enabled by the rules that Senators Sinclair and Dalphond wish to review, delays routinely used by the remaining part of the old duopoly. We know these delays are wasteful and that they come at considerable cost to taxpayers. Our embarrassment is only the least of it.

• (1840)

Colleagues, this brings me to the final proposal made by Senator Sinclair and Senator Dalphond. This has to do with the dinner bells rule — I know, it's a shame — which is likely the most embarrassing and irritating of all, to the point that I will admit that at times I've looked across from my seat over here, when it's clear that the dinner bells are going to ring, and I've thought, "You know what? I can't wait for my turn to do that." But, of course, I then catch myself. I'm not going to have a turn at doing that because we're going to hopefully change these rules.

As you well know, without the unanimous consent of the Senate — I'm glad I'm waking people up here a bit — we are required to break for two hours, between 6 p.m. and 8 p.m., despite the fact that we have only been sitting for four hours or so.

It usually only takes one senator or the whip. There is no point mentioning who that might normally be to force a wasteful two-hour interruption —

An Hon. Senator: Names!

Senator Dean: — in our short workday of our usual three-day workweek. This has a democratic and fiscal cost to Canadian taxpayers. Perhaps, colleagues, this is why the House of Commons eliminated the dinner break in 1982. Here in the Senate, maybe it's time to catch up with the early 1980s. I was going to say something about *Saturday Night Fever*, but that was a bit earlier.

Colleagues, as it stands, Canadians are footing the bill for the overtime work of support staff who are required to stay during our dinner breaks and hour-long bells completely unnecessarily.

I recall in my primary school days there being a dinner bell. Do you remember that one that you held in your hand? But the dinner bell — here's the difference — actually served a useful purpose. They marked key events in the school day. They connoted getting things done in regularity as opposed to disruption.

Colleagues, I'm going to ask you to think about what useful purpose the Senate's dinner bells serve, outside of an effort to connote that one half of a duopoly is still active or time to plan the next effort to delay our work.

Colleagues, like it or not, it is time to move on. We're trying to make this place a more modern and effective institution where we get business done, rather than delaying it to score political points and where some senators exercise an effective veto power over private members' bills initiated by elected members of Parliament.

The rule changes that colleagues are suggesting have been on the agenda for years now. The late Senator Nolin's proposal at the heart of this inquiry occurred in 2014, and we have moved very slowly, even though meaningful reforms have been supported by all groups and caucuses over the years, including the concept of a business committee that I wasn't going to mention. I was prompted by the comments of an earlier colleague.

Colleagues, Canadians understandably expect an efficient and effective Senate. That's what they deserve. They are the people paying for all of this, and they are the ultimate stakeholders in the public policy proposals that come before us. It is those Canadians who I'm thinking about when the dinner bells ring — Canadians who are getting on with their lives and work and growing their families, Canadians who assume we're here working on their behalf and Canadians who don't get two-hour dinner breaks.

Senator Dalphond and Senator Sinclair are suggesting this rule be changed in order that where there is not unanimity on a two-hour break, the Senate should have an immediate vote on it. That's reasonable. It's hardly radical stuff.

Honourable senators, it's time to tiptoe into modernity and catch up with the lives of regular Canadians. We're being asked to consider changes that would address wasteful procedural delays. I say to Senator Sinclair and Senator Dalphond that, on this, you can count me in.

For senators who may still oppose these proposals and insist on longer dinner breaks and the predominance of bell-ringing in our proceedings, I would quote the English poet John Donne, who said:

> . . . never send to know for whom the bell tolls; it tolls for thee.

Hon. Donald Neil Plett (Leader of the Opposition): I'm wondering whether Senator Dean would take a question.

Senator Dean: Ding-dong, the bells do ring. Over to you, Senator Plett.

Senator Plett: Senator Dean, I've managed to have my dinner break, so I feel energized and ready to go for a few more hours.

I have a couple of questions, Senator Dean. First, you said you had been waiting for the chance that you could have your vote added and have that veto on a dinner bell.

I'm wondering, Senator Dean, whether you are aware that whatever number of senators we have now — 98 — any one of them could do that. This is not a function of the opposition.

Senator Lankin: He just said that.

Senator Plett: Thank you, Senator Lankin, for answering the question.

I don't think you need to. She did.

Senator Dean: I readily agree. I admit each one of us in this place has the ability to ring those bells. Many of us — in fact, the large majority of us — choose not to because we understand what that is all about, and we're not interested in playing silly partisan games. Yes, I was being whimsical and maybe a touch sarcastic. I do understand the rule. I'm not going to exercise it.

Senator Plett: The point I was making is that is not a role of the opposition. It may have been that there were more people on this side of the chamber in the last few years who did that than on the other side of the chamber, but every senator in this chamber has an equal right to do that. That is not a right that has been afforded to the opposition.

So you, Senator Dean, have the right all by yourself to create that dinner bell.

Senator Dean, you talked about all the Canadians who are going without meals from six o'clock to eight o'clock. I would like you to tell me: Who are the normal Canadians working a noon to eight o'clock or a noon to ten o'clock shift who do not get a dinner break? It may not be two hours, and, of course, that could be debated, but do they or do they not get dinner breaks? You seem to indicate that these people work straight through for 10 hours without a dinner break. You said it, Senator Dean.

Senator Dean: Thank you for the opportunity to clarify. I'm only too happy to do so.

Senator Plett, I often like to think, as I'm sure you do, about the way people outside of this place see us, how they perceive us and how they watch us do our work. I'm talking about proposed rule changes that are intended to address purposeful, well-thought-out procedural delays that are designed to frustrate our work here. As regular Canadians look into this place, to see the antics and the games that are being played here would shock them. And to see that they would use procedural tactics to delay, slow down the work of this place from 6:00 to 8:00 in the evening, I think would perhaps annoy them, disappoint them, upset them and wonder what on earth we were doing.

• (1850)

So yes, I understand that Canadians have a dinner break. They don't have a two-hour dinner break and they certainly don't have the kind of two-hour frustrating delays that are currently built into the Rules. Those are the Canadians that I'm talking about, the people who look in here and say, "You know what? I'm paying for this and is that what I'm paying for?" I don't think so.

Some Hon. Senators: Hear, hear!

The Hon. the Acting Speaker: Senator Dean, your speaking time has expired.

(On motion of Senator Plett, debate adjourned.)

[*Translation*]

BANKING, TRADE AND COMMERCE

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE NEED TO REVIEW THE BANK OF CANADA ACT—DEBATE ADJOURNED

Hon. Diane Bellemare, pursuant to notice of February 5, 2020, moved:

> That, the Standing Senate Committee on Banking, Trade and Commerce, when and if it is formed, be authorized to examine and report on the need to review the *Bank of Canada Act* in order to:
>
> (a) specify that the Bank of Canada's mandate covers not only price stability, but also the pursuit of maximum employment or full and productive employment, as is the case in the United States, Australia and, recently, New Zealand;
>
> (b) provide for the signature of an agreement between the Bank of Canada and the Minister of Finance, as has been done since 1991;
>
> (c) provide for transparency measures regarding the procedure and choice of indicators for the setting of the key policy interest rate, as well as analyses of how the conduct of monetary policy affects the inflation rate, employment and income distribution, and report to Parliament; and
>
> That the committee submit its final report to the Senate no later than June 20, 2020.

She said: Honourable senators, my speech will be brief. The time has come to review the Bank of Canada Act, which was passed in 1934, to ensure that it reflects modern practices.

The Senate, and specifically the Standing Senate Committee on Banking, Trade and Commerce, is well positioned to carefully examine this issue and propose the appropriate changes.

[*English*]

In an inquiry that I delivered in this chamber on April 30, 2019, I explained the reasons why the time has come to revisit the Bank of Canada Act. I will not repeat all of the arguments raised during that inquiry. But let's remember that the Bank of Canada Act received Royal Assent on July 3, 1934, and it has never again been thoroughly reviewed to reflect economic changes and current banking practices.

There is no article in the act specifying the mandate of monetary policy. And yet, since the mid-1970s, the official mandate of the bank is to pursue price stability. It is formalized in a five-year agreement signed by both the bank and the Government of Canada identifying specific targets for the inflation rate. The act makes no mention of the five-year agreement that began in 1991.

Many economists believe that it is time to broaden the bank's official mandate to pursue a dual mandate that includes full and productive employment and price stability. Moreover, many argue that the Bank of Canada Act should also include provisions regarding transparency, as is the case for other central banks.

This motion does not imply that the Bank of Canada is behaving irresponsibly. It is not a confidence vote on the bank — quite the contrary. Indeed, since the last recession, the bank has actively promoted jobs and growth while at the same time targeting a 2% inflation rate. There is a disconnect between the act, the five-year agreement and the practice of the bank that deserves our attention.

In May 2018, on the initiative of Professor Emeritus Mario Seccareccia, 61 Canadian economists signed a letter to the Minister of Finance asking him to consider reviewing the Bank of Canada Act in order to broaden its mandate to include the pursuit of full productive employment and to include specific provisions concerning transparency.

This same letter was signed by experts from all provinces of Canada, most of whom are eminent professors and researchers in economics. I don't have the time to name them all, but I would like to point out that we find among the signatories Drs. Pierre Fortin — well known in Quebec — Lars Osberg from Nova Scotia, Andrew Sharpe, Marc Lavoie, Louis-Philippe Rochon, Gordon Betcherman from Ontario, and many others from different provinces.

[*Translation*]

The mandate of the Bank of Canada is a matter of critical interest for Canada and Canadians. It concerns both the uninitiated and the initiated. For instance, since the signing of the letter addressed to the Minister of Finance in May 2018, opinion pieces on the matter have been appeared in *The Globe and Mail*. A lengthy article on monetary policy for lay people was the subject of a column by the economist Pierre Fortin in the November 2019 edition of *L'actualité*. A group of economists gathered to discuss this topic at the Canadian Economics Association's annual conference in Montreal in June 2018. Another conference will be held in September 2020, to be hosted by the Max Bell School of Public Policy at McGill University, on a related topic dealing with monetary policy framework. In short, the public debate on the framework for monetary policy is alive and well. Even the Bank of Canada is organizing information sessions on the framework of the upcoming agreement, which should be signed in 2021 with the Government of Canada.

Colleagues, no matter whether you support the amendments proposed in this motion, I urge you to vote in favour of it, not only because this topic is important to Canadians, but also for three additional reasons. The proposed study to examine the need to review the Bank of Canada Act meets three fundamental criteria that I think justify the committee's work. First is that this topic falls under the Senate's mandate; second is that the nature and scope of the study falls within the means of the Senate; and third is that this involves an impact on public policy and federal acts.

I want to start by talking about why it's appropriate for the Senate of Canada to review the Bank of Canada Act. This review falls well within the Senate's mandate, since the Bank of Canada Act is under federal jurisdiction. The purpose of the motion is to conduct a legislative analysis focused on the economy, which falls within the mandate of the Senate and of the Standing Committee on Banking, Trade and Commerce, which, as it happens, was created just a few months after the creation of Canada, in 1867, and has reviewed a number of very important pieces of legislation since that time. Take, for example, the Banking Act, the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act, the Proceeds of Crime (Money Laundering) Act, and the Business Development Bank of Canada Act. As you can see, the purpose of this motion meets the relevance criteria.

• (1900)

Now let's look at the criteria regarding the nature and scope of the study. Colleagues, this would not be an academic study using sophisticated econometric models. The Senate has tangible means of conducting a study that identifies the aspects of the law that need to be reviewed and proposing practical solutions. In contrast, very few institutions have the power to hear from experts from different backgrounds to explore these issues in a non-partisan way. Very few institutions have the power to hear testimony from various central banks on these subjects. In other words, this topic fits perfectly within the mandate of the Standing Senate Committee on Banking, Trade and Commerce and is in line with its research capabilities.

Lastly, this study will have a significant impact on federal public policy. Regardless of the nature of the study's findings, they will be extremely important for the future conduct of Canada's monetary policy in an economic context that is very different from that of the 1930s. The challenges that the Bank of Canada is facing today are very different from those of the last century. The Bank of Canada must ensure that the country is operating at full capacity and that all those who want to work are able to do so.

That is what Mark Carney said recently in an interview with the CBC on February 14, 2020.

Indeed, it is necessary for achieving the transitions required because of climate change, new technologies and the aging population.

If the Senate doesn't undertake this study, who else can? The Bank of Canada isn't really in the best position to analyze the legislative framework that governs it. Its input will certainly be important, but the opinions of other experts must also be considered.

The Minister of Finance could lead the study, but he is very busy, and the Department of Finance, which is responsible for the legislative framework of the Bank of Canada, will surely benefit from the Senate study, which will take the time to hear relevant testimony from experts from diverse backgrounds and from research centres specializing in monetary policy, and will compare the legislative frameworks of other central banks. The Senate is the appropriate parliamentary institution to examine the need to review the Bank of Canada's legislative framework from

various angles. The Senate's regional diversity gives it a pan-Canadian perspective that will be vital to carrying out a study on the need to review the Bank of Canada Act.

[*English*]

In conclusion, the importance of the subject of this motion is indisputable, even more so since great challenges await Canada, such as economic prosperity and maximum sustainable employment in the context of climatic, technological and demographic changes and other unforeseeable events.

The Senate, and more specifically the Standing Senate Committee on Banking, Trade and Commerce, should undertake the study provided for in Motion No. 20. This motion meets the test of relevance, scope and importance of impacts. The subject is relevant with respect to the mandate of the Senate. The scope of the study is realistic in relation to the tangible means available to the Senate to carry out a substantial study on the subject. The impacts of this study on federal public policy are major for the economy of Canada and its regions. For all these reasons, I invite you to adopt this motion, no matter your opinion on the specific amendment proposed in this motion.

Thank you for your attention.

Some Hon. Senators: Hear, hear!

Hon. Percy E. Downe: Senator, I assume you will take a question?

Senator Bellemare: Yes, I will.

Senator Downe: You're obviously an expert in this area. I am wondering what your view is on the long-standing refusal of the Bank of Canada to allow the Auditor General to audit their operation.

Senator Bellemare: Would you please repeat that? I didn't hear the first part of your question.

Senator Downe: I complimented you that you're obviously an expert in this area. I can say that a third time if it helps the answer.

What is your view on the long-time resistance of the Bank of Canada to refuse the Auditor General to audit the Bank of Canada?

Senator Bellemare: That's a tricky one because I didn't think about that. Actually, I reserve my answer to further debate.

[*Translation*]

In a way, the topic of the Bank of Canada is very serious, and this study could certainly resonate in the financial sector. There is reason to be cautious. Even if we want the Bank of Canada to be very transparent, its transparency obligations have to be structured. I am not sure to what extent we need to review the Bank of Canada. I will think about that. Thank you.

[*English*]

The Hon. the Acting Speaker: I'm sorry, Senator Downe, Senator Bellemare's time has expired.

Is leave granted for additional time?

An Hon. Senator: No.

(On motion of Senator Ringuette, debate adjourned.)

THE SENATE

MOTION TO CALL ON THE GOVERNMENT TO ADDRESS THE ISSUE OF INTERPROVINCIAL TRADE—DEBATE ADJOURNED

Hon. Frances Lankin, pursuant to notice of February 27, 2020, moved:

> That, in order to promote national unity, to improve collaboration with provincial and territorial initiatives, and to support the competitive needs of domestic business, the Senate now:
>
> (a) call on the government to:
>
> (i) address the issue of inter-provincial trade and assert in law, for judicial clarity, that Section 121 of the *Constitution Act, 1867* is the law of the land;
>
> (ii) clarify key principles of inter-provincial trade, such as accelerating mutual recognition, formal harmonization and introduction of federal standards when applicable;
>
> (iii) develop institutional architecture to facilitate inter-provincial trade which would include creating an internal trade commissioner or expanding the *Canada Free Trade Agreement* Secretariat powers; and
>
> (iv) create a binding investor-state dispute-resolution process where complaints, negotiations, decisions and appeals might occur;
>
> (b) urge the government to move toward enacting a revised *Canada Free Trade Agreement* as law, cutting back on specific exemptions within the CFTA; and
>
> (c) recommend that the government clarify longer-term integration objectives, such as how to more consistently relate them to urban projects and innovation super-clusters.

She said: Honourable senators, I rise today to speak to my motion on interprovincial trade, which Senator Percy Mockler graciously offered to second. He and I and our offices have

collaborated on the development of this motion and in supporting bringing this to you and we are grateful for your attention and hopeful for your support.

Before getting into the details of my motion, I'd ask each of you to think about the building we're in. We have heard a fair bit about trains tonight, and I want to observe the fact that this was Ottawa's Union Station. I ask that you use your imagination with me. This very room was the concourse. Try to imagine what kind of scenes would have taken place, right here where we sit now, when this station was first opened over a century ago. You would have seen Canadians from every corner of this vast country spilling out into the capital of a young, optimistic and ambitious federation.

At the time, Canada was the fastest-growing economy in the world. Rubbing shoulders as they bustled, there would have been men and women, young and old, rich and poor; perhaps a miner from Dawson City, a businessman from downtown Toronto, a farmer from Winnipeg or a new immigrant who had just landed in Halifax and was crossing Canada in search of a new home, work or maybe just adventure.

This place was the heart of Ottawa and through it passed the life of this country, pumping people and the fruits of their labour far and wide, all right here. How can we do justice to the ghosts of this place when we come to work here? How can we remember what rail and the promise of modernity meant to this country at that time?

For one, I see it as fitting that the Senate lives here. We too come from every place in this country and, moreover, no two ideas were as instrumental in securing Confederation as the Senate and the railroads. We too are here to unite the regions, hence our symbolic Bill S-1 on railways, which reminds us of the importance of maintaining ties, communication and equal development across this country.

• (1910)

So I ask, and indeed I ask it now, in a time of great regional tensions and division, how can we live up to this history which has come before us here? How can we more tightly tie this country together and, with that unity, elevate the prosperity of this country which has given so much to so many?

I want to quote a couple of parts from a speech from many years ago. Let me read this for you:

> . . . I go heartily for the union, because it will throw down the barriers of trade . . . to make a citizen of one, citizen of the whole; the proposal is, that our farmers and manufacturers and mechanics shall carry their wares unquestioned into every village of the Maritime Provinces; and that they shall with equal freedom bring their fish, and their coal, and their West India produce to our three millions of inhabitants. The proposal is, that the law courts, and the schools, and the professional and industrial walks of life, throughout all the provinces, shall be thrown equally open to all.

Now, if I may give the citation, that was George Brown delivering a speech on confederation in 1865. From this dream came section 121 of the Constitution Act, and it reads:

> All Articles of the Growth, Produce, or Manufacture of any one of the Provinces shall, from and after the Union, be admitted free into each of the other Provinces.

That's not exactly what the current situation is. Sadly, I must say that we have yet to fulfill this dream.

I come to the issue all senators will be aware of: the shocking barriers to trade between Canada's provinces and territories which persist to this day. This issue isn't new to the Senate.

As the Senate Committee on Transport and Communications noted in their 2016 report, with the very apt title, *Tear Down These Walls*:

> Almost 150 years after our country was formed, far too many unnecessary regulatory and legislative differences exist among Canada's jurisdictions. These differences create "walls" that prevent the free flow of people, goods, services and investments between provinces/territories. They also increase costs for Canadian businesses, many of which are struggling to expand and compete in a fiercely competitive global marketplace.

Their findings are noteworthy. First, they say that interprovincial trade represents about one fifth of the Canadian economy. Breaking interprovincial trade barriers could add between $50 and $130 billion to Canada's economy. Think of that in a time when we're seeing insecurity about markets abroad that we continue to try to have access to, but think of that at a time when we see all sorts of world events having an impact on the economy of Canada. What could we in our own country achieve through bringing down these barriers?

I like this one because it's a specific interest of mine. Three quarters of Canadians agree with bringing any amount of beer or wine across provincial or territorial borders, while 87% support the right to order any legal product from anywhere in the country.

There are many barriers, not just under the intoxicating beverages act or some historical name to that effect. These barriers are extremely diverse. They include area of trade and professional certifications, transport regulations and construction regulations. I had a round of trying to negotiate bringing down those barriers between Quebec and Ontario, ably assisted by Senator Dean at the time. We thought we were a little bit successful. The government changed in Quebec and things regressed and the next minister, the Honourable Norm Sterling, continued that battle and other ministers have since then. It is not just construction regulations but food regulations, alcohol monopolies, dairy protection, workers' compensation, health and safety requirements, first aid kits, procurement contracts, tax incentives and the list goes on and on.

Each of these discrepancies disables Canadians from building livelihoods and businesses that might span across this country. Often that leaves large foreign corporations now granted equal

access under free trade agreements such as the CPP, TPP and CUSMA better placed to compete than our own companies, our own businesses, our own mom-and-pop shops.

In a time when national unity is needed, when fractures are growing and international order is volatile, Canada must indeed tear down these walls. Of course, this isn't to say that efforts have not already been made. Just to mention a few: In 1985 the Royal Commission on the Economic Union and Development Prospects for Canada recommended harmonization of standards and regulations. In 1994 the federal and provincial governments signed the Agreement on Internal Trade. I was at that negotiating table. I signed that agreement on behalf of the Province of Ontario. This weekend I went down to the basement and found the box and brought it out. It's a red book about this thick. Most of that has got exemptions in it, many of those pages. While we made progress, we did not make sufficient progress. In order to get a deal, we accommodated a lot of regional-based exemptions and concerns from those provinces about their local economies, but we tried to make progress.

There have been other initiatives since then, of course, at the very least to mention the Canadian Free Trade Agreement of July 2017, which replaced the AIT. There have been rules set out in these agreements. There have been some exemptions set out. We shifted the burden in the Canadian Free Trade Agreement to all things being covered unless specifically exempted. We tried to ratchet down that kind of activity and there have been a number of bilateral deals between provinces that have been struck, but that does not fix the problem of a pan-Canadian interprovincial trade regime that is effective, enforceable and seeks to bring the value of that potentially $150 billion to our own economy.

There have been many reports, such as The Council of Atlantic Premiers and the New West Partnership in 2010; the MacDonald-Laurier Institute in 2010; Bill C-311 tabled in 2012; the Supreme Court ruling of *R. v. Comeau*, which was about transporting beer across the border; a Canadian Chamber of Commerce report entitled *Death by 130,000 Cuts* in 2018; and repeated efforts by The Council of the Federation. I'm hopeful that with the federal-provincial talks, the council this week might take further steps in this regard. And there have been lots of articles and advocacy.

This particular government has made some progress, as I said, with the Canadian Free Trade Agreement in 2017. It does a number of things. It covers all sectors, as opposed to the 11 that were in the AIT. It establishes working groups, such as the Regulatory Reconciliation and Cooperation Table. There's a 23-item action plan with some action on a small handful of these things. But these small bites will not be enough. The size of the barriers today are simply far too great and the process to resolve concerns or issues is toothless. There are big issues that remain and most especially the hefty cost of dispute mechanisms and the undue burden on Canada's entrepreneurs. In short, this snail's pace won't cut it. We need deeper reform.

Last year, I attended a Montreal Economic Institute conference on this issue and it was called One Country One Market. To my great pleasure, because I looked around and thought I was the only person from the Senate there, shortly thereafter Senator Percy Mockler was seated beside me. It didn't take long for the two of us to look at each and ask, "What can we do about this? How can we help and try to contribute?" Thus our discussion about bringing a motion forward.

There were many interesting points and suggestions made at the conference, including a look at the United States and the now-defunct Interstate Commerce Commission, as well as Australia's Mutual Recognition Act. I think there's value in looking at that, and there are other international examples.

One idea that stood out among others for the two of us was that of simply reasserting in law that section 121, found in the highest law of this country — our own Constitution — is the law of the land. But I want to stress, with respect to that, that the courts and the provinces have strayed away from that principle and that course is in need of correction.

Despite the beauty of that simple solution, later conversations our offices had with experts suggest that many doubt this will suffice. The simple fact is that these barriers are very messy and the solution will be messy too.

• (1920)

What did the Senate report recommend? They said the CFTA should have included mutual recognition, a formal harmonization mechanism, binding investor-state dispute resolution and the federal government becoming a permanent co-chair of the committee on internal trade. They suggested boosted funding so Statistics Canada and the Internal Trade Secretariat could be more effective. They suggested consolidating securities regulations. I think of the conversations I've had with Senator Wetston. At least 30 years ago when I was in the Ontario Legislature, we were talking about that, and we still have not achieved it.

The committee was right and the recommendations were right. One thing is clear: There must be a place where provinces can discuss the options, propose solutions and if unhappy with the outcome appeal the decision. This goes beyond the responsibilities of one Minister of Intergovernmental Affairs of whatever partisan stripe and what they could possibly accomplish.

Such a place might also include a leading position for the federal government to propose harmonized options when applicable. It just so happens that such a body exists, as the report noted, that being the CFTA's reconciliation table, a key piece of the trade secretariat. However, at present, this body has no binding powers. We considered bringing forward a bill to that effect, but as we delved into it, we realized that it would be a money bill, and that can only originate in the House of Commons. Thus, we have our motion to call on the government and the House of Commons to take action on this.

This is not only to reassert section 121, but we need to shift the CFTA's reconciliation table into a binding process. In the last Parliament, I sponsored Bill C-101 that dealt with the Canadian International Trade Tribunal. Let me ask you this: Why do we have a binding dispute-resolution process for foreign firms coming to Canada but not for our own, working across Canada?

There is one catch, as I said: This is a money bill, so we look to the House of Commons, the government and the executive branch to take leadership on this.

Many studies have been done. All the meetings in the world can be had or reports published, but we move this motion because it's time that the path forward be made clear. All governments — I include provincial and territorial governments — need only have the courage to take the steps to act and to lead. Contested matters like this cannot be left to the courts. People's wishes are clear; Parliament must act.

I'm relieved to see the government does take this seriously, and the appointment of Minister Freeland, a woman of undeniable skill and competence, is a clear signal.

To wrap up, I humbly ask that honourable senators consider supporting this motion that Senator Mockler and I have put before you.

(On motion of Senator Plett, for Senator Mockler, debate adjourned.)

BANK OF CANADA

INQUIRY—DEBATE ADJOURNED

Hon. Bev Busson rose pursuant to notice of February 25, 2020:

> That she will call the attention of the Senate to the way the Bank of Canada honours Canadians through banknotes.

She said: Honourable senators, I rise today to call the attention of the Senate to the way the Bank of Canada honours Canadians through banknotes. I, too, will be carrying a theme of national unity, and we will hopefully have something for you to think about on the way home this evening.

Even while we pay more and more often with credit and debit cards, physical money retains a prominent place in our lives, purses, wallets and pockets. Money is a practical convenience and equally an expression of pride in the nation. The images that appear on bills become evocative symbols of Canadian identity.

Since the introduction of polymer notes in 2011, we can no longer talk about paper money, but it is important that this innovation be noted as the first step in an evolution of Canada.

The use of uniquely Canadian money can be traced back 335 years to New France. The colony had run out of European currency, and faced with a dire need to find a way to pay for goods, the French governor authorized the use of playing cards as their currency. Centuries then passed until we pick up the story again in the 1930s. Although private Canadian banks had their own currency, the Bank of Canada did not issue its own national bank notes until 1935. However, there were still no Canadian faces on bills until, in 1960, the faces of former prime ministers started to appear, a century after Confederation and the founding of this great country.

We just celebrated International Women's Day. Finding a woman's face on money who is not the Queen would not happen for more than three decades. The first appearance of a woman on a Canadian banknote was a relatively modest affair. The 10-dollar bank note of the so-called "Canadian journey series" that went into circulation in 2001 showed an anonymous female air force officer engaged in peacekeeping duties with an accompanying quote from the famous poem "In Flanders Fields."

The spirit of women again makes an appearance in 2004 on the reverse side of the 50-dollar bill in the form of the images of the Famous Five on Parliament Hill. Later, Agnes Macphail joined a distinguished group on the commemorative bill for the one-hundred and fiftieth anniversary of Confederation in 2017.

The most recent great innovation in the development of Canadian money occurred when the face of Nova Scotia civil rights crusader Viola Desmond graced the new vertical 10-dollar bill issued in 2018. She is a woman identified by her name and indisputable accomplishment, spreading her inspirational message of equality and tolerance, while being displayed proudly on a 10-dollar bill being passed from Canadian to Canadian. You might not know that the Desmond bill was honoured last year for its striking design achievement by the International Bank Note Society and was awarded the prestigious Bank Note of the Year Award for 2018. The Canadian currency beat out design submissions from various countries, including Switzerland, Norway and Russia.

The Desmond bill also represented the greatest step in another important trend in the evolution of Canadian money — the use of public consultation. The process to select Viola Desmond took public consultation to a new height, going well beyond the usual focus groups to an open and full participation of the entire population. That same consultation process is now being applied again, this time to choose a Canadian persona to grace the new five-dollar bill in the series of polymer banknotes. The search is for a single person to stand side by side with Viola Desmond, and this is under way.

The process itself has multiple steps. Every interested Canadian has been invited to nominate their choice for the person to appear on the new five-dollar bill. That public nomination process ends tomorrow, March 11. All eligible nominees will be reviewed by an independent advisory board, the members of which will develop a short list of candidates. Once the short list is available, the bank will consult in a deeper way with focus groups, and the advisory board will prepare a biography on each of the short-listed candidates. Following these two stages, the advisory council will confirm its short list of candidates, after which the Minister of Finance will make a final decision from among the short-listed candidates. Upon selection of the Canadian persona to appear on the new bill, the design process will be initiated.

There are, of course, many qualified Canadians from whom to choose for this great honour. We are a country that boasts such talent, bravery, fortitude and creativity. The candidate needs to be someone who stands above the rest, who is inspirational to successive generations, who made us all be proud to be Canadians, to be better people, and who transcended differences and united the country.

Honourable senators, who better to partner with the message of Viola Desmond from the East Coast of Canada than a courageous hero from the West Coast? Among all the possibilities, as a proud senator for British Columbia, I place my support behind the movement to nominate Terry Fox to grace the new five-dollar bill.

Terry Fox was all that Canada stands for. Growing up in Port Coquitlam, British Columbia, Terry played baseball, basketball and soccer as a child. He had no idea of the role that life would ask him to play to inspire the nation and the world. Diagnosed with bone cancer in 1977, a lightning bolt of crushing news, he could have understandably focused on his own personal struggle and challenges. Instead, moved by the bravery of other cancer patients during his early treatment, he used his private experience in the most public of ways imaginable.

With laser focus, Terry Fox trained for 18 months and ran 5,000 kilometres before he even started his Marathon of Hope. On April 12, 1980, he dipped his artificial leg in the waters of St. John's Harbour and then ran another 3,339 kilometres for 143 days. This was like running a marathon every single day for four and a half months straight. Terry Fox went through nine separate shoes during his Marathon of Hope odyssey, eight on his real foot and one on his prosthetic leg.

• (1930)

He finally had to stop in Thunder Bay. Who among us is old enough to remember and didn't pause for a moment or shed a tear as he announced in a broken voice that his cancer had returned and he had to go home to B.C. for treatment. His dream was to raise $1 million for cancer research. He died on June 28, 1981, at the age of 23.

Canadians, and then the world, took up the challenge and symbolically finished his Marathon of Hope and has done so every year for the last 40 years. The foundation that bears Terry Fox's name has continued to this day to translate his vision into tangible and much-needed resources for cancer research. The annual Terry Fox Run will celebrate 40 years this year. In Canada alone, 9,000 schools take part in the Terry Fox Run, using the occasion to encourage civic virtues of responsibility, caring and integrity among young students. As of last year, the foundation has raised over $750 million for cancer research in Canada alone. Terry Fox suffered from and succumbed to a type of bone cancer, but the foundation supports all types of cancer research, including lung, breast, brain, oral and blood cancers.

The impact in Canada alone is important enough, but the international dimensions of Terry Fox's legacy speak volumes about his inspiring story. The annual Terry Fox Run takes place around the world at the same time in about 60 countries including China, Vietnam, India, Brazil, Egypt, Qatar, the UK and, of course, the United States. It is recognized as the world's largest single-day fundraising activity in the fight against cancer. The funds raised internationally remain in those countries for cancer research.

The image of millions of people in lands far away from Canada, many who did not know Terry Fox but who respond emotionally to the story of perseverance, bravery and dedication to the welfare of others, is powerful. Canadian diplomats working overseas often attest to the amazing impact of Terry Fox on the global image of Canada. One Terry Fox Run is probably more effective in promoting Canadian goodwill than many a diplomatic reception.

Honourable senators, it is hard to think of a greater Canadian to be placed on the new five-dollar bill than Terry Fox. His bravery, compassion, sense of caring for others over himself, his ability to inspire both Canadians and many others around the world, and the concrete contribution of his legacy is well known. But his memory also reaches across generations to the future, touching young people in schools — children whose parents and grandparents would have been the ones to experience the Marathon of Hope directly.

As a five-dollar bill with the portrait of Terry Fox will pass from hand to hand, one can imagine the questions that could form in each person's mind. Could I have been that brave? What would I have done? Can I honour his memory and example in some way? And most importantly for us as senators, what can I do to make this country a better place? Imagine what this piece of currency could do. Thank you. *Meegwetch*.

Hon. Senators: Hear, hear!

(On motion of Senator Duncan, debate adjourned.)

(*At 7:35 p.m., the Senate was continued until tomorrow at 2 p.m.*)

THE SPEAKER

The Honourable George J. Furey

THE GOVERNMENT REPRESENTATIVE IN THE SENATE

The Honourable Marc Gold

THE LEADER OF THE OPPOSITION

The Honourable Donald Neil Plett

FACILITATOR OF THE INDEPENDENT SENATORS GROUP

The Honourable Yuen Pau Woo

THE INTERIM LEADER OF THE CANADIAN SENATORS GROUP

The Honourable Scott Tannas

OFFICERS OF THE SENATE

INTERIM CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Richard Denis

LAW CLERK AND PARLIAMENTARY COUNSEL

Philippe Hallée

USHER OF THE BLACK ROD

J. Greg Peters

THE MINISTRY

(In order of precedence)

(March 1, 2020)

The Right Hon. Justin P. J. Trudeau	Prime Minister
The Hon. Chrystia Freeland	Minister of Intergovernmental Affairs Deputy Prime Minister
The Hon. Lawrence MacAulay	Minister of Veterans Affairs Associate Minister of National Defence
The Hon. Carolyn Bennett	Minister of Crown-Indigenous Relations
The Hon. Dominic LeBlanc	President of the Queen's Privy Council for Canada
The Hon. Navdeep Bains	Minister of Innovation, Science and Economic Development
The Hon. Bill Morneau	Minister of Finance
The Hon. Jean-Yves Duclos	President of the Treasury Board
The Hon. Marc Garneau	Minister of Transport
The Hon. Marie-Claude Bibeau	Minister of Agriculture and Agri-Food
The Hon. Mélanie Joly	Minister of Economic Development Minister of Official Languages
The Hon. Diane Lebouthillier	Minister of National Revenue
The Hon. Catherine McKenna	Minister of Infrastructure and Communities
The Hon. Harjit S. Sajjan	Minister of National Defence
The Hon. Maryam Monsef	Minister for Women and Gender Equality Minister of Rural Economic Development
The Hon. Carla Qualtrough	Minister of Employment, Workforce Development and Accessibility
The Hon. Patty Hajdu	Minister of Health
The Hon. Bardish Chagger	Minister of Diversity, Inclusion and Youth
The Hon. François-Philippe Champagne	Minister of Foreign Affairs
The Hon. Karina Gould	Minister of International Development
The Hon. Ahmed Hussen	Minister of Families, Children and Social Development
The Hon. Seamus O'Regan	Minister of Natural Resources
The Hon. Pablo Rodriguez	Leader of the Government in the House of Commons
The Hon. Bill Blair	Minister of Public Safety and Emergency Preparedness
The Hon. Mary Ng	Minister of Small Business, Export Promotion and International Trade
The Hon. Filomena Tassi	Minister of Labour
The Hon. Jonathan Wilkinson	Minister of Environment and Climate Change
The Hon. David Lametti	Minister of Justice Attorney General of Canada
The Hon. Bernadette Jordan	Minister of Fisheries and Oceans and the Canadian Coast Guard
The Hon. Joyce Murray	Minister of Digital Government
The Hon. Anita Anand	Minister of Public Services and Procurement
The Hon. Mona Fortier	Minister of Middle-Class Prosperity Associate Minister of Finance
The Hon. Steven Guilbeault	Minister of Canadian Heritage
The Hon. Marco Mendicino	Minister of Immigration, Refugees and Citizenship
The Hon. Marc Miller	Minister of Indigenous Services
The Hon. Deb Schulte	Minister of Seniors
The Hon. Dan Vandal	Minister of Northern Affairs

SENATORS OF CANADA

ACCORDING TO SENIORITY

(March 1, 2020)

Senator	Designation	Post Office Address
The Honourable		
George J. Furey, *Speaker*	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Stephen Greene	Halifax - The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Michael Duffy	Prince Edward Island	Cavendish, P.E.I.
Percy Mockler	New Brunswick	St. Leonard, N.B.
Pamela Wallin	Saskatchewan	Wadena, Sask.
Yonah Martin	British Columbia	Vancouver, B.C.
Patrick Brazeau	Repentigny	Maniwaki, Que.
Leo Housakos	Wellington	Laval, Que.
Donald Neil Plett	Landmark	Landmark, Man.
Linda Frum	Ontario	Toronto, Ont.
Claude Carignan, P.C.	Mille Isles	Saint-Eustache, Que.
Carolyn Stewart Olsen	New Brunswick	Sackville, N.B.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Elizabeth Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Judith G. Seidman	De la Durantaye	Saint-Raphaël, Que.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
Salma Ataullahjan	Ontario (Toronto)	Toronto, Ont.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Larry W. Smith	Saurel	Hudson, Que.
Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.
Norman E. Doyle	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Jean-Guy Dagenais	Victoria	Blainville, Que.
Vernon White	Ontario	Ottawa, Ont.
Thomas J. McInnis	Nova Scotia	Sheet Harbour, N.S.
Thanh Hai Ngo	Ontario	Orleans, Ont.
Diane Bellemare	Alma	Outremont, Que.
Douglas Black	Alberta	Canmore, Alta.
David M. Wells	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Lynn Beyak	Ontario	Dryden, Ont.
Victor Oh	Mississauga	Mississauga, Ont.
Denise Batters	Saskatchewan	Regina, Sask.
Scott Tannas	Alberta	High River, Alta.
Peter Harder, P.C.	Ottawa	Manotick, Ont.
Raymonde Gagné	Manitoba	Winnipeg, Man.
Frances Lankin, P.C.	Ontario	Restoule, Ont.
Ratna Omidvar	Ontario	Toronto, Ont.
Chantal Petitclerc	Grandville	Montreal, Que.
Murray Sinclair	Manitoba	Winnipeg, Man.
Yuen Pau Woo	British Columbia	North Vancouver, B.C.
Patricia Bovey	Manitoba	Winnipeg, Man.
René Cormier	New Brunswick	Caraquet, N.B.
Nancy J. Hartling	New Brunswick	Riverview, N.B.
Kim Pate	Ontario	Ottawa, Ont.
Tony Dean	Ontario	Toronto, Ont.

Senator	Designation	Post Office Address
Diane F. Griffin	Prince Edward Island	Stratford, P.E.I.
Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston, N.S.
Sabi Marwah	Ontario	Toronto, Ont.
Howard Wetston	Ontario	Toronto, Ont.
Lucie Moncion	Ontario	North Bay, Ont.
Renée Dupuis	The Laurentides	Sainte-Pétronille, Que.
Marilou McPhedran	Manitoba	Winnipeg, Man.
Gwen Boniface	Ontario	Orillia, Ont.
Éric Forest	Gulf	Rimouski, Que.
Marc Gold	Stadacona	Westmount, Que.
Marie-Françoise Mégie	Rougemont	Montreal, Que.
Raymonde Saint-Germain	De la Vallière	Quebec City, Que.
Dan Christmas	Nova Scotia	Membertou, N.S.
Rosa Galvez	Bedford	Lévis, Que.
David Richards	New Brunswick	Fredericton, N.B.
Mary Coyle	Nova Scotia	Antigonish, N.S.
Mary Jane McCallum	Manitoba	Winnipeg, Man.
Robert Black	Ontario	Centre Wellington, Ont.
Marty Deacon	Waterloo Region	Waterloo, Ont.
Yvonne Boyer	Ontario	Merrickville-Wolford, Ont.
Mohamed-Iqbal Ravalia	Newfoundland and Labrador	Twillingate, Nfld. & Lab.
Pierre J. Dalphond	De Lorimier	Montreal, Que.
Donna Dasko	Ontario	Toronto, Ont.
Colin Deacon	Nova Scotia	Halifax, N.S.
Julie Miville-Dechêne	Inkerman	Mont-Royal, Que.
Bev Busson	British Columbia	North Okanagan Region, B.C.
Marty Klyne	Saskatchewan	White City, Sask.
Patti LaBoucane-Benson	Alberta	Spruce Grove, Alta.
Paula Simons	Alberta	Edmonton, Alta.
Peter M. Boehm	Ontario	Ottawa, Ont.
Josée Forest-Niesing	Ontario	Sudbury, Ont.
Brian Francis	Prince Edward Island	Rocky Point, P.E.I.
Margaret Dawn Anderson	Northwest Territories	Yellowknife, N.W.T.
Pat Duncan	Yukon	Whitehorse, Yukon
Rosemary Moodie	Ontario	Toronto, Ont.
Stan Kutcher	Nova Scotia	Halifax, N.S.
Tony Loffreda	Shawinegan	
Judith Keating	New Brunswick	Fredericton, N.B.
Brent Cotter	Saskatchewan	Saskatoon, Sask.

SENATORS OF CANADA

ALPHABETICAL LIST

(March 1, 2020)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Anderson, Margaret Dawn	Northwest Territories	Yellowknife, N.W.T.	Independent Senators Group
Ataullahjan, Salma	Ontario (Toronto)	Toronto, Ont.	Conservative Party of Canada
Batters, Denise	Saskatchewan	Regina, Sask.	Conservative Party of Canada
Bellemare, Diane	Alma	Outremont, Que.	Independent Senators Group
Bernard, Wanda Elaine Thomas	Nova Scotia (East Preston)	East Preston, N.S.	Independent Senators Group
Beyak, Lynn	Ontario	Dryden, Ont.	Non-affiliated
Black, Douglas	Alberta	Canmore, Alta.	Canadian Senators Group
Black, Robert	Ontario	Centre Wellington, Ont.	Canadian Senators Group
Boehm, Peter M.	Ontario	Ottawa, Ont.	Independent Senators Group
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative Party of Canada
Boniface, Gwen	Ontario	Orillia, Ont.	Independent Senators Group
Bovey, Patricia	Manitoba	Winnipeg, Man.	Independent Senators Group
Boyer, Yvonne	Ontario	Merrickville-Wolford, Ont.	Independent Senators Group
Brazeau, Patrick	Repentigny	Maniwaki, Que.	Independent Senators Group
Busson, Bev	British Columbia	North Okanagan Region, B.C.	Independent Senators Group
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Canadian Senators Group
Carignan, Claude, P.C.	Mille Isles	Saint-Eustache, Que.	Conservative Party of Canada
Christmas, Dan	Nova Scotia	Membertou, N.S.	Independent Senators Group
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Non-affiliated
Cormier, René	New Brunswick	Caraquet, N.B.	Independent Senators Group
Cotter, Brent	Saskatchewan	Saskatoon, Sask.	Independent Senators Group
Coyle, Mary	Nova Scotia	Antigonish, N.S.	Independent Senators Group
Dagenais, Jean-Guy	Victoria	Blainville, Que.	Canadian Senators Group
Dalphond, Pierre J.	De Lorimier	Montreal, Que.	Independent Senators Group
Dasko, Donna	Ontario	Toronto, Ont.	Independent Senators Group
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Non-affiliated
Deacon, Colin	Nova Scotia	Halifax, N.S.	Independent Senators Group
Deacon, Marty	Waterloo Region	Waterloo, Ont.	Independent Senators Group
Dean, Tony	Ontario	Toronto, Ont.	Independent Senators Group
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Canadian Senators Group
Doyle, Norman E.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative Party of Canada
Duffy, Michael	Prince Edward Island	Cavendish, P.E.I.	Independent Senators Group
Duncan, Pat	Yukon	Whitehorse, Yukon	Independent Senators Group
Dupuis, Renée	The Laurentides	Sainte-Pétronille, Que.	Independent Senators Group
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Non-affiliated
Forest, Éric	Gulf	Rimouski, Que.	Independent Senators Group
Forest-Niesing, Josée	Ontario	Sudbury, Ont.	Independent Senators Group
Francis, Brian	Prince Edward Island	Rocky Point, P.E.I.	Independent Senators Group
Frum, Linda	Ontario	Toronto, Ont.	Conservative Party of Canada
Furey, George J., *Speaker*	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Non-affiliated
Gagné, Raymonde	Manitoba	Winnipeg, Man.	Non-affiliated
Galvez, Rosa	Bedford	Lévis, Que.	Independent Senators Group
Gold, Marc	Stadacona	Westmount, Que.	Non-affiliated
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Canadian Senators Group
Griffin, Diane F.	Prince Edward Island	Stratford, P.E.I.	Canadian Senators Group
Harder, Peter, P.C.	Ottawa	Manotick, Ont.	Non-affiliated
Hartling, Nancy J.	New Brunswick	Riverview, N.B.	Independent Senators Group
Housakos, Leo	Wellington	Laval, Que.	Conservative Party of Canada
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Independent Senators Group
Keating, Judith	New Brunswick	Fredericton, N.B.	Independent Senators Group
Klyne, Marty	Saskatchewan	White City, Sask.	Independent Senators Group
Kutcher, Stan	Nova Scotia	Halifax, N.S.	Independent Senators Group
LaBoucane-Benson, Patti	Alberta	Spruce Grove, Alta.	Non-affiliated
Lankin, Frances	Ontario	Restoule, Ont.	Independent Senators Group
Loffreda, Tony	Shawinegan		Independent Senators Group
Lovelace Nicholas, Sandra M.	New Brunswick	Tobique First Nations, N.B.	Non-affiliated
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative Party of Canada

Senator	Designation	Post Office Address	Political Affiliation
Manning, Fabian	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.	Conservative Party of Canada
Marshall, Elizabeth	Newfoundland and Labrador	Paradise, Nfld. & Lab	Conservative Party of Canada
Martin, Yonah	British Columbia	Vancouver, B.C.	Conservative Party of Canada
Marwah, Sabi	Ontario	Toronto, Ont.	Independent Senators Group
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Independent Senators Group
McCallum, Mary Jane	Manitoba	Winnipeg, Man.	Independent Senators Group
McCoy, Elaine	Alberta	Calgary, Alta.	Canadian Senators Group
McInnis, Thomas J.	Nova Scotia	Sheet Harbour, N.S.	Conservative Party of Canada
McPhedran, Marilou	Manitoba	Winnipeg, Man.	Independent Senators Group
Mégie, Marie-Françoise	Rougemont	Montreal, Que.	Independent Senators Group
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Non-affiliated
Mitchell, Grant	Alberta	Edmonton, Alta.	Non-affiliated
Miville-Dechêne, Julie	Inkerman	Mont-Royal, Que.	Independent Senators Group
Mockler, Percy	New Brunswick	St. Leonard, N.B.	Conservative Party of Canada
Moncion, Lucie	Ontario	North Bay, Ont.	Independent Senators Group
Moodie, Rosemary	Ontario	Toronto, Ont.	Independent Senators Group
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Non-affiliated
Ngo, Thanh Hai	Ontario	Orleans, Ont.	Conservative Party of Canada
Oh, Victor	Mississauga	Mississauga, Ont.	Conservative Party of Canada
Omidvar, Ratna	Ontario	Toronto, Ont.	Independent Senators Group
Pate, Kim.	Ontario	Ottawa, Ont.	Independent Senators Group
Patterson, Dennis Glen	Nunavut.	Iqaluit, Nunavut	Conservative Party of Canada
Petitclerc, Chantal	Grandville	Montreal, Que.	Independent Senators Group
Plett, Donald Neil	Landmark	Landmark, Man.	Conservative Party of Canada
Poirier, Rose-May	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.	Conservative Party of Canada
Ravalia, Mohamed-Iqbal	Newfoundland and Labrador	Twillingate, Nfld. & Lab.	Independent Senators Group
Richards, David	New Brunswick	Fredericton, N.B.	Canadian Senators Group
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Independent Senators Group
Saint-Germain, Raymonde	De la Vallière	Quebec City, Que.	Independent Senators Group
Seidman, Judith G.	De la Durantaye	Saint-Raphaël, Que.	Conservative Party of Canada
Simons, Paula.	Alberta	Edmonton, Alta.	Independent Senators Group
Sinclair, Murray	Manitoba	Winnipeg, Man.	Independent Senators Group
Smith, Larry W.	Saurel	Hudson, Que.	Conservative Party of Canada
Stewart Olsen, Carolyn	New Brunswick	Sackville, N.B.	Conservative Party of Canada
Tannas, Scott	Alberta	High River, Alta.	Canadian Senators Group
Verner, Josée, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.	Canadian Senators Group
Wallin, Pamela	Saskatchewan	Wadena, Sask.	Canadian Senators Group
Wells, David M.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative Party of Canada
Wetston, Howard	Ontario	Toronto, Ont.	Independent Senators Group
White, Vernon	Ontario	Ottawa, Ont.	Canadian Senators Group
Woo, Yuen Pau.	British Columbia	North Vancouver, B.C.	Independent Senators Group

SENATORS OF CANADA

BY PROVINCE AND TERRITORY

(March 1, 2020)

ONTARIO—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Jim Munson	Ottawa/Rideau Canal	Ottawa
2	Linda Frum	Ontario	Toronto
3	Salma Ataullahjan	Ontario (Toronto)	Toronto
4	Vernon White	Ontario	Ottawa
5	Thanh Hai Ngo	Ontario	Orleans
6	Lynn Beyak	Ontario	Dryden
7	Victor Oh	Mississauga	Mississauga
8	Peter Harder, P.C.	Ottawa	Manotick
9	Frances Lankin, P.C.	Ontario	Restoule
10	Ratna Omidvar	Ontario	Toronto
11	Kim Pate	Ontario	Ottawa
12	Tony Dean	Ontario	Toronto
13	Sabi Marwah	Ontario	Toronto
14	Howard Wetston	Ontario	Toronto
15	Lucie Moncion	Ontario	North Bay
16	Gwen Boniface	Ontario	Orillia
17	Robert Black	Ontario	Centre Wellington
18	Marty Deacon	Waterloo Region	Waterloo
19	Yvonne Boyer	Ontario	Merrickville-Wolford
20	Donna Dasko	Ontario	Toronto
21	Peter M. Boehm	Ontario	Ottawa
22	Josée Forest-Niesing	Ontario	Sudbury
23	Rosemary Moodie	Ontario	Toronto
24			

QUEBEC—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
2	Dennis Dawson	Lauzon	Ste-Foy
3	Patrick Brazeau	Repentigny	Maniwaki
4	Leo Housakos	Wellington	Laval
5	Claude Carignan, P.C.	Mille Isles	Saint-Eustache
6	Judith G. Seidman	De la Durantaye	Saint-Raphaël
7	Pierre-Hugues Boisvenu	La Salle	Sherbrooke
8	Larry W. Smith	Saurel	Hudson
9	Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures
10	Jean-Guy Dagenais	Victoria	Blainville
11	Diane Bellemare	Alma	Outremont
12	Chantal Petitclerc	Grandville	Montreal
13	Renée Dupuis	The Laurentides	Sainte-Pétronille
14	Éric Forest	Gulf	Rimouski
15	Marc Gold	Stadacona	Westmount
16	Marie-Françoise Mégie	Rougemont	Montreal
17	Raymonde Saint-Germain	De la Vallière	Quebec City
18	Rosa Galvez	Bedford	Lévis
19	Pierre J. Dalphond	De Lorimier	Montreal
20	Julie Miville-Dechêne	Inkerman	Mont-Royal
21	Tony Loffreda	Shawinegan	
22			
23			
24			

NOVA SCOTIA—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Jane Cordy	Nova Scotia	Dartmouth
2	Terry M. Mercer	Northend Halifax	Caribou River
3	Stephen Greene	Halifax - The Citadel	Halifax
4	Michael L. MacDonald	Cape Breton	Dartmouth
5	Thomas J. McInnis	Nova Scotia	Sheet Harbour
6	Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston
7	Dan Christmas	Nova Scotia	Membertou
8	Mary Coyle	Nova Scotia	Antigonish
9	Colin Deacon	Nova Scotia	Halifax
10	Stan Kutcher	Nova Scotia	Halifax

NEW BRUNSWICK—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Pierrette Ringuette	New Brunswick	Edmundston
2	Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations
3	Percy Mockler	New Brunswick	St. Leonard
4	Carolyn Stewart Olsen	New Brunswick	Sackville
5	Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent
6	René Cormier	New Brunswick	Caraquet
7	Nancy J. Hartling	New Brunswick	Riverview
8	David Richards	New Brunswick	Fredericton
9	Judith Keating	New Brunswick	Fredericton
10			

PRINCE EDWARD ISLAND—4

	Senator	Designation	Post Office Address
	The Honourable		
1	Percy E. Downe	Charlottetown	Charlottetown
2	Michael Duffy	Prince Edward Island	Cavendish
3	Diane F. Griffin	Prince Edward Island	Stratford
4	Brian Francis	Prince Edward Island	Rocky Point

MANITOBA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Donald Neil Plett	Landmark	Landmark
2	Raymonde Gagné	Manitoba	Winnipeg
3	Murray Sinclair	Manitoba	Winnipeg
4	Patricia Bovey	Manitoba	Winnipeg
5	Marilou McPhedran	Manitoba	Winnipeg
6	Mary Jane McCallum	Manitoba	Winnipeg

BRITISH COLUMBIA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Mobina S. B. Jaffer	British Columbia	North Vancouver
2	Larry W. Campbell	British Columbia	Vancouver
3	Yonah Martin	British Columbia	Vancouver
4	Yuen Pau Woo	British Columbia	North Vancouver
5	Bev Busson	British Columbia	North Okanagan Region
6			

SASKATCHEWAN—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Lillian Eva Dyck	Saskatchewan	Saskatoon
2	Pamela Wallin	Saskatchewan	Wadena
3	Denise Batters	Saskatchewan	Regina
4	Marty Klyne	Saskatchewan	White City
5	Brent Cotter	Saskatchewan	Saskatoon
6			

ALBERTA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Grant Mitchell	Alberta	Edmonton
2	Elaine McCoy	Alberta	Calgary
3	Douglas Black	Alberta	Canmore
4	Scott Tannas	Alberta	High River
5	Patti LaBoucane-Benson	Alberta	Spruce Grove
6	Paula Simons	Alberta	Edmonton

NEWFOUNDLAND AND LABRADOR—6

	Senator	Designation	Post Office Address
	The Honourable		
1	George J. Furey, *Speaker*	Newfoundland and Labrador	St. John's
2	Elizabeth Marshall	Newfoundland and Labrador	Paradise
3	Fabian Manning	Newfoundland and Labrador	St. Bride's
4	Norman E. Doyle	Newfoundland and Labrador	St. John's
5	David M. Wells	Newfoundland and Labrador	St. John's
6	Mohamed-Iqbal Ravalia	Newfoundland and Labrador	Twillingate

NORTHWEST TERRITORIES—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Margaret Dawn Anderson	Northwest Territories	Yellowknife

NUNAVUT—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Dennis Glen Patterson	Nunavut	Iqaluit

YUKON—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Pat Duncan	Yukon	Whitehorse

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